

STATE POLICING: A PANACEA TO INSECURITY IN NIGERIA

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Abstract

This paper examines the importance of establishing a state police force capable of dealing with Nigeria's current difficulties of extreme insecurity. The need to reform and reposition the Nigeria Police Force is gear towards improving security in the country has been subject of debate. There have been arguments for and against the establishment of State Police in Nigeria in order to control the country's rising insecurity so as to foster true federalism, decentralization of powers, and also allow states to successfully maintain law and order. The main goal of this research therefore is to look into the arguments for and against state policing in Nigeria. It then examines federalism as the greatest strategy to foster several types of liberty, such as non-discrimination, immunity, and opportunity sets. Secondary sources were used to acquire information for this paper. The findings indicate that Nigeria's current centralized manner of running the police force is unsuccessful in fighting the danger of insecurity. The paper recommends decentralizing the police force as soon as possible.

Keywords: *Insecurity, State-Policing, Kidnapping, Insurgency and Federalism*

Introduction

Insecurity has reached terrifying dimensions in Nigeria, touching every element of Nigerian culture and showing no signs of abating. Although insecurity is not unique to Nigeria, it is a worry shared by other countries (Emmanuel & Emile 2019). The recent increase in insecurity in Nigeria has put the country's policing centralisation into question, highlighting the necessity to decentralise the force to ensure that states establish, maintain, and administer their police formations (Odeh & Umoh, 2015). Nigeria's insecurity problem appears to have exceeded its capacities, and official efforts in recent years have not yielded enough positive results. As a result, Nigeria must return to true federalism by instituting state policing. When it comes to the causes of this aberration, there is a link between expanding ethnic hatred, religious prejudice, political competition, and a growing mass of angry individuals in the country who feel short-changed and have limited or no access to the common patrimony.

The government's attitude to the ever-increasing unemployment in Nigeria and the removal of the fuel subsidy has led to the increasing crime problem. Poverty, unemployment, declining income, and low savings, which has pushed many Nigerians into a struggle for survival, high rate of inflation, and political intolerance on the part of the ruling party, as previously mentioned, have all contributed significantly to the country's level of insecurity (Emmanuel & Emile 2019). The purpose of this paper is to look at state policing in Nigeria as an antidote to insecurity. The specific objectives of the study is to look at the risk factors that contribute to insecurity in Nigeria and how state policing might generate true and long-term security for people and property in Nigeria.

Insecurity in Nigeria

Insecurity in Nigeria has recently been a concern as it has affected all aspect of Nigerian society. This menace is not unique to Nigeria alone as it also affects other countries. But the difference however, is how this social threat to life and properties is controlled. The phrase "insecurity" is often used to describe a lack of resistance to or protection against damage, peaceful cooperation, and overall growth. Nigeria appears to be in the grip of a security crisis that affects all its geographical regions. Nigerians now sleeps with one eye open, while the government, which is generally tasked with protecting lives and property, appears to be ineffective (Emmanuel & Emile, 2019). Criminal activities like ritual killings, insurgency, unknown gun men kidnapping, etc have remained prominent in Nigeria front-page news. The severity, dynamism, and sophistication of the security quandary have had far-reaching societal and economic ramifications. Similarly, commercial activity has diminished and been hampered in the most dangerous areas.

These activities have made trade and commerce to be plummeted, contributing to Nigerians' poverty and reducing government revenue. Many of the brightest minds and manpower have gone for fear of being abducted, killed, or disabled, and social activities, particularly in crisis-prone areas, are woefully inadequate. This difficulty that Nigeria faces appears intractable, especially given what Adejumo (2011) perceives as the Nigerian government's casual approach toward Section 12 (2) (b) of the Nigerian Constitution (1999). According to Banking-Obi (2011), the situation will worsen because law enforcement authorities appear unprepared for the current issues. Adegami (2013) asserts that the Nigerian people have lost faith in law enforcement personnel' ability to protect their lives and property, owing to their inefficiency as a result of a lack of sophisticated weapons and current communication devices. Furthermore, the causes of security difficulties in Nigeria are diverse and include economic-unemployment, poverty, the growth of ethnic and paramilitary groups, weak leadership, a weak judiciary, and incompetent security services (Jega, 2002; Saluwu, 2010; 2011; Okorie, 2011; Ezeoha, 2011; & Ali, 2013). Militancy, kidnapping, ritual killing, armed robbery, assassinations, damage of public and private property, and a lack of relative calm appear to be on the rise in Nigeria. The current security situation in the country may be traced back to the

aftermath of the Nigeria civil war and the military's foray into administration, which necessitated the acquisition and usage of weaponry and ammunition. (Ewetan & Urhie, 2014).

Some Causes of Insecurity in Nigeria

The statutory role of law enforcement officials in any given society is to maintain law and order. Unfortunately, as Iygeal (2012) has pointed out, law enforcement personnel appear to be oblivious of security difficulties and, more often than not, intervene after security breaches have occurred. He went on to say that at other times, even when they hear of violence, criminal activity, or a potential breach of security, they ignore or are sluggish to respond out of dread of death or harm.

Economy- Poverty and Unemployment

The Nigerian Bureau of Statistics quoted in Ogah, Fanim, Ebosele, and Adepetun (2011). Every year, universities generate a large number of graduates who, unhappily, are dumped into the labor market with no prospects for employment. To keep body and spirit together, some people resort to violent and criminal behaviors such as "lucrative" kidnapping, militancy, and armed robbery. Others have fallen victim to terrorists and have been radicalized. Boko Haram, the Indigenous People of Biafra (IPOB), and Niger Delta militancy are also examples. Nwagbosa (2012), for one, feels that previous governments failed to implement steps to alleviate unemployment and poverty, which have been primary sources of insecurity in Nigeria.

Conflicts between Ethnicities and Religions

Suspicion and mutual animosity among Nigeria's many ethnic groups, as well as the major religions, have historically been a source of security issues. In Nigeria, there are two prominent religions: Islam and Christianity, and there have been regular and continuous religious battles between these two religions, with no end in sight. Ethno-religious confrontations have reached frightening proportions across the country, calling the security order into question. The current and overall condition of insecurity in most parts of Northern Nigeria today is balanced against various Boko Haram reports (Ezeoha, 2011). In fact, prior to the emergence of this deadly religious cult, there were multiple instances of security crises in the North as a result of religious extremists' activity. The maitatsine riot in Kano, the Kaitungo crisis (2000), the Kala-Kato violence in Bauchi State, Madala, the burning of churches in Niger State in 2011, and a series of arson and church burnings in the North will live on in Nigerians' memory.

Porous Borders

It has been observed that the porous borders in Nigeria which facilitates unrestricted and untracked movements of people have greatly contributed to insecurity in Nigeria. Apart from unrestricted movement of individuals into Nigeria, arms and

ammunitions whether they be light, small or heavy have found their way into Nigeria most times undetected and have been used by religious fanatics, insurgents and militia to wreak havoc on Nigeria's social order with little or no response from law enforcement agents. Edeko (2011) has reported that Nigeria hosts over 70% of about 8million illegal weapons have been used to create security crisis. On their part, Adeola and Olayemi (2012) believe that the porosity of the country's border has led to uncontrollable influx of migrants, mainly youths from neighbouring countries particularly Niger, Chad and Republic of Benin who have been majorly responsible for some of the criminal acts in Nigeria.

Lopsided Development, Marginalization and Inequalities in the Country

The immediate past administration of President Muhammadu Buhari has been accused of ethnic bias and marginalization of certain portions of the country in the allocation of basic infrastructure, which has substantially exacerbated Nigeria's security (Nwadiakor, 2011). Key political jobs are currently going to people of Northern descent, leaving the South-East out in the cold. This may explain the campaign for the Republic of Biafra, as well as the security breaches that have followed it. Furthermore, there is a significant gap in life chances in Nigeria.

The vast majority of the population feels inequity, unfairness, and marginalization, which has led to frustration and loss of hope, particularly among youths.

State Policing in Nigeria

The belief that the state has a monopoly on the means of legitimate violence led to the establishment of specialized institutions such as the police and the Armed Forces tasked with limiting the use of violence by other groups.

Nigerian police officers are currently slated to conduct the following duties:

- i. Preventing crime;
- ii. Protecting lives and property;
- iii. Enforcing the law;
- iv. Maintaining peace and public order.
- v. Offering a diverse range of services to inhabitants (Akuul 2011).

By doing so, it gains the right to impose social control by coercive measures. The Nigeria Police is also mandated by law to combat crime by detecting, investigating, apprehending, and prosecuting offenders in criminal tribunals.

Tinubu (1993), asserted that the role of the police in Nigeria cannot be undermined. According to him, their constitutional and legislative tasks are properly defined, allowing the force to manage crisis circumstances while also maintaining peace and security. This was specifically constructed into Section 14(b) of the Nigerian Constitution (1999), which stated that the fundamental goal of government would be the security and wellbeing of the people. Section 194 of the 1979 constitution, opined that the

Nigerian Police agency (NPF) is recognized as the national police agency with exclusive jurisdiction throughout the country (Egbosiuba, 2013). Before carrying out an order issued by his governor, a state police commissioner may "request that the matter be referred to the president or such minister of the government of the federation as may be authorized in that behalf by the president for his directions," according to Section 215 of the 1999 constitution.

As a result, the police contingents in each state are strictly under the operational direction of the Inspector General. As a result, if Nigeria wants to contain the country's current tendencies of insecurity, an educated constitutional approach and policy decision must be made to modernize the security system through targeted productive changes. Fashola (2014), asserts that the desire for state police is part of a larger appeal for "true democracy."

Prominent Nigerian lawyers have criticized the over-centralization of the police, citing the ramifications for public order and safety. Governors serve as Chief Security Officers for their states and have 'security votes,' although they have no authority over the police. Rather, the Inspector General of Police (IGP) in Abuja wields sole authority over this monolithic command structure through his Commissioners of Police (COPs) in each state (Eboh, 2014). According to the principles of real federalism, the first republic had municipal, regional, and central police institutions.

The Debate for and Against State Police in Nigeria

The opposing position on the topic of state police systems demonstrates the differing perspectives on the necessity for constitutional revision, particularly the provision that treats police as the primary role of the federal government. Would the police be used as stooges by high state officials to justify their illegal acts, as opponents of state police have suggested? or will state police serve as an antidote to the country's security crisis, as the protagonists of state police anticipate? This is the pivotal point of this segment. As a result, understanding the two points of view is necessary before we can grasp the missing connection and propose a path forward.

The Argument for State Police

The main argument in favor of establishing a state police is that it is consistent with the notion of federalism that Nigeria bases its constitution on. The Federal Republic of Nigeria, as a federal state, divides power between the federal government and the 36 states of the federation (see section 2 subsections 2 of the 1999 Constitution).

The national legislature is responsible for making laws in the center, while the state houses of assembly undertake comparable functions within the limits permitted by the legislative list contained in the second schedule to the constitution (section 4 of the 1999 Nigerian Constitution).

Furthermore, the executive functions of the federation are vested in the president by Section 5(1) of the Nigeria 1999 constitution, whereas those of the states are vested in

the governors. In all circumstances, the exercise of these executive authorities includes the execution and preservation of the constitution as well as all laws passed by either the national or state assemblies, as appropriate.

The continued existence of state police in Nigeria, on the other hand, is a historical imbalance in Nigeria federalism. Federalism would be incomplete without the presence of state police. Federal and state police exist in more evolved federating nations. For example, the American federal system includes the Federal Bureau of Investigation (FBI), State Police, and City or County Police. Universities and parks, for example, have their own police forces. A critical examination of the constitutional provisions cited in this point reveals that each of Nigeria's states is intended to be a complete government in its own right, with the authority to create laws, enforce them, and punish offenders through the judicial branch. However, under the Nigerian legal system, the only organization charged with implementing the law is the Nigeria police force, a federal body (section 214 of the 1999 Constitution).

Furthermore, politicking undermines the federal government's role in efficient policing. The constitution makes no claim as to who is truly in charge of the Nigerian police. The provision according to section 215 (4) of 1999 constitution of Nigeria is unequivocal that a state commissioner of police shall be at liberty to refer a directive given by a state governor to the president before acting on them. In Nigeria where most government decisions are influenced by politics, a governor's directive to the state commissioner of police is prone to constant veto. A classical example of the usage of presidential power to undermine the state, among several others, was the murder trial of Nigeria former senate majority leader, Teslim Folarin in 2011.

Another argument in favor of state police, related to the preceding, is that Nigeria is too huge and diverse for security problems to be overly centralized. In a country where administrative bottlenecks and unnecessary bureaucracies frequently waste time on simple matters such as troop deployment to quell insurgency, the effectiveness and efficiency of local militias such as Oodua People's Congress (OPC), Bakassi boys, Egbesu boys, Vigilante Groups, and others have given credence to the belief held by many that security is a local problem that only those who understand the terrain can manage. As a result, security in Nigeria today is viewed solely as the protection of Abuja, the seat of authority. Individual governments are increasingly spending considerably to support the operation of police officers deployed in their domains to protect the safety of people and property. For example, Lagos State has established a Security Trust subsidize to subsidize the functioning of the state Rapid Response Squad. This budget is used to purchase arms and ammunition, and officers and men serving in the outfit are also given special allowances.

The Argument Against State Police

Given the preceding rationale, one would naturally begin to evaluate the possibility of State Police at this point.. As appealing as that alternative is, it must be

approached with caution. True, in more sophisticated nations, federal and state police exist independently; nonetheless, this should not be the basis for state police in Nigeria. The problem of misplaced priority or misuse of office is one of the key arguments against state police in Nigeria. Opponents feel that Nigerian State Governors will undoubtedly convert State Police units under their control into instruments for pursuing and executing their political whims, subtleties, and caprices.

Given the political situation in Nigeria, the development of state police may be theoretically good, but it could be abused to the harm of the country (Jonathan, 2011). The case against state police is strengthened by what is happening at the local government level, which was meant to be an autonomous third tier of government but has been captured by state governors. In Nigeria, local government chairmen are merely glorified 'houseboys' or 'hallelujah boys' of the governors. The Governors care less about Local Government autonomy and much less about the right of the people to choose their leaders. Given the importance that state governors play in local administration, caution is required in permitting states to maintain their own police organizations. Another issue to consider is the potential for conflict of interest and issues as a result of several security agents. Although the police as they are currently formed are guilty of the most, if not all, of the claims hurled against local police, the question is whether Nigeria should face the challenge of a single police force rather than fighting many battles at the same time.

Aside from the issue of conflict of interest, there is also the issue of funding. The formation of state police in Nigeria today may be impossible due to funding constraints. In Nigeria, almost all states rely heavily on federal allocations for survival. This is already threatening the viability of many states, whose revenues barely cover their expenditures. Adding police responsibility to the affairs of states, most of which are still dealing with issues relating to the payment of minimum wage, appears to be overkill (Adetumbi, 2012). Even Lagos state, which has been assisting in the funding of police officers deployed to the state, has done so through a trust fund specifically set up for that purpose.

Conclusion

Nigeria's present centralized security management system, based on the traditional security framework, has failed to proactively tackle security challenges such as ethno-religious crises, militancy, and terrorist insurgency, among others, over the years. Security agencies have wasted valuable time by waiting for authorisation from their higher-ups before responding to threats. The inference is that the government has not been responsive to residents' requirements in terms of security supply, despite the fact that security is considered as the pinnacle of any government's duty.

The establishment of state police will be consistent with Nigeria's commitment to federalism (section 2 of the 1999 Constitution). Countries that use a federal system of government ensure that there is autonomy among the various levels of government, such that the executive is independent of the legislative and the judiciary at all levels of

government. A proper and idealistic interpretation of the term federal system assumes that each constituent part of the federation, such as counties, municipalities, states, and federal governments, has autonomy in their daily affairs while issues of national concern are vested in the federal government.

Recommendations

- i. To prevent abuse of State Police Forces (SPF), the document supporting state police should include provisions for the formation of ad hoc committees at the state and local government levels. These should be made up of distinguished persons such as retired judges, religious leaders, renowned opinion leaders, journalists, and labor union representatives. Their responsibilities should include making recommendations to state police chiefs and evaluating the SPF's overall actions. State legislatures should be granted oversight powers to validate the committee's recommendations and restrict the governors' security votes.
- ii. To encourage efficiency and effectiveness, structures of checks and balances, as well as defined disciplinary mechanisms, should be put in place to protect state police officers from party politics and control by political office holders.
- iii. The police training curriculum should be revised to include new and all-encompassing policing vistas such as crime scene management, forensics, human rights, police prosecution, professionalism based on ethics and values, election policing, information technology, and public order policing, among others. Each training area should be established with specifications based on different curriculum manuals and levels of specialization or complexity.
- iv. Police officers must be well compensated and motivated in order to eliminate the low self-esteem, violence, and corruption that plague the junior and some senior levels.
- v. There is also a need for people-oriented leadership. One that should be fair in carrying out its responsibilities, particularly by maintaining the even growth of the various geopolitical zones.
- vi. The paper also recommends the decentralization of the police force so as to make the for effective and efficient.

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