



ANALYSIS OF POLICE

AND POLICING

IN NIGERIA

A DESK STUDY ON THE ROLE OF POLICING AS A BARRIER TO CHANGE OR DRIVER OF CHANGE IN NIGERIA, PREPARED FOR THE DEPARTMENT FOR INTERNATIONAL DEVELOPMENT (DFID), BY PROF. ETANNIBI E.O. ALEMIKA AND INNOCENT C. CHUKWUMA AT THE CLEEN FOUNDATION, LAGOS.

INTRODUCTION

The police play important roles without which the sustenance of order, legality, development and democracy may be difficult. Therefore, any pro-poor change initiative must take account of the facilitative and inhibitive roles of the police in society. The primary role of police is policing – securing compliance with existing laws and conformity with precepts of social order. But the police are not the only agency involved in policing, in the broad sense of the term. Policing has always been necessary in all societies for the preservation of order, safety and social relations. The necessity of policing becomes even more evident in modern societies characterized by diversities and contradictions arising from population heterogeneity, urbanization, industrialization, conflicting ideologies on appropriate socio-political and economic form of organization. However, the emergence of the police, a body of men recruited and paid by the state to enforce law and maintain order, is a recent development in human history (Reiner, 2000).

Traditionally, policing was the responsibility of all adults in community. In medieval society, all adult males were obliged to contribute towards the prevention and control of crime and disorder under the systems of ‘hue, cry and pursuit’ and the ‘watch and ward that preceded the emergence of specialized police forces as organs of the state. But the emergence of the state, with its vast bureaucracies anchored on centralization, hierarchical authority/power structure, and professional staff (Weber 1968) changed the traditional policing philosophy rooted in the idea of policing as everybody’s business. The emergence of the state as an entity with claim to the monopoly over the means of legitimate violence in society (Weber 1968) resulted into the creation of specialized agencies such as the police and the armed forces for controlling the use of violence by other groups. According to Susan Martin (1990:6):

Police work involves a variety of tasks and responsibilities. Officers are expected to prevent crime, protect life and property, enforce the laws, maintain peace and public order, and provide a wide range of services to citizens ... A common trend unifying these diverse activities, however, is that potential for violence and the need and right to use coercive means in order to establish social control (Bitner, 1970). Understanding that the police act as the representatives of the coercive potential of the state and the legitimate users of force helps explain a number of their attitudes and characteristics.

Broadly, modern police forces are assigned the primary duty of law enforcement and order maintenance. But the content of law and what constitute order vary widely across time and nations, and are determined by the political economy of societies. The concrete roles played by the police are defined by law and conception of order in accordance with the political and economic interests of the dominant or ruling groups in society. Robert Reiner (1993) stresses this point:

The police are the specialist carriers of the state's bedrock power: the monopoly of legitimate use of force. *How and for what this is used speaks to the very heart of the condition of a political order.* The danger of abuse, on behalf of particular partisan interests or the police themselves are clear and daunting.

Police are organized to defend and preserve the interests of the dominant groups and classes in society. Consequently, the significance of police as either facilitators or inhibitors of pro-poor change initiatives will depend on the character of their society. In a totalitarian and economically inequitable society, police role will be more to defend the *status quo* of political oppression and economic injustice. In contrast, in a democratic society the police are more likely to provide services that will enhance development and democracy (Alemika 1993b).

By maintaining order and enforcing law in consonance with the principles and practices of a democratic society, police will foster entrepreneurial initiative and public safety, which are critical to development and human cooperation in general. It is in these respects that the police can make positive contributions towards pro-poor change initiatives. Some of the major concerns of the poor apart from material deprivations and lack of access to services are their vulnerability to insecurity, crime, police brutality and denial of due process rights (World Development Report 2000/2001). In Nigeria, police are described more in negative terms by major segments of the population. This paper analyses the development, character and roles of the police in Nigeria in order to evaluate whether or not the Nigerian police can be critical drivers of pro-poor change initiatives or inhibitors.

THEORETICAL FRAMEWORK

Analysis of police and policing should begin with careful delineation of the two interrelated concepts and phenomena. Police refers to a socio-political and quasi-legal institution – state agencies charged primarily with the enforcement of criminal law and the maintenance of order. Many quasi-police agencies such as the Custom and Immigration organizations and economic regulatory agencies are also involved in public policing. Analytically, policing refers to measures and actions taken by a variety of institutions and groups (both formal and informal) in society to regulate social relations and practices in order to secure the safety of members of community as well as conformity to the norms and values of society. It is therefore a “sub-set of control processes” which involves “the creation of systems of surveillance coupled with the threat of sanctions for discovered deviance – either immediately or in terms of the initiation of penal process or both (Reiner 2000:3). State agencies designated as police as well as community groups are involved in policing. But community policing groups who carry out activities aimed at safety and social order do not constitute police.

No society can do without policing. However, historical evidence indicates that societies have existed without formal police forces. The danger of ‘police fetishism’ should be avoided so that the capacity of society for evolving variety of policing organization and strategies is not undermined. According to Reiner (2000: 2-3):

Modern societies are characterized by what can be termed *'police fetishism, the ideological assumption that the police are a functional prerequisite of social order so that without a police force chaos would ensure*. In fact, many societies have existed without a formal police force of any kind, and certainly without the present model. ... It is important to distinguish between the ideas of 'police' and 'policing'. 'Police' refers to a particular kind of social institution, while 'policing' implies a set of processes with specific social functions. 'Police are not found in every society, and police organizations and personnel can have a variety of shifting forms. 'Policing', however, is arguably a necessity in any social order, which may be carried out by a number of different processes and institutional arrangements. A state-organized specialist police organization of the modern is only one example (emphasis added).

The police are agents of the state, established for the maintenance of order and enforcement of law. Therefore, like the state, the character, roles and priority of police forces are determined by the political and economic structures of their nations. Similarly, the form and activities of policing by state and non-state agencies are also dependent on the character and composition of the political economy of society. The tasks of police are dictated by the contradictions and conflict of interests among groups and classes in society which if not regulated can threaten the preservation of the prevailing social order or *status quo*. In very substantive ways, the police mirror the contradictions and conflicts as well as human cooperation in society. According to Coatman (1959: 8):

... a student of the political institutions of any country desirous of understanding the "ethos" of any country's government can hardly do better than make a close study of its police system, which will provide him with a good measuring rod of the actual extent to which its government is free or authoritarian.

The political economy frame of analysis is therefore appropriate to the analysis of police and policing in any society. There are different political economy models of analysis. However, there are common grounds among them, the principal ones being (1) that there is intricate linkages between political and economic structures of society; (2) that the political and economic structures of a society determine its general values, cultures and norms as well as the direction and practice of governance, and (3) that a more robust analysis of society is provided by an understanding of the linkages between the economy and polity and their dialectical interrelations with other structures and social institutions.

The most popular strand of political economy is the Marxist model. Its main argument is summarized by the famous statement by Karl Marx in the Preface to *A Contribution to the Critique of Political Economy* (1970). According to Marx:

In the social production of their existence, men inevitably enter into definite relations, which are independent of their will, namely relations of production appropriate to a given stage in their development of material forces of production. *The totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political*

superstructure and to which correspond definite forms of social consciousness. The mode of production of material life conditions the general process of social, political and intellectual life (pp. 20-21, emphasis added).

Marx strongly argued that the economic structure of society determines the character of the superstructure which includes the political, legal, cultural and religious relations and institutions of society. But this does not imply a unidirectional model. Account is also taken of dialectical relations a form of feedback process in which the superstructure also influences the economic substructure.

Applied to police and policing, the model suggests that the problems of order, law and lawlessness are to be understood as the reflections or products of the way the society organizes its economy, especially the dominant interests that drive it. Criminal law, which enforcement constitutes the rationale for the establishment and sustenance of police and judicial institutions, contains rules prohibiting the behaviours and activities deemed detrimental to the dominant economic and political interests of society. However, societies are constituted into classes and groups with varying degree of power or influence over political and economic decision-making. Classes and groups with dominant economic power control political decision-making, including the enactment of criminal law by the legislature, its enforcement and interpretation by the police and judiciary respectively.

Several studies, especially anthropological inquiries (Schwartz and Miller 1964; Robinson and Scaglione 1987, Robinson, Scaglione and Olivero 1994) - have established linkages among economic and political structures, form and character of policing, and the development of police forces. Reiner (2000:5) suggests that “While policing may originate in collective and communal processes of social control, specialized [police] forces develop hand in hand with the development of social inequality and hierarchy”. Robinson and Scaglione (1987: 109) advanced this argument further that the evolution or emergence of specialized and state police forces “is linked to economic specialisation and differential access to resources that occur in the transition from a kinship- to a class-dominated society (cited in Reiner 2000:5).

There are also common grounds on police and policing between the political economy theorists and social conflict theorists. The two groups of theorist argue that society is divided into groups and classes with common interest in some areas and conflicting interests in many fundamental areas, including the organization, mobilization and distribution of economic and socio-political resources. But generally, they argued “that the Police were not created to serve “society” or the “people” but to serve some parts of society and some people at the expense of others” (Institute for the Study of Labor and Economic Crises, 1982: 12).

Police roles vary across societies with different political and economic organizations. According to the Institute for the Study of Labor and Economic Crises (1982: 12), in capitalist societies:

... the main function of the police has been to protect the property and well-being of those who benefit most from an economy based on the extraction of

private profit. The police were created primarily in response to rioting and disorder directed against oppressive working and living conditions.

Similarly, Bowden (1978: 19) argues that the roles of police include the repression of the poor and powerless in order to protect the interests of the rulers. The police, therefore, stand as a “buffer between elites and masses”. As a result the police perform “the essential holding operation against the mal-contented until military force could be applied in a punitive and salutary manner” by the state. Brodgen put this view more forcefully, stating that “Police forces are structured, organizationally and ideologically to act against the marginal strata” (1982: 203).

Contrary to the picture that a perfunctory reading of radical political economy and social conflict paradigms on police and policing may produce, the role of the police is not limited to repression. No government governs by repression alone, precisely because this renders governance unstable, expensive and unacceptable. Consequently rulers also enforce compliance, law and order by means of persuasion, indoctrination and incorporation of diverse interests into public crime control and law enforcement policies. A holistic view is that police forces repress and at the same time serve the public. The priority attached to repressive and service functions vary across societies and even between regimes within society. As has been argued:

... police work embodies ironies. Police are instrument of oppression and exploitation in totalitarian and unjust social systems. Yet they are essential to the preservation of justice and democracy... The police are guardians of social order. As an institution the police force, helps to preserve, fortify and reproduce the prevailing social order, and are hardly catalyst for its change. Thus when a social order is oppressive, exploitative and unjust, the police preserve it by suppressing and defusing demand for democracy and elimination of oppression and injustices. Similarly, in a democratic, just and equitable society, police have greater chances of serving as vanguard for social democracy, human rights and socio-economic justice (Alemika 1993b).

Analysis of the roles of state police must be located within the social, political and economic order that police forces are required to secure, preserve and fortify. Consequently police roles and performance as well as police violence must be seen as the product of interaction among political, economic, legal, institutional and personality factors. Generally, police bureaucracies are organized to manage (detect, investigate, sort out, sieve, arrest, detain, prosecute, harass) those considered to be dangerous for the preservation of the *status quo*. But as Carter and Radelet (1999: 9) have argued, the police “are *part of* and not *apart from* the communities they serve”.

Nigerian Political Economy, Police and Policing

The Nigerian economic system has been variously described. British colonial rule in the territory bred colonial economy, with the principal aim of the exploitation of the resources and peoples of the colony to develop the colonizing people and nation. But

since the country gained independence in 1960, the economy has been variously described by different groups as ‘mixed economy’, “neo-colonial economy”, ‘capitalist/neo-capitalist economy’, “peripheral economy’. Correspondingly, the Nigerian state has also been classified as ‘neo-colonial state’, ‘authoritarian state’, ‘bourgeois state’, ‘dependent state’, ‘rentier state’ and its capacity classified as either weak or strong. However, a description of the features of the economic and political conditions in the country better clarifies the character and contradictions of the Nigerian political economy.

The Nigerian political economy is characterized by a dependency on a mono-product (petroleum), rent-seeking by the rulers, widespread corruption, patrimonialism (patron-client relationship between political elites and their followers), wide inequality and mass poverty, high rates of unemployment at all levels that have persisted for more than two decades; low capacity utilization, high level of import dependency in both capital and consumer goods, high external and domestic debt portfolio. As a result of these conditions, there has been steady decline in the availability, quality and affordability of social welfare goods and services (such as education, health care, employment) as well as the collapse of socio-economic infrastructure (road and transportation, energy/electricity), and generally, institutional neglect. In the past 22 years beginning from the early 1980-81 when its economic crisis began to manifest on a serious scale, Nigeria has witnessed political instability, protracted military rule (involving four different regimes), widespread insecurity, ethnic and religious conflicts, annulment of a presidential election conducted in June 1993 followed by a gruesome specter of military dictatorship under General Sani Abacha. Although an elected government (under Olusegun Obasanjo who was the nation’s military head of State from 1976 to 1979) came to power on May 29, 1999, however after four years no significant achievement has been recorded in the tackling of the nation’s core economic, political and social problems.

The foregoing enumerated political and economic crises impacted on the Nigeria Police Force and its policing tasks. With pressures from the despotic rulers to curb and crush opposition and curtail rising crimes coupled with institutional neglect (suffered by the police) which is manifested in lack of resources, embargo on recruitment and promotion for several years, victimization and nepotism, the Nigerian police embraced a culture of impunity. As a result, extra-judicial killing, detention without trial and corruption became widespread and were condoned by the successive governments. The inefficiency of the police regarding maintenance of law and order became glaring as cases of armed robbery involving the use of sophisticated weapon and high casualties as well as incidences of ethno-religious conflicts persisted.

The experience in the nation during the past two decades demonstrates the linkage between political and economic crises, and policing. In analyzing the structure, roles, performance and problems of police and policing in the country, there is need to adopt a theoretical frame of analysis that account for the structural (political economy) and institutional (police functional management) factors. A discussion of police and

policing in the country during the colonial and post-colonial periods within such a framework follows.

Colonialism and Development of Police in Nigeria

The British colonization of the different societies that presently constitute Nigeria began in 1861 from the territory of Lagos. By 1903, the British colonizers had succeeded in colonizing all the nearly four hundred nationalities in the country (Otite 1990). The colonizers executed the colonial project employing violence and fraud or deceptions. Scholars have documented the history of police forces in Nigeria from the beginning of colonialism in 1861 to the present (Tamuno 1970; Ahire 1991, 1993; Rotimi 1993; Alemika 1993a). This therefore need not detain us here.

The establishment of police forces in colonial Nigeria reflected administrative policy and concerns. The indirect rule system was adopted as a means of reducing the cost of running the colonial bureaucracy. Police forces were therefore established along the lines dictated by the indirect rule policy. According to Tamuno (1970: 90):

The Native Authority Ordinance (No. 4 of 1916) conferred on the Native Authorities the responsibility for maintaining order in their respective areas. Under it, they were allowed to prevent crime and arrest offenders by employing 'any person' to assist them in carrying out their police duties. Their police powers were increased under the Protectorate Laws (Enforcement) Ordinance (no. 15 of 1924).

There is need to recognize and comprehend three important historical factors that have shaped the development and character of police forces and police – public relations in Nigeria. First, colonial conquest of Nigerian nationalities took place piecemeal over a long period (1861-1903). Nigeria's constituent nationalities were conquered at different periods. As a nationality is conquered a British colonial presence is established by creating a police force for the territory. Second, violence and fraud were employed in the conquest of the nationalities and police forces under various names were established and employed as instrument of violence and oppression against the indigenous population. Third, given the character of colonial rule, police forces were the instrument used to sustain the alien domination.

The significance of these three factors is that during the colonial era the police were not accountable to the colonized but to the colonizers and their excesses against the community were not controlled. As a result, the colonial police forces behaved as 'army of occupation', killing and maiming, and looting. These three features of colonialism, led the public to regard colonial police forces as their enemy, and as instrument of violence and subjugation; as extortionists and harbingers of bad news and trouble. The perceptions of police by the people were grounded in their experience of the use of the military and constabulary forces during the earlier phase of colonial campaign in various areas of the country such as Opobo, Benin, Niger confluence. Tamuno (1970, chapter 9) provides detailed account of the use of colonial police forces to violently suppress workers' strike (1945, 1947, 1949), and Women's riots (1929 - 1930; 1948) as

well as communal riots in Kano (1953) and Tiv land (1959 - 1960) resulting in deaths and destruction of property. Ever since successive police forces and governments in the country have frequently likewise deployed the police.

The character and impact of colonial political economy on policing and police were incisively captured by Onoge (1993: 178) as follows:

The burden of colonial policing was the subordination of the national interests of the people to the political and economic interest of the state. Through armed patrols, raids, arrests and detention, the colonial police protected the colonial economy by policing labour. Through the enforcement of unpopular direct taxation, the raiding of labour camps, and the violent suppression of strikes, the police ensured the creation, supply and discipline of the proletarian labour force required by colonial capitalism ... The police, the most visible enforcer of colonial *diktat* remained immensely unpopular. The police, in the consciousness of the people, became the symbol of the dictatorial establishment rather than the protector of the people's rights. As the people had no checks over the arbitrariness of the police, they either avoided "police trouble" or mediated inevitable contacts with bribe offerings.

During colonial rule in Nigeria, members of various colonial police forces were accused of 'looting, stealing and generally taking advantage of their positions'¹. Rather than keep peace for the community they "turned themselves loose upon the people, filling up the role vacated by kidnappers, and rioters ... marauders and free booters."²

Police in Post-Colonial Nigeria: 1960-66

Between 1930 and 1966 the Nigeria Police Force (created in 1930 with national jurisdiction) coexisted with local administration police forces in Local Government Areas in Western Nigeria and the Native Authorities in Northern Nigeria. These local forces were disbanded because they were poorly trained, corrupt and used for partisan political purposes, including brutalisation of opponents, by traditional rulers and politicians in Northern Nigeria as well as by political parties and governments in power in the Northern and Western Regions (Ahire 1993; Rotimi 1986, 1993; Ohonbamu 1972).

The dual system of police involving multiplicity of local forces and a national police force continued until 1966. But it became one of the earliest victims of military rule in the country. The first military coup occurred on 15 January 1966. Major-General J. T. U. Aguyi-Ironsi emerged as the Head of the Military Government. In March 1966, Major-General Aguyi-Ironsi empaneled a Working Party on Nigeria Police, Local Government and Native Authority and Police and Prisons, to examine among other issues, "the feasibility of the unification of the Nigeria Police, Local Government Police

¹ This was in respect of the police force in the Colony of Lagos between 1860s and 1890s. See letter from McCallum to Chamberlain on July 9, 1897 in CSO/1/1/1/9 at the National Archives, Ibadan (NAI).

² See S. C. Ukpabi (1987) *The Origins of the Nigerian Army* (Zaria: Gaskiya Corporation) pp. 53-54.

and the unification of prisons in Nigeria ...” It must be borne in mind that the government’s attempt at unification of police forces and prisons is not an isolated case. The overall objective of Aguyi-Ironsi regime was to introduce a unitary polity in the country. However, the coup of July 1966, during which he was killed aborted the plan.

At the inaugural meeting of the Working Party, the Head of State, in his address, observed that:

There is need for a clarification of the general impression held in this country about the services provided by the departments of Police and Prisons. You will therefore have to examine the factors which have contributed in producing a distorted image of the machinery for police administration in the minds of the Nigerian public and formulate concrete proposals for correcting any deficiencies. Similarly, Prisons administration appears defective in certain respects. There are far too many local authorities maintaining shabby and ill-equipped prison establishments throughout the country and these are being maintained at the expense of other essential services from which the general community could benefit immensely. It would be a more rational policy for Local Authorities to concentrate on development schemes which are designed to improve their communities rather than dissipate their energies and resources in maintaining ill-equipped organizations for Police and Prisons Administration which could be better serviced by a central Government authority (The Report of the Working Party on Police and Prison Services in Nigeria, 1966:2)

The Federal Military Government, under General Gowon accepted the recommendation of the Working Party that the Nigeria police system be unified. The Working Party after extensive discussions and consultations came to the inevitable conclusion that ‘unification is feasible’ and should be formally accepted as an articulation of the country’s ultimate objective (The Report of the Working Party on Police And Prison Services 1966: 22). As a result, the local police forces were dissolved and their qualified personnel absorbed into the Nigeria Police Force. The movement towards unification or at least consolidation of police forces, however, started long before 1966. The provincialization of local police forces from 1955, especially in the Western Region should be seen in this light (Alemika 2003a, forthcoming).

The dissolution of the local police forces was anchored on several points. The members of the local police forces were ill-qualified, poorly trained and poorly behaved, and constituted an instrument of oppression in the hands of traditional rulers, local governments, and politicians (Rotimi 1993; Ahire 1993, Ohonbamu 1972, Tamuno 1970; Alemika 1988, 1993a). These allegations against the local police forces have been documented, though in the present dispensation of clamour for state police forces, there is an attempt by the proponents to foster a collective amnesia on the Nigerian public. Ohonbamu reported that “[i]n the Western Region there were mass recruitment into the local forces of party thugs and stalwarts - people against whom the police were supposed to be giving protection to the law abiding citizens.” He also reported that in the North, “political opponents were arrested by native authority police for holding private meetings to discuss political issues, handcuffed or chained and marched through

the streets as an ocular demonstration of what fate awaited those who sought to exercise their fundamental right” (1972 : 75-76).

Rotimi (1986: 119) in his study of local police forces in the Western Region also recorded that:

A wedge was driven between the NA policemen and the public because the policemen also used their status to oppress their fellow-citizens through bribery, blackmail and intimidation. Naturally, the Native Authorities and their colonial mentors, the Residents and District Officers, applauded the policemen for their ‘good’ work. They only occasionally frowned at misdemeanors such as misappropriation of taxes and brutal treatment of culprits.

Philip Ahire (1993) also provided additional evidence about the political abuse of local police powers in Northern Nigeria:

The fiercest criticisms of the NA police system relate to its handling of opposition politicians in the 1950s when party politics started in Nigeria. It is on record that NA police forces earned notoriety by using undue coercion and intimidation to enlist support for the ruling party; deny opposition parties permits for rallies; disrupt meetings of opposition parties and generally enforced the obnoxious ‘unlawful assembly’ laws against opposition politicians. The excesses of NA police forces in support of the ruling party in Northern Nigeria prompted a loud outcry which eventually led to their extinction (p. 257).

Police and Policing since 1966

Successive Nigerian Constitutions since 1979 have provided for the existence of the Nigeria Police Force alone. The 1999 Constitution had provisions on the Nigeria Police Force, Police Council and the Police Service Commission. Section 214(1) of the 1999 Constitution provided that:

There shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section, no other police force shall be established for the Federation or any part thereof.

The 1999 Constitution re-established the Police Council, which was in the 1963 Constitution but absent from the 1979 Constitution. The Third Schedule of the 1999 Constitution created the Nigeria Police Council and the Police Service Commission. The Police Council consists of :

- (a) the President who shall be the Chairman;
- (b) the Governor of each State of the Federation;
- (c) the chairman of the Police Service Commission; and
- (d) the Inspector-General of Police.

The Constitution defined the functions of the Police Council to include:

- (a) the organisation and administration of the Nigeria Police Force and all other matters relating thereto (not being matters relating to the use and operational control of the Force or the appointment, disciplinary control and dismissal of members of the force);

- (b) the general supervision of the Nigeria Police Force; and
- (c) advising the President on the appointment of the Inspector-General of Police.

The 1999 Constitution, like the 1963 Constitution of the Federation also provided for the establishment of the Police Service Commission with the following members:

- (a) Chairman; and
- (b) such number of other persons, not less than seven but not more than nine, as may be prescribed by an Act of the National Assembly.

The Constitution stipulated that the Commission shall have the power to-

- (a) appoint persons to offices (other than the office of the Inspector-General of Police) in the Nigeria Police Force; and
- (b) dismiss and exercise disciplinary control over persons holding any office referred to in sub-paragraph (a) of this paragraph.

Nigeria maintains a national police force and a national prisons service. Each of the thirty-six states is served by a command of the federal police and a command of the federal prisons service. As at January 2001, the Nigeria Police Force numbered 163,722, of whom 20,287 were recruits in training.³ The establishment, organization, control, command and management of the Nigeria Police Force, are governed by a colonial legislation⁴ (*Police Act* (CAP 359 of the Laws of the Federation of Nigeria, 1990) and the 1999 Constitution. Section 4 of the Police Act provides that:

The police shall be employed for the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulations with which they are charged, and shall perform such *military duties within or without Nigeria* as may be required ... (emphasis added).

Members of the Nigeria Police Force have statutory powers to investigate crimes, to apprehend offenders, to interrogate and prosecute suspects, to grant bail to suspects pending completion of investigation or prior to court arraignment, to serve summons, and to regulate or disperse processions and assemblies. They are also empowered to search and seize properties suspected to be stolen or associated with crime, and “to take and record for purposes of identification, the measurements, photographs and fingerprint impressions of all persons...”, in their custody⁵.

³ The large size of the recruits in training came about as a result of decision by the new civilian government (under General Olusegun Obasanjo, a former military dictator from 1976 – 1979, to increase the strength of the police in order for the force to cope with the country’s growing crime rates. The recruits are poorly trained because the training facilities are grossly inadequate for such a large number of recruits.

⁴The law was initially enacted in 1943, by the British colonial government. The contents of the legislation were similar to those enacted for other British colonial Africa countries like Zambia, Ghana and Tanzania. Nigeria has a national police force. There were local police forces up to 1966 when the military first intervened in the nation’s politics and seized power. Local police forces, which existed side by side with the national police (Nigeria Police Force), were disbanded by the military as a result of complaint of corruption, poor training and standard, political partisanship – they were used to rig elections and brutalise opponents.

⁵ Sections 19-26 of Police Act.

However, due to a combination of structural factors (political oppression and instability as well as economic exploitation, mass poverty, widespread corruption, etc.) and institutional inadequacies (poor quality of personnel, inadequate training, poor facilities, grossly inadequate remuneration and general conditions of service, and hostile police-public relations), the country's police force is ill-equipped to perform its function well and in compliance with the rule of law. Instead, what is evident is that the Nigerian police is highly and visibly subservient to the rich and powerful, even in the rendering of services. Otwin Marenin (1985: 80) aptly observed with respect to Nigeria that:

The police in their routine work tend to protect the powerful. Police are visible *enmasse* during ceremonial occasions when they cordon off VIPs from the common folk; they are assigned to guard the homes of the powerful, government buildings, and act as body guards for important officials. One rarely sees high ranking officer without a police officer. Police are concentrated in urban areas and within urban areas concentrate on patrolling Government Residential Areas (GRAs) – the home of indigenous and expatriate elites ... such practices teach the rank and file who needs protection and who does not, who is entitled to services and whose demand can be rejected.

Ibrahim Coomassie, a former Inspector-General of Police of the Nigeria Police Force, also made a similar observation. According to him,

... any time a citizen becomes a public figure, his first official correspondence on assuming duty is to write the Inspector-General of Police to ask for an orderly and policemen to guard his house ... Everybody wants to use the Police as status symbol, yet the members of the organization remain without accommodation, adequate remuneration, tools to work with, transport to patrol, effective communication and appropriate intelligence outfit to support their operations (1988: 10).

This pattern of police service delivery persists until now and reflects the economic and political hierarchies in the country.

Police brutality is one of the major obstacles to the prospect of the Nigerian police being a positive factor in pro-poor change initiatives. The police in Nigeria, with the backing of autocratic leaders and repressive laws - frequently acted outside the rule of law. Often, they were laws unto themselves, maiming, killing and detaining persons arbitrarily and with impunity. In Nigeria, police repression had been institutionalized since colonial rule. However, police repression became increasingly intensified under the successive military regimes after 1966. As has been observed, police repression has persisted, and in most cases intensified. For instance:

The Nigeria Police Force is still largely vicious and corrupt. Political opponents of governments and military administrations – usually workers, students, radicals and human rights activists – continue to suffer excessive and recurrent waves of brutalities, abductions, unwarranted searches and violations of privacy and private family life, extra-judicial killings, bodily injury, intimidation,

harassment and loss of personal liberties in the hands of the police and sundry state “intelligence” and security agencies in the country (Alemika 1993b: 208).

Police repression (especially extra-judicial killings) did not abate after an elected government came to power on May 29, 1999. A press statement by the Force Police Public Relations Officer, in early January 2001 showed that from 15 August to 19 December 2000, 134 persons were killed by armed robbers while 320 others were injured; 88 policemen were injured and 29 others were killed by the robbers. During the same period, however, the police killed 348 robbery suspects.⁶ An official police publication in Nigeria reported that:

... in a five year period of 1996 – 2000, some 10,345 Armed Robbery cases were reported nationwide, which led to the arrest of 13,365 suspects in the same period.

A total of 2,201 of the armed hoodlums lost their lives in gun battle with the Police as against 381 Policemen killed by robbers while another 822 Policemen sustained injury within the period under review.⁷

The figures indicate no significant change in police behaviour in respect of extra-judicial killing under previous military regimes (1996 – 1999) and civilian regimes (1999 – 2000).⁸

Police Corruption

Police corruption is another major hindrance to positive contribution toward pro-poor change initiatives. Corruption and extortion are widespread among the members of the Nigerian Police Force and have soiled their image. While corruption is endemic in all segments of the Nigerian society, it is particularly objectionable among the police because it is their occupational responsibility to prevent and work at its elimination. Alemika (1999:10) argues that:

police corruption elicit serious concern for three significant reasons. First, the police are expected to be moral as well as law enforcement agents. If the police which are employed to prevent and detect corruption, and bring culprits to judgment are themselves stinkingly corrupt, the society’s crusade against corruption is guaranteed to fail. Second, the police exercise powers that have profound implications for the life, property, safety and freedoms of citizens. Where the exercise of such powers is contaminated by corrupt motives, the citizens feel exceedingly vulnerable, insecure and powerless. Third, police corruption is often tantamount to extortion, a form of robbery or demand with force. These dimensions of police corruption explains why the public is threatened by such practices ... The most significant source of negative police-community relations is corruption. Corrupt motive is also a source of police brutality. In many circumstances, police brutality is a means of coercing individuals to succumb to demands for bribes, and at some other time, it is a

⁶ *The Guardian* (Nigeria) January 5, 2001, back page.

⁷ *Police News: Dansanda* Vol. 1, No. 2, October – December 2001, p. 26

⁸ The data in fact suggest that extra-judicial killing of armed robbery suspects by the police increased significantly under the new civilian government (348 robbers so killed in just four months: August – December 2000) which came to power on 29 May 1999.

punishment for not cooperating with the police in their demand for gratification (Alemika 1999: 10).

Closely related to the problem of corruption and extortion is the incidence of collusion of some police officers with criminals, resulting in increased insecurity and police inefficiency in tackling crime. The twin phenomenon of police brutality and corruption constitute the main barrier between the police and public in Nigeria.

Resource and management inadequacies have also impacted on police efficiency and conduct (Alemika 1997, 1998, Osoba 1994 and Balogun 2003). Critical among the inadequacies are:

1. Inadequate manpower, both in terms of quantity, but more especially of quality.
2. Inadequate funding.
3. Poor crime and operational information management, including inaccurate recording and collation, poor storage and retrieval, inadequate analysis and infrequent publication of criminal statistics.
4. Poor remuneration and general condition of service.
5. Inadequate initial and on-the job training and deficient syllabi which places too much emphasis on law enforcement and order maintenance without adequate liberal and broad training that can illuminate the nature and sources of law and criminality.
6. Poor resource management.
7. Inadequate logistic, arms and ammunition, uniform and accoutrement, telecommunication and transportation facilities - both in terms of quality and quantity.
8. Inadequate office and residential accommodation.
9. Inhuman conditions under which suspects are held in police cells.
10. Un-hygienic working environment.
11. Limited contacts or relationship with the citizens outside law enforcement and order maintenance functions.
12. Low commitment
13. Indiscipline and involvement in crime or collusion with criminals.
14. Lack of integrity
15. Perversion of the course of justice (i.e. procuring and supplying false evidence, tampering with exhibit, and false accusations).
16. Poor knowledge of law and disregard for human rights
17. *Corruption and extortion.*
18. *Brutality.*

Nigeria Police and the demands of Democratic Policing

The Nigeria Police Force has not met the minimum demands of democratic policing which cardinal elements are “justice, equality, accountability and efficiency” (Law Commission of Canada 2002). These elements imply the following:

Justice means that all individuals ought to be treated fairly and their “rights are respected. Equality means, first, that all ... ought to receive policing service

sufficient to feel safe in their community. Equality also means that there ought to be representative participation from all members of society in the delivery of policing services, i.e. that it requires equal and inclusive security force. Accountability means that the actions of a body are subjected and that there are formal channels than individuals can use to lodge a complaint. Finally, efficiency means that services are provided in a cost effective manner (Law Commission of Canada 2002: 5).

As regards equality and justice, available information show that the police has not fared well. In 1993, women constitute 4.8% (6,900) of the 137,734 officers in the Nigeria Police Force. Further broken down, women constitute 4.1% and 8.0% of the junior and senior officer cadres. Women officers suffer statutory discrimination in the areas of marriage and posting. Unmarried women must seek and obtain approval to marry a man of their choice, but their male counterparts are not so encumbered. The justification for the discrimination is that male criminals may marry female police officers and thereby undermine police crime control efforts. Women also suffer discrimination in respect of posting to command posts. They are prevented from bearing arms, though recently a female wing of the anti-riot squad known as the Mobile Police Force has been created. In a study of gender relations and discrimination in the Nigeria Police Force, 44.6% and 57.6% of male and female police respondents reported that there are discriminations in the Force. Gender and ethnic discriminations were the most frequently cited (Alemika and Agugua 2001).

Members of the police also experience discrimination in their relation to the police. Alemika and Chukwuma (2000) discovered that highly educated persons were less likely to report arrest by the police. Commercial drivers reported the highest level of arrest, detention and brutality. More than two-thirds of the respondents have ever observed the police receiving bribe, abusing, beating and kicking citizens (Alemika and Chukwuma 2000). Police officers in the study corroborated the public response as 43% of them admitted to have ever insulted, beaten and slapped citizens. Members of the public do not trust the police because of brutality and corruption (Alemika 1988; Alemika and Chukwuma 2000).

Many of these problems in the Nigeria Police Force are self-evident and have been sources of serious concern to the public, governments, police authorities and officials, the mass media and human rights organization in the country. What is required is a determination to address the problems.

Conclusion

Conclusion

As a result of the history and character of police and policing in the country, since the colonial era, the nation's police force continues to be confronted with failures in the following areas:

1. Effectiveness and efficiency in the prevention and control of crime, in the detection, apprehension and prosecution of offenders;
2. Scrupulous observance of the rule of law;
3. Recognition and protection of the dignity and rights of citizens;

4. Accountability to the citizens;
5. Civility and incorruptibility;
6. Concern for the general welfare of citizens.

The police can play positive and significant roles in the promotion of pro-poor change initiatives. But for the Nigerian police to do so the various structural, institutional and logistics obstacles highlighted in this study would have to be addressed. If these are done, police will be better placed to meet the expectation of citizens and thereby earned the cooperation of the public which they require to fulfill their mandate.

REFERENCES

- Adeyemi, A. A. (1993) "Information Management for National Development, Planning and Security" in T. N. Tamuno; I. L. Bashir; E. E. O. Alemika and A. O. Akano eds. *Policing Nigeria : Past, Present and Future* (Lagos : Malthouse Press Limited).
- Ahire, P. T. (1991) *Imperial Policing* Milton Keynes: Open University Press.
- Ahire, P. T. (1993) "Native Authority Police in Northern Nigeria : End of an Era." in T. N. Tamuno *et al.* eds. *Policing Nigeria*.
- Akano, A. O. (1993) "The Police, Rule of Law and Human Rights : The Police Perspective" in T. N. Tamuno *et al* eds. *Policing Nigeria*.
- Alemika, E. (1986) "Criminal Justice Principles and Nigerian Police Prosecutorial Disposition" *Nigerian Journal of Policy and Strategy* 1(2): 1-17.
- Alemika E. E. (1988) "Policing and Perceptions of Police in Nigeria" *Police Studies* 11(4): 161-176.
- Alemika, E. E. O. (1993a) "Criminology, Criminal Justice and the Philosophy of Policing" in T .N. Tamuno; I. L. Bashir; E .E. O. Alemika and A. O. Akano (eds.) *policing Nigeria: Past, Present and Future* Lagos: Malthouse Press Limited.
- Alemika, E. E. O. (1993b) "Colonialism, State and Policing in Nigeria" *Crime, Law and Social Change* 20: 189-219.
- Alemika, E. E. O. (1997) "Police, Policing and Crime Control in Nigeria" *Nigerian Journal of Policy and Strategy* 12 (1 & 2): 71 - 98.
- Alemika, E. E. O. and Chukwuma I.C. (2000) - *Police-Community Violence in Nigeria* (Centre for Law Enforcement Education, Lagos and the National Human Rights Commission, Abuja, Nigeria)
- Alemika, E. E. O. and Chukwuma I.C.(2001) *Juvenile Justice Administration in Nigeria: Philosophy and Practice* (Lagos: Centre for Law Enforcement Education).
- Alemika, E. E. O. and A. O. Agugua (2001) *Gender Relations and Discrimination in Nigeria Police Force* (Lagos: Centre for law Enforcement Education),
- Alemika, E. E. O. (2003a, forthcoming) "Federalism and the Police in Nigeria" A. T. Gana and S. G. Egwu (ed.) *Federalism in Africa*. Vol. 2; Trenton, New Jersey: Africa World Press, Inc.

Alemika, E. E. O. (2003, forthcoming) "Police, Policing and Rule of Law in Transitional Countries". In Lone Lindholt et al. Eds. *Police, Rule of Law in Transitional Societies* Denmark Centre for Human Rights and Kluwer Publishers

Alemika, E. E. O. (1999) "Police Community Relations in Nigeria: What Went Wrong?" Paper Presented at the Seminar on Role and Function of the Police in a Post-Military Era, Organized by the Centre for Law Enforcement Education in Nigeria (CLEEN), and the National Human Rights Commission (NHRC) at the Savannah Suite, Abuja, F. C. T., from 8th to 10th March.

Ayoola G.B. et al. (2001) "Nigeria: Voices of the Poor" in World Development Report 2000/2001.

Chukwuma I.C. and Odinkalu (2002) (eds.) *Hope Betrayed?*, Geneva: World Organisation Against Violence and Centre for Law Enforcement Education.

Chukwuma, I. (2001) "Police Transformation in Nigeria: Problems and Prospects in *Crime and Policing in Transitional Societies* Seminar Report No. 8, Johannesburg: South Africa Institute of International Affairs.

Chukwuma I.C. and Ifowodo O. (1999) *Policing a Democracy: A Report on the Role and Functions of the Police in a Post Military Era*, Lagos: Centre for Law Enforcement Education and National Human Rights Commission.

Chukwuma I.C. (1999) *Journey to Civil Rule: A Report on the 1999 Presidential Primaries in Nigeria*, Lagos: Centre for Law Enforcement Education.

Chukwuma I.C. (1994) *Above the Law: A Report on Torture and Extra-judicial Killings by the Police in Nigeria*, Lagos: Civil Liberties Organisation.

Chukwuma I.C. and Ibidapo-Obe (1995) (eds.) *Law Enforcement and Human Rights in Nigeria*, Lagos: Civil Liberties Organisation

Chukwuma I. C. (1993) *Nigeria Police and individual Liberties: A Report on Police Practices and Conditions of Detainees in Police Departments in Eastern Nigeria*, Lagos: Civil Liberties Organisation.

Chukwuma I.C. et al (1991) *A Harvest of Violations: Annual Report on Human Rights in Nigeria, 1991*, Lagos: Civil Liberties Organisation.

Coatman, J. (1959) *The Police* Oxford University Press

Coomassie, I. A. (1998) "The Wind of Change in the Nigeria Police Force", in Elo Amucheazi and D. O. P. Sanomi (eds.), *Police, Law and Order in Nigeria*, Abuja: National Orientation Agency

Ebo, P. E. (1993) "Human Resources Management and Policing" in T. N. Tamuno, *et al* eds. *Policing Nigeria*.

Ehinder, S. G. (1993) "The Organization and Command Structure of the Nigeria Police Force" in T. N. Tamuno, *et al* eds. *Policing Nigeria*.

Eze, O. (1993) "The Police, Rule of Law and Human Rights : Public Perspective" in T. N. Tamuno, *et al* eds. *Policing Nigeria*.

Ibidapo-Obe, A. (1995) "Police Brutality: Dimension and Control" in Chukwuma Innocent and Akin Ibidapo-Obe (eds.) *Law Enforcement and Human Rights in Nigeria* Lagos: Civil Liberties Organization.

Institute for the Study of Labor and Economic Crisis (1982) *The Iron Fist and the Velvet Glove* 3rd ed. San Francisco, Ca.: Crime and Social Justice Associates).

Kayode, O. (1976) "Public Expectations and Police Role Concepts: Nigeria" *Police Chief* (May): 58-59.

Marenin, O. (1985) "Policing Nigeria: Control and Autonomy in the Exercise of Coercion" *African Studies Review* 28(1)

Martin, S. E. (1990) *On the Move: The Status of Women in Policing* (Washington, D.C.: Police Foundation)

Nwankwo, C., Mbachu, D. and B. Ugochukwu (1993) *Human Rights Practices in the Nigerian Police* Lagos: Constitutional Rights Project.

Odekunle, F. (1979) "The Nigeria Police Force: A Preliminary Assessment of Functional Performance" *International Journal of Sociology of Law* (7): 61-83.

Ohonbamu, O. (1972) "The Dilemma of Police Organization under a Federal System: The Nigerian Example" *The Nigerian Law Journal* (6): 73-87.

Ojomo, A. J. and Alemika, E. E. O. (1993) "Information Management and Policing in Nigeria" in T. N. Tamuno *et al*. eds. *Policing Nigeria*.

Okonkwo, C.O. (1966) *The Police and the Public in Nigeria* London: Sweet and Maxwell.

Onoge, O. F. (1993) "Social Conflicts and Crime Control in Colonial Nigeria" in T. N. Tamuno, *et al* eds. *Policing Nigeria*.

Okagbue, I. E. (1966) "The Treatment of Juvenile offenders in Nigeria" in I. A. Ayua and Ajomo, M. A. *The Rights of the Child in Nigeria* Lagos: Nigerian Institute of Advanced legal Studies

- Osoba, B.O (1994) "Relevance of Logistics in The Enforcement of Law and Order" Paper Presented at the Joint Workshop of the National Orientation Agency and the Nigeria Police Force, at the Police Staff College, Jos, November 30 - December 1,
- Reiner, R. (1993) "Police Accountability: Principles, Patterns and Practices" in R. Reiner and S. Spencer (eds.) *Accountability Policing: Effectiveness, Empowerment and Equity* (London: Institute for Public Policy Research).
- Reiner, R. (2000) *The Politics of the Police*, Oxford University Press
- Robinson, C., and Scaglione, R. (1987) "The Origins and Evolution of the Police Function in Society: Notes Towards a Theory". *Law and Society Review*, 21/1:109-53.
- Robinson, C., Scaglione, R. and Olivero, J.M. (1994). *Police in Contradiction: The Evolution of the Police Function in Society*, Westport, CT: Greenwood.
- Rotimi, K. (1993) "Local Police in Western Nigeria: End of an Era" in T. N. Tamuno, *et al* eds. *Policing Nigeria*.
- Schwartz, R.D. and Miller, J.C. (1964), "Legal Evolution and Societal Complexity", *American Journal of Sociology*, 70/1:159-69.
- Skolnick, J. H. (1975) *Justice Without Trial* 2nd ed. New York: John Wiley and Sons.
- Souryal, S. S. (1977) *Police Administration and Management* (St. Paul, Minnesota : West Publishing Company).
- Suleman, A. (1993) "Police Leadership and Professionalism: Environment, Structure and Management Since 1960" in T. N. Tamuno *et al* eds. *Policing Nigeria*.
- Tamuno, T. N. (1970) *The Police in Modern Nigeria: 1861-1965*. Ibadan: Ibadan University Press.
- Weber, M. (1968) *Economy and Society* University of California Press
- Westley, W. A. (1953) "Violence and the Public" *American Journal of Sociology*: 34-41.
- White, M. F.; Cox, T. C. and Basehart, J. (1991) "Theoretical Considerations of Officer Profanity and Obscenity in Formal Contacts with Citizens" in T. Barker and D. L. Carter (eds.) *Police Deviance* Cincinnati, Ohio: Anderson Publishing Co.

Working Party on Police and Prisons (1966) *The Report of the Working Party on Police and Prisons Service in Nigeria* Lagos: Federal Government