

HISTORY, CONTEXT AND CRISES OF THE POLICE IN NIGERIA¹

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Introduction

Police are the most visible governmental agents through which the character of a government and political system may be assessed. This is so because the police are the guardian or vanguard of the status quo. To a large extent, the actions and behaviours of the police reflect the political and economic character of society as well as what those in power are willing or able to tolerate or condone. An adequate analysis of the problems and challenges of any police force should start with the appreciation of the history and dynamics of its development. History of the police forces in the country indicates that the various forces were established, organized and maintained by colonial and post-colonial governments primarily for order maintenance that engenders repression, a culture of impunity: corruption, incivility, brutality, lack of transparency and accountability. It is, therefore, necessary to identify appropriate and reliable policies, programmes and measures for the transformation of the Nigeria Police Force into a people's police. In this presentation, we explore the history, context and crises of the police in Nigeria.

Police in Nigeria: Colonial Era

In 1861, the British started to colonize the different societies that presently constitute Nigeria, beginning with Lagos. By 1903, the British colonizers have succeeded in colonizing all the nearly four hundred nationalities in the country². The colonizers executed the colonial project employing violence and fraud or deceptions. Three important historical issues are relevant to the understanding of the development 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 British colonial presence is established by establishing a police force for the territory.³ Second, violence and fraud were employed in the conquest of the nationalities. Consequently, the colonizer feared resistance and police forces under various names were

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² Otiye, O. (1990) *Ethnic Pluralism and Ethnicity in Nigeria*. Ibadan : Shaneson C. I. Limited

³ See T. N. Tamuno (1970) *The Police in Modern Nigeria* (Ibadan: University of Ibadan Press); E. E. O. Alemika (1993)

"Colonialism, State and Policing in Nigeria" *Crime, Law and Social Change* **20** : 187 - 219; W. R. Shirley (1948) *A*

History of The Nigeria Police (Lagos: The Government Printer). T. N. Tamuno; I. L. Bashir; E. E. O. Alemika and A. O.

established and employed as instrument of violence and oppression against the indigencus population. Third, given the character of colonial rule, police forces were the instrument used to sustain the alien domination. The colonial police were not accountable to the colonized but to the colonizers.

From the inception of colonial rule in Nigeria in 1861 when Lagos was colonized to 1930, several police forces were established for the Lagos Colony, the Niger Coast, Northern and Southern Protectorates. Native Authorities and Local Governments police forces were also established, especially from 1916 onwards, under the control of the traditional rulers in the Northern and Western parts of the country. The establishment of police forces in colonial Nigeria also reflected administrative policy and concerns. Under the indirect rule system that was adopted as a means of reducing the cost of running the colonial bureaucracy, local police forces under the control of traditional rulers were established in the western and northern parts of the territory where centralized traditional institutions existed. For instance, after the conquest and colonization of the Yoruba Kingdoms in the West and the Emirates in the North, the colonial administration recognized their traditional framework and personnel for policing that revolved around the feudal rulers. According to Tamuno:

The police powers given to the Native Authorities after the 1914 amalgamation were therefore of greater relevance to Western and Northern Nigeria than to the south-eastern parts of Nigeria. As Native Authorities, the Chiefs had their police powers extended and consolidated under the laws of 1916 and 1924. 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

Akano eds. *Policing Nigeria : Past, Present and Future* (Lagos : Malthouse Press Limited). Kayode, O. (1976) "Public

Expectations and Police Role Concepts: Nigeria" *Police Chief* (May): 58-59. Odekunle, F. (1979) "The Nigeria Police

Force: A Preliminary Assessment of Functional Performance" *International Journal of Sociology of Law* (7): 61-83.

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*. K. Rotimi (1993) "Local Police

in Western Nigeria: End of an Era" in T. N. Tamuno, I. L. Bashir, E. E. O. Alemika and A. O. Akano *Policing Nigeria:*

Past, Present and Future (Lagos: Nigeria Police Force and Malthouse Press Ltd.).

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)⁴.

Under these laws, and over the time, 'palace messengers' - the akodas - of the Yoruba kings were recognized and reformed as olopas, while in the Emirates of the North, the palace dogarai also were recognized and reformed as yan/dan doka. In both cases, these traditional 'police' constituted the nucleus of local police forces of the colonial era⁵. Apart from the local (Native Authority) police forces, the colonial government established Protectorate-wide police forces, for example, the Northern and Southern Police Forces (1900 - 1930). Constabularies were also established during the last quarter of nineteenth century⁶. In 1930, the Nigeria Police Force was established by merging the Northern and Southern Nigeria Police Forces.

In the early 1900s, the colonizers began to consolidate the various police forces. This led to the reorganization of the various Forces into two major Police Forces during the period. These were the Northern Nigeria Police Force and Southern Nigeria Police Force, which respectively came into effect with the proclamation of Northern Nigeria Protectorate in Lokoja on January 1, 1900 and the proclamation of the Colony and Protectorate of Southern Nigeria also in 1900. These two Forces were amalgamated as the Nigeria Police Force in 1930, with jurisdiction over the entire country. This marked the beginning of a national police force in the territory.

Studies on the evolution and the role of colonial police in the country' found that the police forces established by the colonialists in various parts of the country at different times between 1861 and 1960 were organized and deployed as

⁴ T. N. Tamuno (1970) *The Police in Modern Nigeria* (Ibadan: University of Ibadan Press), p.90

⁵ T. N. Tamuno (1970) *The Police in Modern Nigeria* (Ibadan: University of Ibadan Press); Ahire, P. T. (1993) "Native Authority Police in Northern Nigeria : End of an Era." and K. Rotimi (1993) "Local Police in Western Nigeria: End of an Era" both in T. N. Tamuno, I. L. Bashir, E. E. O. Alemika and A. O. Akano *Policing Nigeria: Past, Present and Future* (Lagos: Nigeria Police Force and Malthouse Press)

⁶ Tamuno 1970; Ahire 1991 and E. E. O. Alemika (1993) "Colonialism, State and Policing in Nigeria" *Crime, Law and Social Change* **20** : 187 - 219

occupation force to suppress the indigenous Nigerian peoples as the colonizers exploited their resources to develop their own countries.

Between 1930 and 1966 the Nigeria Police Force coexisted with local administration police forces in Local Government Areas in Western Nigeria and the Native Authorities in Northern Nigeria. The primary purpose of the colonial police forces during the colonial era was to protect newly acquired territories by the British imperialist power against indigenous popular revolt against oppression and exploitation⁸. The character of colonial policing was succinctly by Onoge as follows:

According to Onoge (1993, p.178):

⁷ T. N. Tamuno (1970) *The Police in Modern Nigeria* (Ibadan: University of Ibadan Press); Kayode, O. (1976) "Public Expectations and Police Role Concepts: Nigeria" *Police Chief* (May): 58-59. Odekunle, F. (1979) "The Nigeria Police Force: A Preliminary Assessment of Functional Performance" *International Journal of Sociology of Law* (7): 61-83. Ahire, P. T. (1991) *Imperial Policing* Milton Keynes: Ohonbamu, O. (1972) "The Dilemma of Police Organization under a Federal System: The Nigerian Example" *The Nigerian Law Journal* (6): 73-87; Ahire, P. T. (1993) "Native Authority Police in Northern Nigeria: End of an Era." and K. Rotimi (1993) "Local Police in Western Nigeria: End of an Era" both in T. N. Tamuno, I. L. Bashir, E. E. O. Alemika and A. O. Akano *Policing Nigeria: Past, Present and Future* (Lagos: Nigeria Police Force and Malthouse Press); E. E. O. Alemika (1993) "Colonialism, State and Policing in Nigeria" *Crime, Law and Social Change* 20 : 187 – 219. in S. C. Ukpabi (1987) *The Origins of the Nigerian Army* (Zaria: Gaskiya corporation) p. 53-54.

Through armed mobile 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 enforce the criminalization of lucrative indigenous industries like the manufacture of alcohol and traditional trading patterns across national borders in order to protect the colonial economy from competition. . . 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 the colonial period, police fright was a feature of popular consciousness⁸.

⁸ The police forces were "McCorsky police" or Consular Guard (1861); Armed Police Force (Armed Hausa Police Force - 1863); Gold Coast Constabulary (1876); Lagos Constabulary (1886); The Lagos Police (1895, 1897); 'Annesley police' (1889); Oil Rivers Irregular (1892); Court Messengers (1892); Niger Coast Protectorate Constabulary (1894); Niger District Police (1900 - 1905); Southern Nigeria Police Force (1902); Southern Nigeria Police (1906); Southern Police Force (1917); Royal Niger Company Constabulary (1888); Civil Police and Prisons (1900); Northern Nigeria Constabulary (1903); Northern Nigeria Police (1910); Northern Police Force (1917); Nigeria Police Force (1930).

Many of these forces resulted from reorganization of older ones to accommodate expansion of colonial rule over various nationalities.

⁹ Onoge O. F. (1993) "Social Conflicts and Crime Control in Colonial Nigeria" in T. N. Tamuno et al (eds.) Policing Nigeria: Past, Present and Future, Lagos: Malthouse Press Limited, p.178.

*The public regarded members of the colonial police forces as dishonourable and treacherous persons (Killingray 1991). In Nigeria, members of various colonial police and armed forces were accused of 'looting, stealing and generally taking advantage of their positions'". Rather than keep peace for the community they "turned themselves loose upon the people, filling up the role vacated by kidnappers, and ricters . . . marauders and free looters."*¹⁰

Police in Nigeria: Post-Colonial Era

Nigeria gained independence in 1960. After the country attained independence, the indigenous political rulers did not restructure the exploitative economic system and the repressive political relations that they inherited from the colonialists. As a result, the indigenous political rulers merely replaced the colonial oppressors and exploiters, without any fundamental positive changes in the life-chances and existential conditions of the citizens, and in the operations of governmental institutions, including the police and other organs of criminal justice and security administration.

Post-colonial Nigerian nation has witnessed tremendous growth of institutions and infrastructure. However, it has also witnessed pervasive political conflicts and instability, growing inequalities of wealth due largely to official corruption, widespread poverty, protracted military rule, and serious violent and economic crimes. These and other socio-political and economic problems precipitated protests and demonstrations against government policies by various groups. Sometimes, the protests turn violent because the organizers were unable to sustain non-violent demonstration or due to repressive intervention by the police. The relationships between the students, labour unions and other groups of activists were often strained because of encounters during protests and demonstrations.

Until 1966, the local police forces in Northern and Western Nigeria coexisted with the federal police force - Nigeria Police Force. The local forces were disbanded as recommended by a panel set up in 1966 by the military regime of J. J. Gowon. The Committee or Working Party (also referred to as Gobir Panel, so named after its chairman) was requested to consider the desirability of dual (local and National) or centralized (unified) police and prisons service. The Committee submitted its report to the military regime led by General Gowon (that succeeded Irensi regime overthrown in July 1966) and recommended the abolition of local police forces and prison services. According to the Committee, the local police forces were poorly trained, corrupt and used for partisan political purposes, including the repression 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."¹¹

¹⁰ 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).

¹¹ See S. C. Ukpani (1987) *The Origins of the Nigerian Army* (Zaria: Gaskiya Corporation) pp. 53-54.

¹² Federal Government of Nigeria (1967) *Working Party Report on the Police and Prisons*. See also Ahire, P. T. (1993)

"Native Authority Police in Northern Nigeria : End of an Era." and K. Rotimi (1993) "Local Police in Western Nigeria:

The experience of the Nigeria Police Force under the military rule may be characterized as sweet from 1966-1979 and bitter from 1983-1999. The military rule under General Gowon (1967-1975) may indeed be viewed as the sweetest period of police-military collaboration in governance. During the first period (1966-1979), the police were co-opted into governance by the military as state governors and members of the national ruling council. More importantly, the police were respected as partners by the military rulers. However, during the second period (1983-1999), the police lost its high profile and prominence in government, although it continued to be incorporated as junior partner as state governors. However, the Force as an organization was neglected in terms of funding and equipping. This was attributed to the fear of the military that a strong police force may constitute a threat to the Armed Forces, especially by acting as a counterforce during military coups. Instead of equipping the police to serve as the primary tool for promoting and protecting internal security, the military governments resorted to establishing special task forces with army and police personnel. Each unit of such was led by a soldier, often junior in rank to the police on the task force. This demonstrated the subordinate role assigned to the police.

In the 1990s, recruitment and promotion in the police force were largely suspended by the military government. This resulted in shortage of personnel. It also led to non-replacement of many retired specialized officers. This led to shortage of some critical personnel and ineffectiveness of the force in some aspects of its functions. One of the negative impacts of military rule on the development of the Nigeria Police Force was the abolition of the Police Service Commission almost throughout the duration of military rule. The Police Service Commission is responsible for the appointment, promotion and discipline of members of the Nigeria Police Force, other than the Inspector-General of Police. Its long absence, therefore, affected effective human resources management in the Nigeria Police Force during the period, the impact of which is still felt eleven years after military rule.

End of an Era” both in T. N. Tamuno, I. L. Bashir, E. E. O. Alemika and A. O. Akano *Policing Nigeria: Past, Present*

and Future (Lagos: Nigeria Police Force and Malthouse Press Ltd.). Ohonbamu, O. (1972) “The Dilemma of Police

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(1993) “Colonialism, State and Policing in Nigeria” *Crime, Law and Social Change* **20** : 187 – 219. S. C. Ukpabi

(1987) *The Origins of the Nigerian Army* (Zaria: Gaskiya corporation) p. 53-54.

Police in Contemporary Nigeria:

The military transferred power to an elected government in May 1999. A new constitution also came into effect on the May 31st 1999. The new constitution contains provisions on the Nigeria Police Force, the 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 functions of the Nigeria Police Force were specified in section 4 of the Police Act (Laws of the Federation 1990)¹³ as:

- 1. Prevention and detection of crime.*
- 2. Apprehension of offenders.*
- 3. Preservation of law and order.*
- 4. Protection of life and property.*
- 5. Enforcement of all laws and regulations with which they are charged.*
- 6. Military duties within or without Nigeria as may be required of them.*

Although the Constitution granted the Attorneys-General the power of prosecution, most of the criminal cases in the country handled by the lower courts, especially the magistrate courts, are prosecuted by the police. Several laws in the country, especially the Police Act; Criminal Procedure Act (CPA) and the Criminal Procedure Code (CPC) granted the police wide powers.

Command of the Nigeria Police Force

Section 215 of the 1999 Constitution provided that:

(1) There shall be -

- (a) an Inspector-General of Police who, subject to section 216 (2) of this Constitution shall be appointed by the President on the advice of the Nigeria Police Council from among serving members of the Nigeria Police Force;*
- (b) a Commissioner of Police for each State of the Federation who shall be appointed by the Police Service Council.*

(2) The Nigeria Police Force shall be under the command of the Inspector-General of the Police, and any contingents of the Nigeria Police Force stationed in a State shall, subject to the authority of the Inspector-General of the Police, be under the command of the Commissioner of Police;

(3) The President or such other Minister of the Government of the Federation as he may be authorized in that behalf may give to the Inspector-General of the Nigeria Police such lawful directions with respect to the maintaining and securing of public safety and public order as he may consider necessary, and the Inspector-General shall comply with those directions or cause them to be complied with.

Organisation of the Nigeria Police Force

¹³ The Law was first enacted in 1943 and there had been only very minor modifications.

Operationally, the Force is structured as 36 State Commands and FCT Command, each under the command of a Commissioner of Police. The State Commands are further organised as Area Commands; Divisional Commands, Police Stations and Police Posts. The police station and police posts are the primary operational units of policing. As at early 2007, the Force had a personnel strength of 320,000 in "5000 village posts; 5515 Police Stations; 1,115 Police Divisions; 123 Area Commands; 37 State Commands (including the FCT); 12 Zonal Commands and a Force Headquarters which is the overall administrative and operational head of the Force"¹⁴. The hierarchy of the Force therefore runs from the patrol team to the Force Headquarters.

The Nigeria Police Council

The 1999 Constitution established the Nigeria Police Council, as was the case in the 1963 Constitution but omitted in 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 as:

- 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.

Section 216(2) requires the President to consult the Nigeria Police Council before making appointment to the office of the Inspector-General of Police and before removing him or her. The state governors constitute an overwhelming majority of the membership of the highest organ of control of the Nigeria Police Force. Constitutionally, the Council is the highest organ of the state responsible for the policy on organization and administration of police in the country. However, the Council has been lacking in the discharge of the critical responsibility assigned to it in the Constitution. Effective secretariat, framework for policy formulation and implementation monitoring as well as regular meetings are lacking.

Police Service Commission

The Nigerian constitution established the Police Service Commission with wide powers. Under the 1999 Constitution of the Federal Republic of Nigeria, the membership of the Commission consists of:

- (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.

¹⁴ Arase, SE and Iwuofor IPO (eds.), 2007. *Policing Nigeria in the 21st Century*. Ibadan: Spectrum Books

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*

The Police Service Commission (Establishment) Act, No. 15 of 2001, in Section 6 charged the Commission with the responsibility of:

- 1. appointing and promoting all officials of the NPF (other than the Inspector-General of Police, IGP);*
- 2. dismissing and exercising disciplinary control over the same persons;*
- 3. formulating policies and guidelines for the appointment, promotion, discipline and dismissal of officers of the NPF;*
- 4. identifying factors inhibiting and undermining discipline in the NPF;*
- 5. formulating and implementing policies aimed at efficiency and discipline within the NPF;*
- 6. performing such other functions as, in the opinion of the Commission are required to ensure optimal efficiency in the NPF; and*
- 7. Carrying out such other functions as the President may from time to time direct.*

The membership of the Commission includes representatives of the human rights community, organized private sector, women and the media as well as a retired justice of superior court of record. Due to poor funding, the Commission, to varying degrees, still lacks the requisite human, knowledge and material capabilities for effective discharge of its responsibilities. Occasional but critical and sometimes perverse interference in the decisions of the Commission, if not discontinued, may erode the confidence of the public and the police.

Context of Policing in Contemporary Nigeria

The goals, performance, problems and challenges of policing are determined by the social, economic and political structures of society. For example, the police are subject to the dictates and interests of those who control the political and economic resources of society. The ability of the police to respond to popular demands of citizens as opposed to their subservience to the interests of political and economic power-holders is determined by the extent to which political and economic resources are equitably distributed and the citizens afforded opportunity for participation in the determination and implementation of public policies.

In Nigeria, the police have not been able to respond to the challenges of policing because of the following structural constraints:

- 1. Poor economic performance*
- 2. Widespread corruption and contingent disastrous consequences on economic and political development and human security generally*
- 3. Economic insecurity and instability, diminishing opportunities for gainful employment, and declining standard of living, since the early 1980s*

4. *Inadequate and deterioration of energy and transportation infrastructure, which are useful for crime prevention and control by the police and public*
5. *Culture of impunity for all manners of serious political violence (political assassination, violations electoral violence, ethnic and religious violence, bunkering, illicit trafficking in arms for electoral violence, extra-judicial killings); economic crimes (corruption, fraud and money laundering), and human rights violations, due to the political and economic influence of the perpetrators*
6. *Weak capability of security and law enforcement agencies in combating common crimes (kidnapping, robbery, burglary, theft, sexual violence, etc)*
7. *Deterioration of the social problem situations of social injustices, crime, oppression, feeling of insecurity, widening inequalities, and inequities*
8. *Deterioration in educational infrastructure and standard of education thereby making constructive engagement of the teachers and students in the pursuit of academic excellence very difficult, as a result, lack of critical problem solving engagements of teachers at all levels*
9. *Proliferation of ethnic and religious militias, and*
10. *Proliferation of small arms and light weapons that are deployed for executing violent ethnic and religious violence, violent communal conflicts, robbery, kidnapping, electoral violence, etc.*

These and other related problems are deep-rooted political and socio-economic crises, which in part manifested as criminal activities but beyond police capabilities to resolve. In the circumstances, the demands on the police to effectively guarantee public order and security cannot be met until the crises are resolved at the political and economic levels.

Institutional Constraints of the Nigerian Police

Policing in Nigeria is also beset by several institutional problems that undermine the effectiveness and legitimacy of the Nigeria Police Force. They include:

- a. *Police Organization and Management - Organization and management of police forces in terms of vertical and horizontal decentralization and coordination of authority have implications for police behaviours, performance and image. The nature of rules of policing established by a police force, adherence to these rules, rewards or punishment for compliance or non-compliance influence police discipline, integrity, effectiveness, performance and legitimacy, including public estimation and support. The Nigeria Police Force needs to do a lot more in developing its organizational and managerial capacity to meet demands and challenges of policing in the country.*
- b. *Police Personnel Management - The rules and provisions for recruitment, training, deployment, remuneration, promotion, discipline, and pension and retirement affect police discipline, performance and image. In Nigeria, these aspects are not given adequate and continuous attention. Supervision and coordination are generally lacking. Corruption, partisan and parochial considerations have contaminated the process and decisions relating to recruitment, deployment and promotion in the Nigeria Police Force, thereby dampening motivation and commitment to excellence, sacrifice and integrity in police-work. But a particularly healthy development that indicates an emerging new Nigeria police is the increasing number of*

highly qualified people in the police force and who are gradually being given leadership position. If properly nurtured, this may in fact be an important factor in the development of a new Nigeria police that is in harmony with the community it serves. But the anti-intellectualism and anti-rationality that have long been embedded in the country's police forces may still extinguish the new light, if the Police Service Commission and the police leadership fail to nurture the positive development.

- c. Information Management - *The ability of a police force to manage information relating to socio-economic and political trends and to relate such information to the trend, pattern and severity of crimes will determine its capacity to plan and implement crime prevention and crime control policies, strategic plans and operations. Furthermore, the ability of a force to disseminate appropriate information about crime patterns and trends, police efforts and handicaps at promoting crime prevention and control will affect police-public relations, public support for police as well as police efficiency. The Nigeria Police Force has continued to neglect this critical area, resulting in operational strategies being dependent on guesses instead of science or systematically produced and acquired knowledge .*
- d. Personality of Police Personnel - *The personality of a police officer exercises influence on his or her behaviour, performance and relationship with the public. This is the reason why in many societies, potential recruits are subjected to a battery of psychological and other tests with a view to determining their emotional stability and social relation competence. The Police Service Commission and the Nigeria Police Force need to review the recruitment process in order to ensure that only those that can meet the challenges of police work in Nigeria, at present and in the near future are recruited. It will be a waste to recruit an individual who do not possess adequate academic qualification, strong emotional and moral qualities and a patriotic commitment to Nigeria, in an age or era characterized by computer crimes, sophisticated and technology assisted financial crimes, piracy, terrorism and espionage.*
- e. Police Culture - *A constellation of structural, institutional and personality factors create what has been variously referred to as police culture. Police 'working personality' and culture result from the elements of police-work - danger, authority and isolation. Police-work breeds solidarity and occupational pathology characterised by 'perceptions of the public as uncooperative, unsupportive and antagonistic toward the police'. In Nigeria, this engenders a tendency by the police to protect each other's criminality and misconducts, As a result, the integrity of the police is undermined and a culture of impunity is thereby entrenched.*

These institutional problems are critical to the attainment and sustenance of an effective police force and deserve serious consideration and attention by the government and police leadership.

Crises of the Police in Contemporary Nigeria

The structural and institutional constraints enumerated above have engendered crisis for the police in the areas of performance, integrity and accountability and legitimacy as discussed below.

Crisis of Performance

Nigeria police performance is unsatisfactory. The police are ineffective and inefficient in their job of prevention of crime, criminal investigation, apprehension of crime perpetrators and response to distress calls by citizens. The poor

performance is due to several factors, but mainly inadequate personnel in terms of quality, quantity and competence at various ranks; poor training and conditions of service; lack of public co-operation; grossly inadequate logistic (especially transportation, telecommunication, arms and ammunition, etc.); poor remuneration and lack of welfare programmes. There is need for better training to reflect the functions and demands of the force. Further, there is also need for the training of the NCOs and Officers to improve their management capacity to properly administer limited or scarce human and material resources for satisfactory performance.

Crisis of Integrity and Accountability

The crisis of integrity and accountability manifests in terms of police corruption, police incivility and brutality, and police-public antagonism. As a result of its colonial history and protracted military rule, the Nigerian police have not developed the culture of accountability to the public or citizens. The Force has been severally criticized for its brutality, corruption, extortion, incivility, extra-judicial killings and impunity.¹⁵ The officers need to be properly trained and oriented to the value of democratic accountability, respect for human rights, observance of rule of law,

¹⁵ See T. N. Tamuno (1970) *The Police in Modern Nigeria* (Ibadan: University of Ibadan Press); E. E. O. Alemika

(1993) "Colonialism, State and Policing in Nigeria" *Crime, Law and Social Change* 20 : 187 - 219; Kayode, O. (1976)

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(1972) "The Dilemma of Police Organization under a Federal System: The Nigerian Example" *The Nigerian Law*

civility, and public assistance. In addition, erring officers should be promptly and fairly dealt with as deterrence to the officer and his/her colleagues.¹⁶

Police Corruption

Police corruption has been defined as "... the misuse of authority by a police officer in a manner designed to produce personal gain for himself or for others".¹⁷ Forms or types of police corruption include:

... improper political influence; acceptance of gratuities or bribes in exchange for nonenforcement of laws, ... particularly those relating to gambling, prostitution and liquor offences, which are often extensively interconnected with organized crime; the fixing of traffic tickets; minor thefts; and occasional burglaries.¹⁸

Corruption by police is a worldwide phenomenon as criminological researches have shown. However, the extent, types and pattern of police corruption vary across societies, reflecting the wider social, economic and political structures of individual nations.

Police corruption has been a serious concern to the police authority in Nigeria, which routinely purges the force of known corrupt officers. But, because of the country's political and economic environment as well as institutional inadequacies, police corruption has persisted on a wide scale at all levels of police functions.¹⁹ While corruption is

Journal (6): 73-87.

¹⁶ It is recognized that the police force has tried to 'purge itself of bad eggs' but this is not adequately made visible to the public, thereby creating the perception that the force always protect its errant officers.

¹⁷ H. Goldstein (1975) *Police Corruption: A Perspective on its Nature and Control* (Washington: Police Foundation), p.3.

¹⁸ U. S. President Task Force Report on the Police (1967), p.208

¹⁹ For a detailed consideration of corruption within the police and other criminal justice agencies, see A. A. Adeyemi (2001) "Corruption in the Administration of justice in Nigeria", paper presented at the National Conference on the

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 and not to be responsible for its spread, entrenchment and legitimization as a norm of social and official interactions.²⁰

Police forces must deal sternly with corruption. While inadequacies of infrastructure and under-funding contribute to the extent and public perception of police corruption in the country, these cannot justify the disgraceful seiprous handshakes between commercial vehicle drivers and police officers at check-points. The insinuation that a portion of the extorted money from such handshakes is 'remitted upwards' to senior officers is particularly worrisome. This form of corruption has caused grave damage to the public perception and estimation of individual police officers and the entire police force. These are serious problems that the police authority, government and the society must address and eliminate the factors that cause and sustain them. In doing so we should heed Anderson's counsel that:

... it is important to set aside some of the rhetoric, editorializing, mini-truths, half-truths, and non-truths concerned with police graft and corruption. The non-truth that graft and corruption is more prevalent in the police service than in other agencies of government is just as fallacious as the mini-truth that represents police misconduct as 'one bad apple in the barrel'...

Problems of Corruption in Nigeria", held by the Nigerian Institute of Advanced legal Studies, at the Chelsea Hotel, Abuja, March 26-29.

²⁰ 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.

²¹ Cited in A. E. Simpson (1977), *op. cit.* p.47

Closely related to the problem of corruption and extortion is the incidence of collusion or conspiracy between some police officers and criminals. Both the police authority and the government must sustain and invigorate the efforts to rid the police force of criminals in uniform. To do this will require better recruitment practices, higher remuneration and better working conditions, including a promotion regime that places emphasis on intellect, competence, integrity and good relationships with the community in order to boost morale and enhance commitment and service.

Police Accountability

Police transparency and accountability depend on the level of openness of the government. Transparency refers to openness of governmental agencies in the formulation, implementation and evaluation of policies, programmes and decisions. It implies a system that is compliant with the rule of law as well as popular participation. These are the elements of democracy and good governance. Lack of transparency in the behaviour of governmental agencies engenders and perpetuates corruption, mismanagement, arbitrariness, and repression, simply, evil thrives under condition of extreme secrecy. In the absence of democratic government, it is futile to expect transparency on the part of the police. This is because transparency is an aspect of accountability. Only a democratic system, which embodies popular participation and control of the citizens in and over their governmental institutions, can foster transparency. In general, transparency and accountability on the part of the police demands that they explain and justify to the citizens their priorities, actions, tactics and problems so that the citizens may understand, accept and support their activities and decisions. To realize these, a democratic space for police-public interaction must exist beyond coercive encounters during law enforcement of order maintenance.²²

Police incivility, brutality and police-public antagonism

The relationship between the police and the public is generally hostile. This is due to the historical legacy of oppression and continuing citizens' experiences and misconceptions of police roles²³. One of the major hindrances to police

²² Alemika, EEO and Chukwuma I. 2000. *Police Community Violence*. Lagos Centre for Law Enforcement.

²³ E. E. O. Alemika (1993) "Colonialism, State and Policing in Nigeria" *Crime, Law and Social Change* **20** : 187 - 219;

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

(1979) "The Nigeria Police Force: A Preliminary Assessment of Functional Performance" *International Journal of*

Sociology of Law (7): 61-83. 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*. K.

legitimacy is police incivility or brutality. Ibidapo-Obe²⁴, and Adeyemi²⁵ reported that police brutality is common in the course of crime control, crowd control, management of protests and demonstration, investigation; and at checkpoint. They noted also that police brutality occur in the form of extra-judicial killings, summary execution of suspects, and revenge killings. During criminal investigation and interrogation, police use torture to extract confession and information, due to a combination of poor training, inadequate infrastructure, and absence of respect for due process and human rights.²⁶

A policy remedy for the police-public antagonism is to adopt and adapt community policing philosophy and infuse it into all aspects of policing. The basic characteristics of community policing are:

... organizational decentralization; increased intimacy between police officers and citizens and neighborhoods; receipt and interpretation of citizen demand for individual patrol officers; and development of patrol and policing tactics (problem solving, for example) by patrol officers at a neighborhood and community

Rotimi (1993) "Local Police in Western Nigeria: End of an Era" in T. N. Tamuno, I. L. Bashir, E. E. O. Alemika and A.

O. Akano *Policing Nigeria: Past, Present and Future* (Lagos: Nigeria Police Force and Malthouse Press Ltd.).

Ohonbamu, O. (1972) "The Dilemma of Police Organization under a Federal System: The Nigerian Example" *The*

Nigerian Law Journal (6): 73-87.

²⁴ 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.

²⁵ A. A. Adeyemi (2001) "Corruption in the Administration of Justice", Paper presented at the National Conference on the Problems of Corruption in Nigeria", organized by the Nigerian Institute of Advanced Legal Studies, Lagos and held at the Chelsea Hotel, Abuja, March 26 -29.

level. *All of these characteristics require increased officer use of discretion and empowerment of patrol officers.*²⁷

Community policing entails democratization of public policing by promoting accountability and participation. It seeks to practicalise the idea of people's police, which is not a public police controlled by the federal, state or local governments, but instead by the citizens. It is not an ethnic or state indigene police force. On the contrary, it is a police service that is keenly aware of and sensitive to the needs of the community and committed to working with the community members to mitigate their fears or concerns about safety and security. Community policing promotes co-production of knowledge by citizens and their police. They jointly diagnose problems, identify and implement solutions:

*Citizens bring to the relationship their sense of community, knowledge about problems in their neighborhoods, their own capacities to solve problems, and the potential to support or authorize police actions. Police bring to communities concern not only for their welfare but also for the constitutional rights and the welfare of individuals and the community-at-large - thus countervailing the tendencies of neighborhood residents to be everly parochial or opposed to the legitimate interests of strangers or particular subgroups.*²⁸

Community policing can foster police efficiency, promote openness or transparency and accountability, reduce police corruption, incivility and brutality and the police thereby earn legitimacy and public respect.

Crisis of Legitimacy

As a consequence of the challenges discussed above, the Nigeria police are confronted with legitimation crisis. The legitimacy of the police depends on several factors including the following:

- 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;*

²⁶ C. Nwankwo, D. Mbachu, and B. Ugochukwu (1993) *Human Rights Practices in the Nigerian Police* Lagos:

Constitutional Rights Project.

²⁷ G. L. Kelling, R. Wasserman and H. Williams (1988) "Police Accountability and Community Policing" *Perspectives on Policing* No.7, p.1 (U.S.A. National Institute of Justice.

²⁸ *Ibid.*

5. *Civility and incorruptibility;*
6. *Concern for the general welfare of citizens.*

When these conditions are satisfied, the public accords the police legitimacy and support, and their performance is enhanced. Some of the factors that create and sustain these pre-conditions for public support are beyond the police. Such factors include democratic and good governance, good and responsive laws, economic and technological development, a deeply ingrained socio-cultural values for justice and equity, compassion, and political tolerance. In Nigeria, these conditions are largely absent. Consequently, the Nigeria police suffer deficit of public legitimation and support.

The public do not respect, trust and support the police because their performance is poor. Also, the public regards the character and level of accountability of the police as grossly unsatisfactory. The police in the nation are generally feared but not respected, distrusted and despised by the Nigerian public. Police training must therefore reorient police so that officers of all ranks can respect the rights of the citizens, offer assistance to citizens in distress, and desist from brutalizing citizens and from corruption. Effective supervision is also necessary for tackling the crisis of legitimacy confronted by the police.

Conclusion

Nigerians desire and deserve an efficient, courteous, well-equipped and appropriately remunerated police force. However, numerous structural constraints as well as organizational inadequacies such as poor training, poor remuneration and working conditions, scarcity of and poorly equipped office and residential accommodation, inadequate transportation and communication facilities, obsolete and firearms and inadequate ammunition within the Nigeria Police Force continue to engender police ineffectiveness, inefficiency and even insensitivity, all of which create enduring negative police image. The White Paper on the Reports of the Presidential Committee on Police Reform in 2006 and 2008, if properly implemented will go a long way in solving many of the identified problems.

The police, the governments and the national and local community need to evolve a comprehensive strategy for the development and sustenance of measures for anticorruption, transparency and accountability in and by the Nigeria Police Force. The Nigeria Police Force should reintroduce the Constabulary Service provided for by the Police Act, as volunteer service to stem the proliferation of ethnic and religious vigilantes as well as community based crime watch groups that try to control crime with violence. This will bridge the gap between the police and the public and also meet the needs of the police for increased highly qualified and community-based personnel without significant cost. It will also provide information for effective crime prevention and crime control at the local or neighborhood levels.

These structural and organizational crises and inadequacies enumerated in this presentation should be vigorously addressed in order to reverse the various crises besetting the Nigeria Police Force so that Nigerians can enjoy the service of a police force that is attentive, reliable, responsive, competent, civil, fair or impartial²⁹.

²⁹ Mastrofski, SD. 1999. *Policing for People*. Washington, DC: Police Foundation