

# **CHAPTER ONE**

## **INTRODUCTION**

### **1.1 Background to the Study**

The Nigeria Police Force (NPF) was established in 1930 as one of the institutions used in consolidating colonial rule through repressive tactics in maintenance of law and order (Jemibewon, 2001, Odinkalu, 2005,35: Okoigun, 2000, 2-3; Onyeozili, 2005, Rotimi, 2001:1; Tamuno, 1970). Commenting on the origin of the NPF, Nwolise, (2004: 73-74) notes that “the colonial masters deliberately recruited people one could call street and under-bridge men (area boys in today’s parlance) to establish the early Police Force...the police recruits were not properly trained...and where police officers were then trained with emphasis on human rights, the supremacy of the law and welfare of the community, the seeds of revolt may be sown which would grow within the police and extend to the wider society”.

Nwolise particularly noted that there were disparities in Ireland, where Nigerian recruits were trained in military institutions to employ high-handed tactics on the people while their Irish counterparts were trained in a Police Academy to be civil and polite in their engagement with the people. As noted by Olurode (2010: 3) “the succeeding post-colonial state and its leading actors could not have been better schooled in the art of perdition, intrigues and abuse of state power...as they had experienced all possible lessons in subversion and derogation of people’s power”, expressed mainly through the infliction of repressive measures by security forces.

Since independence, the NPF has struggled to institute reforms, which seem not to have led to a fundamental change in the strategic objectives, tactics and strategies of law enforcement (Alemika: 2013; Chukwuma, 2006). They have rather sustained the brutality inherited from the colonial era.

In Nigeria’s First Republic, the operations of the several police organizations were largely politicized and they were used to support the interests of ruling political parties. The Police Service Commission (PSC) was weak and there was little or no

credible and non-partisan regulatory framework for the regional and local police institutions, a situation that aggravated lawlessness and was part of the reasons used to justify the demise of the First Republic by the coup plotters of February 1966.

The advent of military rule in 1966 led to the integration of the various police institutions into a single police organization, the disbandment of the PSC as an external oversight institution, the full involvement of the police in political governance and decline in their welfare, professionalism, and prestige. This development, coupled with the outbreak of civil war, also militarized the police. The return of civilian rule in 1979 led to the restoration of oversight and relative prominence of the police. However, the NPF was politicized and it was implicated in the internal security crisis, which contributed to the collapse of the Second Republic.

The period between 1983 and 1999 was arguably the most humiliating in the history of the police. Several other institutions were created to take over some police duties due to its inefficient handling of the security challenges confronting the country. The NPF was violently and routinely challenged by bandits and antagonized by the military rulers at the time as it was resented by the civil society (Asiwaju and Marenin, Op.Cit; Human Rights Watch, 2010; Hutchful and Bathily, 1998: 606-607; Hutchful, 2001:4).

After over five decades of independence, the performance of the NPF has been shaped, largely by the lack of commitment by successive governments to weakness in coordination, capacity and efficiency of the Force. Rather than enhance the capacity of the NPF, successive governments have rather focused on the dismemberment of the body by creating rival policing organizations. (Odunlami, 2014, 197, Alemika, 2006:55, Imobighe, 1990:224). The police was denied of operational tools and resources to perform its responsibilities.

Apparently, the challenges of internal security was worsened by the inability of the police to arrest the escalating tensions caused by economic and social hardship, environmental and human rights issues in the Niger Delta, democratic crisis occasioned by non-inclusive transition programmes, rising religious fundamentalism and terrorism and creation of insecurity by Special Forces within the security sector

(Agbu, 2004). At the same time, the resources available to the police continued to dwindle while the pressure placed on the institution increased (Arase, 2013).

Whilst scholars, practitioners and other stakeholders seems to have come to agreement on the poor performance of the NPF, an institution which they severally described as corrupt, inept, undisciplined, partisan and generally incapable of safeguarding lives and property (Alemika, 2013, Odekunle, 2005, CLEEN and National Human Rights Commission, 2000; Mohammed, 2006: 90-91), there seems not to be such amity on the root causes of the problem of policing in Nigeria. Existing schools of thought, which at times, cross-cuts, include: the 'Structuralists', who believe that the problem of policing has to do with over-centralization and operational design (Jemibewon, Op. Cit); the 'Moralists', who argue that endemic corruption is the main cause of police inefficiency (Ajayi 2006; CLEEN, Op. Cit: 2000; Onanuga, 2007).

The 'Pluralists', who believe that decentralization is the only panacea to the crisis of policing and thus subscribe to the idea of community policing (Olonisakin 2008: 21; Isima and Okenyodo, 2009) the 'Regionalists', who subscribe to the idea of state policing (Rotimi, 2001); the 'Ecological' school who argues that the criminogenic nature of the Nigerian State has undermined the effectiveness of the NPF (Alemika 2007: 159), among others. What is clear is that no single explanation would sufficiently explain the crises of policing in Nigeria.

In order to solve the problems bedevilling the police, several reform programmes were undertaken by government. However, since the advent of civilian rule in 1999, the country has witnessed a more intense effort aimed at reforming the NPF. A flurry of reforms embarked upon by the government purportedly addressed some of the causes of inefficient policing in Nigeria. These included: the 2001 Presidential Panel on National Security; Five-Year Development Plan (2000-2004); The Blueprint for Reform and Crime Prevention in Nigeria; the Mandani Presidential Committee on Police Reform of 2006; the M.D Yusufu Presidential Committee on Reform of the Nigeria Police Force of 2008 and the Osanyande Panel of 2012.

But more than a decade down the line, it appears that perceptions about the effectiveness and efficiency of the NPF have not significantly improved. In particular, there are concerns that the reforms might not have addressed the issue of governance, which may be perceived to be at the core of the NPFs inability to effectively address internal security challenges confronting Nigeria.

Given this background, this thesis seeks to construct a linkage between the governance of the NPF and the implementation of reforms in the Force in explaining the crisis of policing, and analyse those factors capable of arresting the transformation within the police.

## **1.2 Statement of the Problem**

The 1999 Nigerian Constitution in Section 214 recognizes the NPF as the only police organization in Nigeria and vests on it the power to maintain internal security (CFRN, 1999). Section 4 of the Police Act also entrusts it with functions such as “prevention and detection of crime; apprehension of offenders; preservation of law and order; protection of life and property; enforcement of all laws and regulations with which they are charged; and such military duties within or without Nigeria as may be required” of them (CFRN, 2004; Asiwaju and Marenin, 286-287).

In spite of its over-arching power in maintaining peace and security; Nigerians have adjudged the NPF inefficient and ineffective in the performance of these responsibilities. The perceived poor performance of the police has resulted in the increasing spate of criminality, perennial breakdown of law and order and mushrooming of non-state armed groups performing policing roles. In addition to several operational measures taken by the government to address the crisis of policing in the country, the government initiated series of reform programmes to reposition the NPF. After almost 15 years of reforming the organization, there are perceptions that significant changes might not have been recorded in the performance of the organization.

The seeming failure of the reforms in transforming the NPF into an effective organization in the area of protection of lives and property has continued to be a

concern to scholars and stakeholders in the security sector. Indeed, several factors have been identified as responsible for the failure of the NPF to perform effectively.

The factors range from corruption to over-centralization, poor funding, lack of adequate logistics, failure of intelligence, violation of human rights, and political interference, among others (Ifijeh, 2002; Chukwuma, 2004; Osayande, 2008; Amnesty International, 2009; Human Rights Watch, 2010; NOPRIN, 2012). According to Reform Panel Reports and documents from the NPF, Police Affairs Ministry and the Police Service Commission, virtually all of these factors have been purportedly addressed in the design and implementation of the reforms, starting from the 5-Year National Plan to the latest in the series, the Parry Osayande Report.

Many scholars have also analyzed how the implementation of the reforms has ameliorated some of the challenges mentioned above (Okenyodo and Isima, 2009; NOPRIN, 2012). However, all these attempts have largely been focused on the failure of reforms from perspectives such as political control, weak legal procedures, operational incapacity and over-centralization (Hills, 2008; Omonobi, 2008; Alemika, 2013; CLEEN, 2009:4; CLEEN and National Human Rights Commission, 1999: 8-10) and no known work has paid sufficient attention to how the governance process impacts the performance of the police reforms.

In this regard, the problem of the research is to examine how governance indicators such as respect for human rights, transparency and accountability, civility, participatory decision-making, and community partnership, shaped the implementation of the reforms in the NPF between 1999 and 2014. This would help in answering the question: why has the design and implementation of the reforms between this periods not led to qualitative improvement in the performance of the NPF?

### **1.3 Research Questions**

The study attempts to proffer answers to the following research questions:

- How have the history, value, culture and context of the Nigerian state shaped the model of policing and attitude to reforms in the NPF?

- What are the objectives and outputs of the reforms of the NPF and to what extent are they informed by particular context of policing in Nigeria?
- To what extent have the governance elements of reforms contributed to the achievement of reforms objectives?
- What are the major requirements for the transformation of the NPF into an efficient and effective force capable of protecting the security of Nigerians?

#### **1.4 Objectives of the Study**

The main objective of the study is to critically analyse the governance of reforms of the NPF between 1999 and 2014. The specific objectives are to:

- Historicize the value, culture and context that shapes the model of policing in Nigeria;
- Analyse the context, objectives and outputs of police reforms in Nigeria from 1999 to 2014;
- Evaluate the governance elements and features of the reforms of the NPF between 1999 and 2014;
- Provide recommendations relevant for the effective governance of reforms in the NPF, as well as provide a focus for further research on the subject matter.

#### **1.5 Justification for the Study**

Whilst a number of scholars have examined the problem of policing in terms of operational effectiveness (Balogun, 1999; Abdulkadir, 2005:145), few works have attempted to historicize the post-colonial state in relation to the effectiveness of the NPF or link key governance indicators to the reform of the police.

Firstly, it appears that the critique of institutional design of the NPF had been focused, for most part, on the problems with the Force and not on how efforts to transform it has left it worse-off. Secondly, it appears that previous works have not adequately interrogated why a 15-year old reforming police organization such as the NPF seems to be growing pervasively weaker in protecting the citizens and ensuring public safety while they appear be waxing stronger in meting out punitive measures against the citizens. Thus, the work builds on previous researches and takes the debate on policing further by attempting to utilise key governance indicators in explaining the outputs and results of the reforms.

Thirdly, the case study of the NPF was selected due to the relative marginalisation of the police in Nigerian strategic studies literature. Finally, given their spread and public protection role, the police are critical to ensuring that Nigerians get the dividends of democracy through the provision of safe, secure and tranquil environment.

## **1.6 Scope of the Study**

This study focused on the critical analysis of the design and implementation of police reforms undertaken by the Federal Government and the leadership of the NPF. Its primary period of coverage was from 1999 to 2014, being the years during which series of reforms were formulated for and implemented in the NPF. These reforms included what appeared to be: (a) Strategic: Reforms undertaken by the Federal Government in close cooperation at times, with state and local governments (b) Operational: reforms undertaken as stop-gap measures by successive Inspector-General of Police between 1999 and 2014.

The geographical area of coverage for the reform is Nigeria. Also, the research work investigated the outputs and deliverables of the reforms and how they have impacted on the effectiveness and efficiency of the NPF in safeguarding security of lives and property. In the course of our analysis, we had cause to refer to the pre-colonial, colonial and post-colonial eras of policing in Nigeria, the ecology within which police reforms took place and the interplays inherent therein, as well as aspects relating to non-state policing, in order to link-up the past trajectories of reforms with the present.

The study focused in spatial terms, on strategic and operational levels analysis. However, it did not delve into examining the police reform from a wholly citizens perception perspective.

## **1.7 Research Methodology**

**1.7.1 Epistemological Foundation:** The research is an empirical investigation into the interrelationship between governance and outputs of reforms in the NPF. It examined why the implementation of numerous Police reforms did not lead to

efficiency and effectiveness on the part of the NPF. It hypothesized that the problem of policing in Nigeria is more robustly diagnosed and explained if done within a Historical/ Sociological Institutionalism framework.

In particular, it posits that the design of policing reforms may not have adequately addressed the core challenges relating to value and attitudes, and expressed in behaviours relating to protection of human rights, transparency and accountability, civility, participation and inclusiveness, and community partnership. The list of research questions and objectives were informed by the need to determine whether the reform as designed have transformed the NPF into an efficient and effective law enforcement organization, to examine the path dependency and critical junctures elements that have shaped the contents and outcomes of the reforms in the NPF since the unification of the NPF in 1967, to determine whether the output of the NPF over the reform years/period between 1999 and 2014 were consistent with the objectives of the reform agenda, and analyse how deep-seated historical factors have shaped the outcome of policing reforms in the country.

The aforementioned approach helped in the identification of suitable research design and data sources needed to unravel the set research objectives. The research design is basically through content analysis of qualitative data contained in official documents, Reform Reports, referred journals, newspapers and which were complemented by in-depth interviews carried out on 20 high-profile individuals involved in the design and implementation of reforms. These include 7 police officers, 4 civil servants, 4 former members of respective police reform committees, and five leaders of NGOs working on police reforms.

**1.7.2 Research Design:** The subject matter of this thesis is descriptive, empirical and explanatory. As such, the study utilized historical and sociological methods to enable us reconstruct and explain previous, current and emergent reforms and how they impact on the outputs of the NPF. From the findings of the research, and particularly through collection, evaluation, verification, and synthesization of recorded evidences, the problematic of key governance indicators and policing reforms have been explained within a robust analytical framework.



**1.7.3 Method of Data Collection:** The study employed both primary and secondary sources of data. The technique of data collection through the primary source includes oral in-depth interviews. A total of twenty (20) in-depth interviews were conducted. Fifteen (15) of them were open with interviewees clearly identified while five (5) were confidential interviews, which means that the identities of the interviewees cannot be openly revealed<sup>1</sup>.

The interviews were conducted with individuals involved in the formulation, implementation, oversight, critiquing, advocacy, monitoring and evaluation of the reforms in the NPF. The respondents for the interviews were therefore purposively selected based on the role they have played in the reforms. The open interviewees included an Assistant Inspector General of Police (AIG), two (2) Commissioners of Police, an Official of the Police Service Commission; three (3) Professors with decades dedicated to policing research and scholarship, an official of the National Human Rights Commission, a retired Security Analyst and officials of the two (2) foremost civil society groups working on police reforms in the country; the CLEEN Foundation and the Network on Police Reforms in Nigeria (NOPRIN). Thus, the respondents consisted of the leadership of the NPF, members of the Reform Committees, serving police officers, and CSOs involved in the formulation and implementation of the reforms.

Secondary data sources, both printed materials, commissioned surveys by CSOs like CLEEN and NOPRIN as well as Official Reports were collected. These include the 1999 Nigerian Constitution (as amended), the Police Act, other supplementary Administrative Documents of the NPF, Reports of the Government Reform Committees, Report of Civil Society Reforms Committees, Annual Reports of the NPF, Annual Reports of the PSC, National Human Rights Commission Annual Reports, Reports of International NGOs on the NPF, Memoirs of retired Police Officers, Reports of Surveys, Journal Articles on the NPF, Textbooks on the subject of policing in Nigeria, community policing updates, human rights reports, and commissioned reports on the security sector in Nigeria.

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<sup>1</sup> This was due principally to requests for confidentiality by the Respondents who fear possible retribution or victimization from their employer.

Furthermore, data culled from NGOs, international organisations, and government documents (letters, petitions, gazettes, and memoranda) as well as other institutions working on security were as well reviewed. However, the research took cognizance of the weaknesses, bias and limitations of some of the literature consulted and opinion of the personalities interviewed, especially the ones relating to the distortion of facts, factual errors, analysts' inaccurate accounts and outright manipulation of information, and rigorously and exhaustively verified and cross-checked the facts, and balanced the analysis with cross-checking during interviews, when possible. This ensured that the information in the research thesis were honest, authentic and accurate.

**1.7.4 Method of Data Analysis:** The data collected through primary and secondary sources were subjected to content analysis. The study investigated the process of formulation and implementation of the reforms and their impacts on the efficiency and effectiveness of the NPF, using outlined governance indicators.

### **1.8 Limitation to the Study**

The limitations experienced in the course of conducting this research-included evidences of inconsistencies in the NPF documents such as data on police performance and Annual Report, which made the publications unreliable. Errors in some data tabulation, frequent changes in the indicators for data compilation and/or failure to carry out surveys were also noticed in the Reports of the NPF and the PSC. In addition, the lack of access for the researcher to the Expenditure Figures (particularly the Reforms Budget Component) at the Ministry of Police Affairs reduced the utility of budgetary figures, for the purpose of analysis. Furthermore, some of the actors in the reform process, particularly some serving and retired officers from the NPF and PSC turned down request for interviews and/or for official records.

Some interviewees in the NPF, MoPA and PSC wished to remain anonymous. The researcher could also not analyse all the information obtained from the relevant Institutions and NGOs due to their wide scope (beyond this study), particularly on the impact of the reforms on the social, economic and political process in the country. Going into all these issues would have made the thesis unwieldy, thereby diminishing the analytical coherence.

However, the researcher overcame these shortcomings by carefully utilizing the limited credible statistical data and pointing out expressly why some other available statistics could not be used for the thesis. He also conducted interviews with willing and relevant officials of the NPF, MoPA and PSC (with respect for confidentiality of the interviewees who so requested). The interviews provided opportunities for triangulation of some information, which needed further verification. These interviews were complemented by robust interaction from the civil society organizations' leaders who were active in the reform process, i.e. NAPS, NOPRIN and CLEEN. Very thorough and detailed Content Analysis of Official Reports of Reform Committees, Journal Articles and Textbooks also complemented these aforementioned interviews on the subject matter as well as the thorough analysis of over a dozen national newspaper and magazines published for a period of 15 years.

## **1.9 Outline of Chapters**

This thesis is divided into seven chapters with distinct but reinforcing sub-themes.

### **Chapter One: Introduction.**

The chapters provide an introduction to the subject matter. It contains the necessary background analysis on the role of the NPF in the securing lives and property. It put in perspective, the Statement of the Problem of the research and stated the objectives of the study, significance of the study, basic assumptions, scope and limitations, methodology as well as the plan of work.

### **Chapter Two: Literature Review and Theoretical Framework.**

The chapter reviews literature on the major themes and sub-themes of the research. These include conceptualization of institutional design and values in policing, models of policing, policing in federal contexts, policing in Africa, the Nigerian experience, the institutional governance of the NPF as well as the theoretical framework.

### **Chapter Three: History and Institutional Designs of the NPF.**

The chapter provides a brief historical background on the emergence and operationalization of the NPF. The chapter helps in gleaning through several decades the sociological and historical issues that have defined the work of the NPF, taking note of the continuities and changes over the years. This provides vital background

for the appreciation of the character, capabilities and culpabilities of the NPF. The chapter also briefly identifies other stakeholders working with the NPF in ensuring national security. The section on the institutional design of the NPF graphically analyses the centralized and state-centric legal and normative framework.

#### **Chapter Four: Reform Initiatives in the NPF (1966-1999)**

This chapter put in perspective, all the police reforms undertaken since 1966. It analyses the contexts in which reforms were conceived and implemented, the major finding of the reform panels, as well as path dependency issues in the formulation and management of the reforms.

#### **Chapter Five: Reforms Under Democratic Rule (1999-2014)**

It pays a detailed attention to the reforms implemented between the transition to democracy in 1999 and 2014. It analyses the ecological context of reform, attempting to situate the reforms within the context of pressure put on the political system by the demographic, social, political and economic milieu as well as by development partners. It analyses the critical junctures and path dependency elements in the reforms process.

#### **Chapter Six: A Critique of the Police Reforms (1999-2014)**

This chapter deals with the critical analysis of police reforms implemented in the period 1999-2014. It attempts to explain the ways in which poor governance impaired the achievements of the set objectives of police reforms. It argues that lack of a value-focused governance of the reforms both by the larger political leaders and then by the leadership of the NPF, accounts for reform failure.

#### **Chapter Seven: Conclusion and Recommendations**

This chapter summarises the research findings, draw inferences concerning the effects of poor governance on the implementation of police reforms and provides insight on areas of further research on the subject.

## **CHAPTER TWO**

### **LITERATURE REVIEW AND THEORETICAL FRAMEWORK**

This Chapter reviews the literature on the role of values and institutional design in policing and articulates the theoretical framework on which the research is anchored. This chapter examines the various policing systems that exist in the World, and takes a cue from these systems, to find out how the Nigerian system of policing can be understood, in the light of these policing models.

#### **2.1 Institutional Design and Values in Policing**

In relations to the police, institutional design entails the process of conception, evolution, operationalization and transformation of a body of laws, codes of ethic and accountability systems into operational instruments that enhance the achievement of a set of objectives. In particular, institutional design is a critical element in ensuring a balance between the mandates given to security institutions and the threats they are meant to confront.

It also sets the restraints to the violations of the law in the course of maintaining peace and security and enhances the operational effectiveness of the police force as well as defines collaborative thresholds, among other functions. For instance, some analysts have hinged their negative perception of the police in most parts of the world on repressive legal instruments that allows for little review, control, oversight and respect for human rights (Goldstein, cited in Hinton and Newburn, 2009:5).

Value on the other hand is the amount of esteem and regard placed on a thing or course of actions. It also connotes a principle, standard or quality to be desired. To Onoge, (2004:6), "to talk about values is to talk about the world of culture. Valuation process is a human capacity and an expression of the ultimate ends, goals, or purposes of social action.

Values deal not so much with what is, but with what ought to; in other words they express moral imperatives." They stipulate what should be the desirable relationship to the natural environment, to the self, and to the group. Values are also expressed in

the ritual relationships, which people can and do have with non-empirical entities such as ancestors, spirits and deities which are part of the religious institutions of particular cultures.

For institutions, value could mean a set of professional standards, shaped and internalised over time. In the United States of America (USA) for example, after over 4 decades, certain fundamentals have been internalized as values guiding the work of police institutions. These are enumerated by the National Institute of Justice (NIJ) to include:

- Police authority is based solely in the law. Professional police organizations are committed to enforcement of that law as their primary objective;
- Communities can provide the police with assistance in enforcing the law;
- Responding to citizen calls for service is the highest police priority. All calls must receive the fastest response possible;
- Social problems and other neighbourhood issues are not the concern of the police unless they threaten the breakdown of public order;
- Police, being experts in crime control, are best suited to develop police priorities and strategies (cited in Wasserman and Moore, 1988:4).

Value may also encompass respect for the rule of law, protection of human rights and freedoms (especially prohibition of torture, right to privacy, proportionate use of force, legal arrest and detention, prohibition of discrimination, freedom and equality), professionalism, transparency, integrity, political neutrality, accountability, internal control and Participatory management. Each value and principle will have a short explanation of what it signifies and the police in question must give their definitions and perceptions (Ikjaer, 2010: 11).

A critique of these sets of values shows that they are capable of enhancing effectiveness and efficiency of police institutions and insulating the services from political control. Indeed, the NPF highlights the values undergirding the work of its officers and men as working together with the people to:

- Deliver quality police service that is accessible to the generality of the people;
- Building a lasting trust in the police by members of the public;

- Protect and uphold the rights of persons, to be impartial and respectful in the performance of police duties;
- Continuously evaluate and improve police services;
- Provide equal opportunities for career developments for all members of the force;
- Cooperate with all relevant government Agencies and other stakeholders;
- Liaise with the Ministry of Police Affairs and the Police Service Commission to formulate and implement policies for the effective policing of Nigeria (NPF, 2014).

It appears that what were defined as the NPF values above have been often breached rather than observed by the NPF. However, as will be seen in the latter part of this Chapter, the values of policing in most developing countries are actually predicated on service to the rulers rather than the people, alienation from the people, undermining the law through meddlesomeness in personal conflicts and lack of respect for the rule of law.

It is important to stress the symbiotic relationship between values and institutional design, as the type of national values a country imbibes largely determines the focus, interests and resilience of its institution. The type of institutional outputs, which is largely determined by the design of the institutions, contributes to sustenance or change in the national values of a given country.

Indeed, values are critical to the model of policing adopted in any country. Socio-cultural background, history, security needs, and interest of critical stakeholders, among other factors, determine the models of policing adopted in any given society, but the most critical factor is history.

The value of policing helps to determine a course capable of meeting the needs of the majority of the people. Some scholars have captured this desired end of security institutions such as the police as the attainment of human security. The search for security has been the main preoccupation of governance practitioners, scholars and other stakeholders. From the classical political thinkers to the social contract theorists

and contemporary analysts, the essence of governance is the need to ensure safety from fear, wants and other threats to humanity (Stewart, 2004:1, Buzan, 1998:1). Nnoli (2000:12) defines national security as a cherished value associated with physical security of individual, groups or states, freedom from threats and danger, while Omotola (2006:4) defines the term as “the freedom from danger or absence of threats to the multidimensional elements that may affect the nation’s ability to protect and develop itself, promote its cherished values and national interests of its peoples”. These definitions suggest that beyond territorial security, the concept of national security also entails safeguarding of people’s quality of life and preserving their values.

A more comprehensive conception of the term sees national security as:

The first and most important obligation of government. It involves not just the safety and security of the country and its citizens. It is a matter of guarding national values and interests against both internal and external dangers - threats that have the potential to undermine the security of the state, society and citizens. It must include not just freedom from undue fear of attack against their person, communities or sources of their prosperity and sovereignty, but also the preservation of the political, economic and social values - respect for the rule of law, democracy, human rights, a market economy and the environment - which are central to the quality of life in a modern state (IWGNS, 2009: 3).

This definition by the International Working Group on National Security provides a holistic, wide and evidence-based approach to national security, particularly focusing on the protection of the interests and values upon which the survival of the state and its citizens depend. It is however important to highlight our reservation on the inclusion of market economy as one of the features of national security as this has rather been a basis for accentuating global insecurity, particularly terrorism.

However, in conceptually situating security more in-depth, the formulation must uphold certain basic principles, including, the absence of threats to acquired values; explicit linkage between definition and specific beneficiaries; specification of the values security is meant to protect; taking security as an absolute term as opposed to an idea of a graded spectrum; analysis of the threats to be mitigated, by what means, at what cost and in what time period (Baldwin, 1997: 7-18). In this context, the



perspective of Nnoli (2003: 5) that “security is a cherished value associated with confidence in the physical safety of individuals, groups and the state, together with a similar confidence in the safety of their other cherished values” seems to suffice. This definition places emphasis on confidence in security arrangements and physical safety.

## **2.2 Models of Policing**

Classifying models of policing is a problematic task. Not only have researchers and analysts failed to agree on the types of policing models, there have also been different explanations (conflicting in some instances) of the existing types of policing. Some scholars have identified typologies like paramilitary policing, democratic policing, intelligence led policing etc, these have however not been seen as models but are seen as elements of one of the four models while others (OSCE, 2008; Hinton and Newburn, Op.Cit: 7) have also attempted to categorise policing as either democratic or authoritarian but the categorizations appear too simplistic as it lay too much emphasis on the dissimilarities in policing between the developed world and the developing countries.

Nevertheless, this work will review the ‘mainstream’ models of policing identified by scholars, a review that will expose the crosscutting nature of the models. Paramilitary and command models shall be examined separately. Then, a sub-group of four models shall be examined. This sub-group includes: Traditional policing; zero-tolerance policing; Community Policing; and Problem Oriented Policing models. Table 1 illustrates the structural composition of each of the models in the sub-group.

Paramilitary model is based on military-styled hierarchy and command structure. It places emphasis on counter-aggression and show of force. It believes in the use of siege methodology. Police organizations use more strict paramilitary structure mainly in highly centralized units (e.g Special Weapons and Tactics, SWAT), but paramilitary structure can be seen throughout the organization, with the following characteristics: central command structure, rigid differences among the ranks, terminology similar to that of the military, frequent use of commands and orders, strong enforcement of rules and discipline, discouragement of individual creativity,

and resistance of the system to challenge, and impersonal relationships with the people (O'Connor, cited in Summerfield, 2006).

Historically, the origin of paramilitary policing is rooted in religious, ethnic and racial supremacy groups, unleashing aggression for their self-preservation. However, paramilitary styled policing institutions were later formed by governments, states or municipalities to perform policing duties, such as the gendarmeries of countries operating under the Napoleonic code (i.e France, Belgium, Austria) and the police forces of some states in the USA. Whilst paramilitary policing institutions have upheld basic human rights in these developed countries, such cannot be said for most of the developing countries, where the people live in fear of the police (Ibid). Command model of policing seeks to examine how the level of centralization and decentralization within the police determine its effectiveness.

The model seeks to examine the centrality of the command structure to policing. It classifies policing institutions as (a) those based on legitimacy (decentralized), and (b) those based on law (centralized). In the decentralized model, the existence of singular policing body is impossible, while the existence of multiple police institutions is either coordinated (as in the UK) or uncoordinated (as in the USA and India). The centralized model is further broken down into singular model (if the entire police force in the country is organised under a single commander), multiple model (if there are a number of police forces), multiple coordinated model (if the police forces have well defined territories of functioning and their functions do not overlap) or multiple uncoordinated (where many agencies have overlapping jurisdictions) (Varghese, 2010:3).

Traditional policing sub-culture includes a focus on danger, authority and efficiency, separation of the police from the public, preoccupation of the police with the maintenance of political, often corrupt relationship with those in power (Skolnick, 1966). Under the model, aggressive street tactics coupled with broad application of the criminal law results in tremendous line officer discretion, which generally is unregulated. According to Greene (2000: 310) institutionally and individually under the traditional model, the police seek to minimize external interference with police work and administration and fend off external control and oversight. In terms of

practical functioning, the traditional policing have been described as militant and confrontational and an analyst in the United States in the 50s and 60s gave the following description of its operationalization:

Articles on (then) recent events in black ghettos or during students or anti-war demonstrations will have recognised that sometimes police behaviour is indistinguishable from that attributed to rioters. It is not merely that sometimes the character of the police response in certain situations provoke riots, which it does, but that on some occasions the police seem to be the major or even the only perpetrators of disorder, violence and destruction (Stark, cited in Greene, Op. Cit: 307)

Problem oriented policing (sometimes a super-set of community policing) is a model which emphasises a comprehensive plan for improving policing in which a high priority attached to addressing substantive problems shapes the police agency, influencing all changes in personnel, organisation, and procedures (Goldstein, 1990: 32). There are three major principles underlying problem-oriented policing; that the police should primarily be focused on community problems, as distinct from organizational, administrative and managerial problems of police and other agencies; that the problem-solving inquiry should seek the best response to the substantive problem at hand, and not merely seek to perfect existing systems and processes for addressing that problem; and that the community problems the police should focus on are those that fall within their mandate ( Scott, 2000:49).

Zero Tolerance model of policing is subjected to different explanations, which principally refer to; being 'tough' on crime, strict, non-discretionary law enforcement, comprehensive and aggressive law enforcement with 'no hold barred' and predictable police action against minor offences and disorder. It is premised on the belief that unchecked disorder and incivility in a given locality sends an implicit invitation to more predatory criminals (Grabosky, 1999:2). Other principles include: development of crime control strategies, decentralized policing, use of timely and accurate intelligence data, trust, and emphasis on 'quality of life' crimes (Marshall, 1999:3). It has been practised with some modest success in the U.S.A, Britain, Canada, Australia and some other Western societies. However, used on its own, it has proved to be a

weak model of policing, even though its usage may be appropriate in certain places some of the time.

Community policing stems from the perceived failure of all the previously mentioned models and it connotes a broad concept, meaning different things to different people. However, many practitioners and researchers agree that community policing is based on 'the concept that police officers and private citizens working together in creative ways can help solve contemporary community problems related to fear of crime, social and physical disorder, and neighbourhood conditions (Trojanowski, cited in Wilson, 2005:7). In South Africa, community policing programmes rest largely on two pillars: reorientation and legality.

At the end of apartheid in 1994, the Department of Law and Order was renamed the Department of Safety and Security, a step which was accompanied with a public service orientation programme for officers. The 1996 Constitution also provides for an Act of Parliament to be enacted in order to "provide for the establishment of community-police forums (CPFs) in respect of police stations" (Badenhorst, 2010:5). Furthermore, The South African Police Act of 1995 defined police functions to include "establishing relations between the community and police, and contributing to local policing priorities (Ibid).

Community policing is also seen as capable of addressing underlying causes of crime and disorder and is marked by positive police-community relations. The author mentions a number of perspectives to community policing but the one needful for this study is the strategic dimension which entails that police organization should lay emphasis on three cardinal issues; re-orientated operations, emphasis on prevention and geographical focus (Coquilhat, 2008: 25).

The implication of this is that design of community policing strategies should necessarily be accompanied by a reform of officers' mindset within a structure that allows for some power decentralization. On community policing, questions have been asked about its aptness vis-à-vis institutional design. Neilds, for instance probes whether militarized police institutions, characterized by high levels of hierarchy, top-down command, strict internal discipline, low levels of education and use of

discretion among street cops are capable of implementing many aspects of community policing and whether institutional reform and professionalization should rather be taken as pre-requisite to community policing, in order to attain the overall aim of transformation (Neilds, 1999).

**Table 2.1: Structural Components of Various Models of Policing**

<b>Social Interaction or Dimension</b>	<b>Traditional Policing</b>	<b>Community Policing</b>	<b>Problem-Oriented Policing</b>	<b>Zero-Tolerance Policing</b>
<b>Focus of Policing</b>	Law Enforcement	Community building through crime prevention	Law, order and fear problems	Order Problems
<b>Forms of Intervention</b>	Reactive, based on criminal law	Proactive, on criminal, civil, and administrative law	Mixed, on criminal, civil, and administrative law	Proactive uses criminal, civil, and administrative law
<b>Range of Police Activity</b>	Narrow, crime focused	Broad crime, order, fear, and quality-of-life focused	Narrow to broad-problem focused	Narrow, location and behaviour focused
<b>Level of Discretion at line level</b>	High and Unaccountable	High and accountable to the community and local commanders	High and primarily accountable to the police administration	Low, but primarily accountable to the police administration
<b>Focus of Police Culture</b>	Inward, rejecting Community	Outward, building partnerships	Mixed, depending on problem, but analysis focused	Inward focused on attacking the target problem
<b>Locus of Decision Making</b>	Police directed, minimizes the involvement of others	Community-police coproduction, joint responsibility and assessment	Varied, police identify problems but with community involvement/ action	Police directed, some linkage to other agencies where necessary
<b>Communication Flow</b>	Downward, from police to Community	Horizontal between police and community	Horizontal between police and community	Downward from police to community
<b>Range of Community Involvement</b>	Low and Passive	High and active	Mixed depending on problem set	Low and passive
<b>Linkage with other agencies</b>	Poor and intermittent	Participative and integrative in the overarching process	Participative and integrative depending on the problem set	Moderate and intermittent
<b>Type of Organization and Command Focus</b>	Centralized command and control	Decentralized with community linkage	Decentralized with local command accountability to	Centralized or decentralized but internal focus

						central administration		
<b>Implications for Organizational Change</b>	Few, static organization fending off the environment	Many, dynamic organization focused on the environment and environmental interaction	Varied, focused on problem resolution but with import for organization intelligence and structure	Few, limited interventions focused on target problems, using many traditional methods				
<b>Measurement of Success</b>	Arrests and crime rates, particularly serious crimes	Varied, crime, call for service, fear reduction, use of public places, community linkages and contacts, safer neighbourhoods	Varied, problems solved, minimized, displaced	Arrests, field stops, activity, location – specific reductions in targeted activity				

Source: Greene, Jack. R (2000) 'Community Policing in America: Changing the Nature, Structure and Function of the Police' in **Criminal Justice, Vol 3** accessed in [www.ncjrs.gov/criminal\\_justice2000/vol\\_3/03g.pdf](http://www.ncjrs.gov/criminal_justice2000/vol_3/03g.pdf), p. 311

### 2.3 Policing in Federal Contexts

Among scholars and practitioners, current debates on policing centre on the search for a paradigm to enhance coordination and co-production of security between the police and an array of external stakeholders. In undertaking a comparative analysis of police institutions in countries that practices a similar political system with Nigeria, Adekanye (2011: 12) who concerned himself with the issue of decentralization, observed that most of the world's genuinely federal political systems do not have centralized police powers. He examined a number of cases in-depth. Australia has a considerably decentralized system of police powers, one that more or less reflects the structure of that country's federalism. Existing alongside the Australian Federal Police are other police forces owned and operated by the constituent states (Ibid: 13).

The Royal Canadian Mounted Police is the federal police force in Canada; there are a number of provinces in the country that chose to have their own police institutions, chiefly Ontario and Quebec. There is also a third police force in Newfoundland known as the Royal Newfoundland Constabulary, which serves the metropolitan areas of the province. The German constitution delegates most of the law enforcement responsibilities to the 16 states making up the federation, while in India, each state has a state police force and its own distinct State Police Service, headed by the

Commissioner of Police or Director General of Police, who is an Indian Police Service Officer. The Indian Police Service itself is not a law enforcement agency in its own right but a body of all senior police officers in the states, regardless of the agency for which they work (Ibid: 14). In Switzerland, a matter like internal security (Policing) is regarded as a function of concurrent interest to both the federal authority and cantonal governments while in the United States, the term ‘police power’ had a particularly critical meaning to the founding fathers of the US Constitution to whom police powers belonged primarily to the states of the Union.

A country that has gone through the practice of all the models is the U. S.A and it example illustrates that the political environment is crucial in shaping the models of policing. Though the country operates what is known in the West as ‘multilateral’ policing wherein all the four models are accommodated within a coordinated framework, it had to evolve from the traditional policing and as it deepened democratic practice and strengthened its federal architecture, ‘multilateral’ policing took root to contribute to effective internal security. It passed through three phases.

The first era is named the ‘political era’ because of the close ties between police and politics and it dated from the introduction of police into municipalities during the 1840’s, and continued through the progressive period and ended during the early 1900’s. The second era also known as the ‘reform era’ developed in reaction to the political. It took hold during the 1930’s, thrived during the 1950’s and 1960’s, and began to erode during the late 1970’s (Kelling and Moore, 1988: 6-10). The reform era gave way to the one emphasizing community and problem solving models of policing. The organizational design of the current era is characterized by institutionalized consultative framework and structural decentralization. Consequences of this new approach include decentralized decision-making, participative planning and management, and executive involvement in planning (Ibid: 11).

The cooperation and coordination, high degree of internal accountability, decentralization of authority and civil society participation are all hallmarks of democratic values of the American state that reflects positively in the police. Today, of the 50 states that make up the USA, 23 use the term “state police” to describe their

law enforcement agencies, while for the remaining 27, the names of their state police vary from “state highway” and “highway patrol” to “state patrol” and the remarkable thing about the USA is that organization of police powers is further decentralized (Adekanye, Op.Cit: 15).

Varghese add that the USA has no national police force and that the country has around 500,000 police officers, who work for about 40,000 separate police forces, over half of which are simply one or two-man sheriffs’ Offices in small towns (Varghese, 2010:3). He continued that the model of policing in Spain can be referred to as uncoordinated and centralised because there is more than one police force in the country, but at the top, the police forces report to the same authority. Spain has a national police, which is a civilian force and operates basically in urban areas.

The Guardia Civil (Civil Guard), which is a military force and operates mainly in the rural areas. Local communities have either units of police forces attached to their executives or their own police forces. He continued that under the Spanish Constitution, public safety is the responsibility of the state alone but that autonomous communities and local corporations may participate through their own security forces in the law and order maintenance and in crime investigation functions of the police (Ibid: 4).

Two examples from developing countries show that the principle of decentralization is spreading, albeit within a relatively limited scope. In Malaysia, the Royal Police is the only officially recognised organization assigned with primary responsibility for internal security but there exist a number of Auxiliary Police Force Units not attached to the central body, but given tacit support by it, to carry out investigation, make arrests, and met out punishment for offences committed within their area of jurisdiction. And in Ethiopia, though police powers are vested in the federal government, federating states are permitted to establish and administer a state force, and to maintain public order and peace within the state (Adekanye, Op.Cit: 13).

Though most unitary states tend to centralize police control, the United Kingdom is an example of a unitary state with decentralized policing, with elements that may be described as almost quasi-federalism. England, Wales and Scotland as constituent



units of the United Kingdom have scores of local police forces. In addition, a number of the councils presiding over the territorial divisions making up the local government council areas, ranging from counties, metropolitan boroughs, boroughs, cities, to even districts, have power to appoint their police authorities (Adekanye, Ibid: 15). The 43 police forces within the UK have more than 140,500 officers, 14,000 volunteer special constables and 13,400 community support officers (Varghese, Op.Cit: 9).

France which is also a unitary state, with centralized police however tries to deal with issue of effective law enforcement through the establishment of two national law enforcement agencies, namely: (a) *Police Nationale*, formerly the *sûreté*- a civilian force with primary responsibility for security in the urban areas; and (b) *Gendarmerie Nationale*, a gendarmerie with primary responsibility in the rural areas and military installation, run under the Ministry of Defence and under operational control, for most purposes, of the Ministry of Interior (Varghese, Ibid: 10).

Other scholars that have discussed the issue of decentralization have placed emphasis on the fact that problem oriented and community-policing models have emerged as the preferences of states due to the opportunities they provide for ‘co-production’ of security. They also contribute to cost reduction and ensure collective responsibility for security. The government’s monopoly on policing has also been eroded because it has not provided the sort of effective consumer- responsive security that private auspices and suppliers have proved to be capable of giving. For instance, in Durban, South Africa, the public police share a communication channel and computer with a private security company.

The private firm often responds first to criminal emergencies, preserving the scene until the public police arrive. In the United States, Australia, and Canada, private businesses have been solicited to purchase equipment such as automobiles for the police and to provide offices, telephones, and furniture for neighbourhood police posts (Bayley and Shearing, 2001:10). In another example from Karachi in Pakistan, this is done through close collaboration between the police and the Citizen Police Liaison Committee (CPLC) through an institutionalized arrangement which places obligations on the CPLC “to secure the cooperation of not only the provincial police

force but also a host of law enforcement agencies that report directly to the Federal Government” (Masud, 2002: 27).

In literature, these examples are known as ‘multilateralization’. Shedding more light on this concept, Bayley and Shearing described multilateralization as entailing forms of support and assistance rendered to the police by non-state security group in maintaining internal security through a formalized and coordinated arrangement. They described how it works thus:

In the Netherlands, for example, most towns now have “City Guards” (Stadswacht) to patrol high-use public areas. Similar agents known as Sicherheitswachen have emerged in Germany, where they perform surveillance functions, including stopping people on the street and requesting identity cards. In Britain, several towns have hired long-term unemployed people as “City Stewards” or “social caretakers” to patrol public housing estates. All of these “policing” agents receive minimal training and pay. Their chief function is to be visible and to alert the public police to real or potential dangers (Bayley and Shearing, 2001:10).

Whilst police institutions in other developing countries share similar experiences with those in Africa, the commitment and will demonstrated by stakeholders in transforming the police into a more effective institution has always been a critical point of divergence among these countries. Mastrofski and Lum (2008: 481-496) argues that the governance problems of the Trinidad and Tobago Police Service, like in most African states, started from its colonial heritage and conflicts between cultural groups in the society and manifested in its (the police’s) lack of legitimacy, politicized external control and lack of accountability.

However, political will and commitment made all the difference. Police reform in the country was modelled after the Independent Commission on Policing in Northern Ireland, based on similar ecological factors. It was characterized by change in the PSC status from a generic supervisory body to that of performance-focused watchdog, reduction in the power of Police Affairs Ministry to control the police, enhancement of the Police Commissioner’s power over recruitment, training, promotion and disciplined, fostering effective management practices and incorporating service-style policing as an accountability tool. Masud (2000:iii) illustrates that co-production of

security in Pakistan was geared at providing security for the people through an institutionalized, long-term relationship between the police and organized group of citizens with both making substantial resource contributions (Masud, 2002:iii).

The Citizens Police Liaison Committee (CPLC) established by members of the business elite of Karachi in Pakistan contributed to the capacity of the police in the detection of serious crimes and has managed to remain recognized by the government, non-political, professional and independent since its creation in 1989 due largely to the values of collectivity and inclusiveness that shaped its institutional design of the CPLC (Ibid: 7-9).

Perhaps, key to the CPLC's success is putting a larger percentage of its energy on "supporting operational policing through information collection, information analysis, direct participation in police operations and provision of security assistance to citizens" (Ibid: 7-8). The CPLC represents an emerging model of community policing design that can mitigate the weaknesses of the larger institutional design of the national police. Though it is yet to be seen whether the success achieved in Karachi can be transferred into the larger Pakistani society, such structures are worthy of replicating due to their flexibility, efficiency and community orientation.

## **2.4 Policing in Africa**

In Africa, security forces have been accused of perpetrating a systematic aggression and repression against the very people they are meant to protect (Ahonsi-Yakubu, 2001: 4; Okumu, 2007: 2). Policing in Africa has been shaped by a culture of repression and centralization. Comparatively, the works on policing culture that exist indicate that the police share many values and priorities across Africa, the main ones being that the "powerful people deserve to be protected and that corruption is acceptable and even necessary in order to survive on what are generally quite meager salaries, frequently in arrears, not paid at all, or siphoned off by more senior staff" (ASDR, cited in Asiwaju and Marenin, 2008:9). Alice Hills (2007) argues that the police in Africa see themselves as a tool in the hand of the executives and that if good practices have been recorded at all (as in Ghana), it was due more to the willingness of the executive leadership rather than a result of commitment to reform by the police institutions.

Rauch and Spuy (2006:12-13) describes key processes that have shaped policing in Africa as colonialism, nation-building by the post-colonial leaders with the attendant centralization of power, weak state capacity and continued struggle with primordial structures for legitimacy, and the end of the cold war, which heralded a new global environment, thus providing the space for more substantive engagement with the question of police and policing on the continent. Against this backdrop, we will review the models of policing in a number of African countries, including historical and political contexts, amalgamation of the police forces, demilitarization and civilianization, extent of political control, oversight and review of the focus of reform measures.

Before 1994, South Africa had 11 police forces, the largest being the South African Police (SAP) and the others each reporting to the government of their ethnic states. However, the 1994 Reform centralized the police service under the command of the National Commissioner and nine Provincial Commissioners. In addition to the SAPS, there are some local, municipal police organizations, which are each independent, created and funded by the municipalities with functions limited to traffic enforcement, municipal by-law enforcement, crowd management and crime prevention (Rauch and Spuy, 2006: 24).

During the apartheid era, the police institutions were tools in the execution of the official policy between 1960 and 1990, during which they detained 78,000 people without trial and caused the death of 73 people in their detention facilities (Rauch and Spuy, 2006: 22). The police played a military role, crushing popular protest as well as supporting white regimes against independence struggles in neighbouring states. As the policy of apartheid became intensified, the South African police became more militarized, and established together with the army, an Integrated National Security Management System (NSMS) that entailed 'taking out' leadership of the liberation movements through mass detention, trials, harassments and assassinations, etc.

Since the end of apartheid, attempts have been made to reform the police. In the early transition period, greater priority was given to creating a new legitimacy for the police rather than making it more effective. This entailed building trust and a police-

community relationship and involved strong emphasis on accountability and oversight. Once legitimacy was achieved, the African National Congress (ANC) government started during its second term, a reform to enhance the role of the police in crime combatting (Ibid: 21).

Reform measures were targeted at the following areas: integration/amalgamation of the 11 police agencies; improving police-community relations; changing personnel demographics to reflect the realities of the country as a way of improving relationships with the people; demilitarization and civilianization of the police; reinforcement of oversight and accountability systems; selection and appointment of reform-minded police leaders; reform of police training; creation of change management teams within the SAPS; establishment of more liberal but controlled labour/union regime; and establishment of proactive measures to control crime.

In the Democratic Republic of Congo, there is a central police organization known as the *Police Nationale Congolaise* (PNC), which derives its style and basic working practices from the former Belgian colonial police, established by King Leopold in 1908. Structurally, the PNC is under the command of the Inspector-General, who is answerable to the President. Congo could be described as a country permanently at war, a factor that has made the police to remain largely unarmed and completely marginalized. Because the police was not involved in the war, reform of the institution had not been a priority for the government since the end of the war (Rauch and Spuy, Ibid: 71).

In recent years, the PNC has become dis-integrated and ineffective and the government on cooperation with the UN Mission in the Congo (MONUC) had to establish a *Unite de Police Integre (UPI)* as a neutral police unit, as part of the agreements reached in peace negotiations in South Africa in 2002. Reform measures include integration of former rebel groups into the police; demilitarization and civilianization; and capacity building for regular police work and criminal justice processes.

In Kenya, the system of policing emerged in 1906 during the period after the British Foreign Office took over the administration of the region from the Imperial British

East Africa Company and was dominated by Europeans. The police was an instrument of repression against the people; it was expanded with the reserve, a dog unit, air wing and general service unit after the second World War and was instrumental in brutally resisting the Mau Mau unrest in the 50s through torture, extra-judicial killings, and arson, before the army took over in 1960 (Rauch and Spuy, Ibid: 78).

Post-independence Kenya concentrated power in the hands of the executive and the president of the Republic has absolute control over the police (Ibid: 80). The model of policing developed by the Kenyan Police Service is one capable of dealing with insurgency and disorder (Hills, 2009: 241) but has remained politicized, unaccountable, under-resourced, ineffective, incompetent, corrupt and often brutal. Analysts have doubted the commitment of the political leaders to reform as the Government appointed a serving military officer as the Police Commissioner in 2004, though issues such as operational effectiveness and accountability continues to take the Centre stage in the country's police reform process.

The colonial state of Tanzania was made up of two territories- Tanganyika and Zanzibar/Pemba, with different histories, religions, cultures and governments. Zanzibar was a British colony while Tanganyika was initially a German colony. The first police force on the former colony was established in 1877 to undertake coast guarding roles and patrols against outlawed slave trade practices in and around the Zanzibar Isles. Though Tanganyika had its first police force in 1916, this was later amalgamated with the Zanzibar police in 1919, upon British takeover of the territory.

The one-party system in Tanzania ensured centralized control of the police but with recognition given to local security committees aligned to the ruling Chama Cha Mapinduzi (CCM) Party (Rauch and Spuy, Op. Cit:154-155). Due to the economic recession which led to inability of the problem of under-policing, the government in 1989, promulgated the Peoples Militia Laws (Miscellaneous Amendment) Act gave statutory recognition to the neighbourhood watch group, known as *Sungusungu*, including granting them powers to arrest, search and seize property in relations to crimes that have been committed or are about to be committed.

However, following the reintroduction of multiparty system, in 1992, formal de-politicization of the police commenced but this has not insulated the force from Presidential control. In spite of centralized command, the 1996 Auxiliary Police Ordinance gives recognition to local police organizations, designed to police and enforces local government laws, by-laws and regulation. As at 2006, there were 15 Auxiliary Police Organizations in Tanzania, most notably the Dar Es Salaam Municipal Auxiliary Police (Ibid: 156-157).

As in most of the countries examined, the Ugandan police was created by the colonialist and has had to exist since 1962 when Uganda became Independent, in a dysfunctional, strong unitary and presidential political system. The Ugandan Police Force (UP) is a militarized force, with army appointees always holding the most senior posts (Spuy and Röntsch, 2008: 70). Repression and use of excessive force, factors inherent in the anti-people institutional design of the institution, appears to be the defining feature of the UP (Mushemeza, 2008:1) and have provoked other non-formal policing agencies to rise to the occasion, offering localized protection with different levels of legality, effectiveness, availability, methods and services (Mushemeza, Ibid: 2-18). Each enforces their own code of conduct and standards.

As a consequence of these geographically overlapping policing agencies, Ugandans experience different spheres of policing authorizers and providers and were in a position to choose which body they look to for protection and/or response to crime and disorder. They are rarely users of either private or public policing, as if these were mutually exclusive categories. As people move about their daily business, or as the time of day changes, so they may move from the sphere of one policing agency to which they would naturally look for protection, to another, or be faced at times with a choice of agency to be made in terms of personal experience, preference for mentality (surveillance or punishment), cost or communal status (Baker, 2005: 36).

Following the advent of the National Resistance Movement (NRM) Government led by Yoweri Museveni, concerted efforts have been made to decentralize policing as a means of safeguarding the 'revolution' and promoting effective security. Hence, this necessitated the creation of the Local Administration Police (LAP). The LAP, functions as an organ of the democratic Local Council (LC) structure. Each LC was

given power to carry out certain functions, including: mobilization of the local community in law and other matters; law enforcement through the LC funded LAP; the gathering of criminal data; the service provision, not only of courts, but of psychosocial care of victims of crime; the establishment of by-laws that reflect local needs; and the LC Courts.

As a result, the LCs have utilized the LAP as a tool in remarkably ordering social life and has acted as the first line of protection against disorder and crime and the first point of call when it does occur (Baker, cited in Spuy and Röntsch, Ibid: 71). In the rural areas, the LCs enforces their authority through the volunteer community patrols and they fund their operations through levying a monthly charge per household and act as effective support to the UP.

In Francophone West African countries, Nigeria's immediate French-speaking nations display commonalities based in part on the history they share with the French legal system that they inherited. They generally have three services with a policing mandate: the national police, the National Guard and the gendarmerie. The first two are often located under the Ministry of Interior or Ministry of Security whereas the gendarmerie is usually located in the Ministry of Defence. Political control is strong and unquestioned while structurally, the police services are over-centralized (Tait, et al, 2011:5-6). In addition, the officers have little respect for human rights while they indulge in corrupt practices.

However, they are adjudged to be relatively effective in the area of law enforcement due to the internal division of labour, whereby the Gendarmerie takes charge of security mainly in the all the geographical space of the country while the regular police man law enforcement duties largely in the urban centres. Recent attempts made to reform the police institutions have focused on enhancing partnership with the people through introduction of public complaint system and introduction of human right training for police recruits in Senegal, review of detention laws in Burkina-Faso, development of a code of ethics for the police in Mali and reform of training curriculum and development of infrastructure in Niger. In spite of actions taken, welfare for the police remain poor, officers and men are allegedly involved in criminal acts, while human rights violations are rife (Ibid:6-8).



It therefore appears that decentralizing policing functions should be a natural choice for Africa because of the existence of several local policing groups, which are though not recognised by the government, but are effective co-producers of security. Baker attempts to make sense of the African situation, whereby local policing agencies offer localised protection of different levels of legality, effectiveness, availability, methods and services and describes such as multi-choice policing (Baker, 2004: 205).

According to Baker (2009:3) an OECD research claims that evidence suggests that: ‘in sub-Saharan Africa at least 80 per cent of justice services are delivered by non state providers’. Citing Alemika and Chukwuma, he stated further that from the national crime victimization survey in Nigeria shows that 50 per cent of Nigerians patronize the services of informal policing systems for their protection from criminal attacks.

In two of the four states surveyed these networks were the population’s preferred choice of delivery vis-à-vis state service providers, 88.9 and 62.5 per cent of the time. Poverty of the state, which for instance, made as much as 80% of Congo DRC’s Police budget emanate from donors (Geyer, 2008, 7) necessitates the multi-choice policing model. Furthermore, a report on Liberia asserted that: ‘even if the formal justice system were able to deliver affordable, timely and impartial results [which most Liberians doubt] it would still not be the forum of choice for many rural Liberians’ (Baker, 2009: Op. Cit).

This characterization, which is attributable to low public trust in the police, resonates with other scholarly works (Hutchful, 2004:10; Marenin, nd: 2-4; Marenin, 2008; Human Rights Watch, 2004, 3-5; Human Rights Watch, 2007:1-5; Human Rights Watch, 2010: 4-9; Hill, 2008). Elsewhere, the reasons for the low trust in the government policing institutions have also been exhaustively discussed (Momoh and Ibeanu, 2008: 10; Human Rights Watch, 2005: 3-4).

Nevertheless, Marenin (1985:75) posited that policing in Africa, no matter how professionally done or what officers themselves may think of their work, they will tend to preserve the existing order. To him, even the best policing is discriminatory is

the existing order is discriminatory, and it is repressive if the opportunities, conditions and powers of social groups are unequal. Baker stated further that the non-state policing trend is not restricted to Africa as other developing countries like Papua New Guinea, Solomon Islands, and Vanuatu have demonstrated a reluctance to rely on state police for their policing needs.

The term, multi-choice policing has therefore been used to classify an arrangement whereby there a number of policing agencies offering localised protection of different levels of legality, effectiveness, availability, methods and services (Baker, 2004: 205). The model, which appears to be a counter-balance to multilateralization, entails the co-existence of some or all of the following actors; informal organised security groups, informal commercial security groups, state approved civil Guarding, Dispute Resolution Forums, Religious Police, ethnic/clan militia, Political Party Militia Groups, Civil Defence Forces, and Traditional Courts (see Table 2).

Some analysts believe that multi-choice policing is ingrained in every community of Africa with the specific form of policing protection chosen being determined by availability, cost and preference for their methods. Baker (Op. Cit, 2009) however posit further that the issue in multi-choice policing in Africa were “to establish both the scale of multi-choice policing and the contribution each group can make both to protection from crime and to restorative and punitive responses to abuses, and to devise national strategies of law and order that integrate, regulate, mobilise and empower all those willing to preserve law and order in an acceptable manner” (Baker, Ibid). The groups/ interests that authorize policing include economic interests; residential communities; cultural communities; individuals; and governments.

**Table 2.2: Adaptation of Baker’s Classification of Non-State Policing Groups**

<b>Policing Organization</b>	<b>Authorizer</b>	<b>Focus of Activity</b>	<b>Nigerian Example(s)</b>
Citizens Anti-Crime Groups	Local Activists	Combating Local Crimes	Vigilante Groups (Lagos)
Religious Police	Religious or Political Leaders	Overseeing Moral Conduct	Hisbah (Kano)
Ethnic or Clan Militias	Ethnic or Clan Leaders	Protecting Group Interests	Oodua Peoples Congress (South-West)
Civil Defence Forces	Local leaders	Protecting Locality Against Armed Groups	Neighbourhood Watch (Lagos)
Semi-Commercial Anti-Crime Groups	Local Activists	Combating Crime Against Commercial Interests	-
Trading Communities’ Security	Market Traders, Taxi	Control of Members and their	NURTW

	Associations etc	clients
Informal Security Structures	Local Government State	Combating Local Crime & dispute resolution
Customary Structures	Customary Chiefs	Combating local crime & dispute resolution
Restorative Justice CBOs	Local activists; state initiatives; international NGOs	Dispute resolution Gbohunbohun, Ijoko Ojogbon etc.

Source: Baker, Bruce (2009) "Grasping the Nettle of Non State Policing" Paper Presented at 'Making Sense of Peace and Capacity- Building Operations: Rethinking Policing and Beyond' Workshop, University of Queensland Social Research Centre and The Centre of Excellence in Policing and Security, Brisbane, Australia, 22- 23 July 2009

Adapted by Researcher.

The model entails the co-existence of some or all of the following actors; informal organised security groups, informal commercial security groups, state approved civil Guarding, Dispute Resolution Forums, Religious Police, ethnic/clan militia, Political Party Militia Groups, Civil Defence Forces, and Traditional Courts. Some analysts believe that multi-choice policing is ingrained in every community of Africa with the specific form of policing protection chosen being determined by availability, cost and preference for their methods.

Baker (Op. Cit, 2009) however posit further that the issue in multi-choice policing in Africa were "to establish both the scale of multi-choice policing and the contribution each group can make both to protection from crime and to restorative and punitive responses to abuses, and to devise national strategies of law and order that integrate, regulate, mobilise and empower all those willing to preserve law and order in an acceptable manner".

Baker recommends four ways through which the government can engage the non-state groups namely: partnership to extend order and security (through open cooperation, incorporation, or cooptation); regulation to bring all policing and law and order systems under legislative control; deregulation and delegation, which could involve giving policing responsibilities to state and local government; and criminalization by defining parameters of what is acceptable, although this may be difficult to enforce (Baker, 2008). Whilst acknowledging the fact that many states have embraced informal groups in policing in some African states, it is our contention

that most of the countries in the continent are yet to integrate these groups and even in states that have legalised some form of local group or the other in Africa, the potentials of informal groups in policing are yet to be fully harnessed for effective internal security.

## **2.5 The Nigerian Experience**

In Nigeria, insecurity has contributed to a chequered history of political instability, corruption and underdevelopment. It has also constituted a threat to the continued existence of the country and as well weakened the social capital of institutions authorised to safeguard the security of the state and its citizens. Reasons for this unenviable state of affairs are not far-fetched. The security forces created by the colonialists and inherited by post-independent leaders to serve their economic and political interests sustained a system of repression and rather undermined the security of the people. Decades after colonialism, they have not been transformed and they still operate on the basis of legal and institutional values inherited from the colonial era.

Historical and sociological factors have played critical roles in shaping the institutional design, model and governance of the NPF. These include; the paramilitary policing design of the NPF; the use of the police as an ‘instrument’ of conquest and not of public service by the political class; the impact of military rule on the marginalization and near-destruction of the police; the uneasy vertical and horizontal inter-governmental relations among the arms and levels of government, and their impact on the police; the centralization of policing without sufficiently tapping into the resources available from other informal groups performing policing duties; the intense push-and-pull factor, whereby a criminogenic society subjects the police to intense pressure than it can cope with; and the tension and antagonism between the formal and informal policing structures (CLEEN, 2008). Also, motley crowd of militias pervades the context with violent agitations against the state, requiring innovative approaches towards accurately analysing their motives and addressing them (Adebanwi and Obadare, 2010: 218).

The NPF has been surrounded by a societal and political culture which sees control of the state, and the police, as a means to private and group enrichment...the police, in

turn, reflect in their occupational culture, institutional arrangements, and operational practices, values and norms which are strongly entrenched within their society and which have consistently complicated and distorted their goals and work (Asiwaju and Marenin, Op. Cit: 283, Bassey and Dokubo, 2011: 200).

The NPF is critical to the attainment of security and welfare of the people. It is supposed to contribute to the attainment of national security, which in Nigeria specifically entails a duty “to strengthen the Federal Republic of Nigeria, to advance her interest and objectives, to contain instability, crime control, eliminate corruption, enhance genuine development, progress and growth, improve the welfare and well-being and the quality of life of every citizen” (Ojukwu, 2011: 25).

The importance of maintaining a well-trained, well-led, well-disciplined and trustworthy police force to carry out these responsibilities has also been rightly identified as crucial to the attainment of justice and peace in the society (Denning, 1980: 102). However, the NPF made up of over 377,000 officers and with all its other features, have been described as incapable of effectively policing a country as big, populous, poverty-stricken, divided and volatile as Nigeria (Hills, 2009: 181).

CLEEN identifies a combination of structural factors (political oppression and instability as well as economic exploitation, mass poverty, widespread corruption etc.), and institutional inadequacies (grossly inadequate remuneration and general conditions of service, and hostile police-public relations) which have hampered the effectiveness of the NPF, often making them to routinely violate human rights in the discharge of their duties (CLEEN, 2000:13).

Alemika and Chukwuma (2006: 10) see police-citizens violence as a two-way affair, which include police use of violence against the citizens and citizens’ use of violence against the police. The incidence, extent and pattern of both forms of violence in different communities are determined by social, political, economic and institutional factors and the latter form of violence is often a reaction to the former by the citizens.

A study conducted by Marenin (1985:81) reveals that the culture of policing among NPF officers indicate that they have similar conception of problems associated with

their work (i.e. non-cooperation from the public, organizational restraints, danger) and feel isolated and distrusted by the public. They know of corruption among themselves but do not report it to the outside.

Three important historical factors, according to CLEEN (2003:8), shaped the development and character of the police in Nigeria. First, colonial conquest of Nigerian nationalities took place piecemeal over a long period (1861- up till around 1917). Nigeria's constituent nationalities were conquered at different period.

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.

For Tamuno, the NPF's history of criminal and corrupt practices, unprofessional conduct and the use of brutal and excessive force stemmed from the need to consolidate colonial political and economic power, and it was marked by violent suppression of workers strikes (1945,1947,1949), women's riots (1929,1930,1948), and communal riots (1953,1959), among other major routine infractions (Tamuno, 1970:17). In a more recent work, Tamuno points to the failure of stakeholders to evolve and implement a well-coordinated National Crime Prevention Strategy (NCPS), capable of addressing the complex security challenges facing the country, as a climax of the country's security crisis. He named the related challenges as (a) proliferation of law enforcement agencies which encouraged the growth of rival bureaucracies and weakened coordination; (b) poor inter-governmental coordination on security; and (c) non-responsive civil society, which combined the roles of the victimizer and victims of the NPF on issues relating to indiscipline, corruption, and electoral malpractices, among others (Tamuno, 2011: 274-284).

The point of divergence with Tamuno's idea is that the NCPS need not be formed by only formal law enforcement institutions but should also be made up of elements from non-state policing groups, within a defined framework. Of recent, a major strand of

the debates around the NPF centres on the necessity or otherwise of state police in the country. Nwolise and Adekanye have proffered perhaps some of the strongest arguments for the state police. To Nwolise, the real root of the debates around state police is incapacity of the Federal Government since 52 years to meet the most fundamental obligation of any government worth its salt, which is the provision of security, as enshrined in Chapter 2 of the Nigerian 1999 Constitution (as amended) (Nwolise, 2012: 17-18). He posited that man, not law, rules in Nigeria and that the establishment of state police would lead to fundamental transformation of policing. He stated that the solution is the institutionalization of the police as agents of the law and not as a tool of oppression as presently constituted. He advocated better training, welfare, manpower skill acquisition, and better operational funding. Therefore, for the average Nigerian who has no police or military protection, there is need to give consideration to his/her liberties, estate and dignity, and not make it a scarce commodity (Ibid: 24).

To Adekanye (2012:22), the centralized structure for Policing Nigeria was adopted before the era of globalisation, and in the immediate aftermath of the Civil war, when the fad was to turn most of what used to be known as “commanding heights of the national economy” into one monopoly or another. The latter was facilitated by three things: first, the then dominant philosophy about The State, the Nigerian State, as being more than willing and able to solve everything, or to go it alone in solving everything; second, the Naira illusion, generated by the availability and abundance of petro-dollars, and fostering on the part of top Nigerian officials attitudes such as saw “money as not the problem, but how to spend it”, or about “the bigger the projects, the better”; third, and last but not the least, the centralizing nature, interests and ideology of the military, then in charge of running the country’s affairs. He stated further that fact is that, like the Nigerian State itself as currently configured and run, the Nigerian Police Force today appears too overburdened and overstretched.

For one thing, with a current Police/Population ratio of about 370,000 members to 150,000,000 citizens (or 1:405), Nigeria is one of the world’s most under-policed states; while the force structure, disposition of the organization, and characteristics of its members whose habits and orientations have barely changed from those inherited from both the colonial and military past, make the Nigerian Police both ill-equipped

and unsuitable for policing a country of Nigeria's size, population, diversity, and complexity (Ibid:25). Therefore, he concluded, "A centralized, increasingly militaristic police organization is clearly unsuitable for undertaking policing functions in such an environment".

He stated further that apart from its gross numerical weaknesses as an organization, the Police is also poorly funded, badly equipped and supplied, not well-armed, corrupt, undisciplined, not always ably-led, and untrained regarding human rights issues. The discourteous and trigger-happy attitudes of most members of the Police in their daily interactions with the public, resort to wanton killings and murders, and brutalization of the weak and defenceless citizens have also weakened the capacity of the NPF (Ibid: 27).

The Government has attempted to address some of the security crises occasioned by the weakness of the NPF within the 'unified' policing mechanism. Thus, it has embarked on reforms since 1999 and assessment of the reforms indicates that they are capable of making normative and organizational difference, albeit with only superficial and temporary effects (Hills, 2008:215). According to her, the motivation for the reform was the need for the Government "to ensure that the NPF was capable of providing acceptable levels of order maintenance and regime support. Only then could reform be seen to be implemented.

She alluded to the unbalanced synthesis represented by the 2007 elections in a dialectical movement which brought about a thesis in a dialectical movement of reforms and concluded that movements - forward, sideways or backwards - will continue, not least because policing is contingent on political developments such as the election of a new president and the appointment of a new IG. For such reasons, Nigeria's reform projects are best visualized as a waltz (Ibid: 222).

There is no doubt that those who established the NPF intended (and still intends) it to be a paramilitary organization. In training for instance, emphasis is put on drill as the means of instilling obedience, discipline and self-control, "officers and men are required to model their drills standards on those of the military infantry, as the force is itself a semi-military organization" (Onoja, 2006: 142). Added to this problem,



according to Ibeanu (2005: 6) is the arbitrary and capricious Nigerian state, characterized by weak moderating political institutions and the absence of institutional mechanisms for moderating the enormous powers of the state.

To the ruling elite, the police are instruments for safeguarding their interests and not those of the people, even though their welfare was left unattended. Osayande on his part believes that during the military period spanning over 30 years, there was no PSC and the Police force grew from the strength of 8,000 to over 377,000. There was no statutory body controlling it. By nature of military rule, the Inspector-General of Police (IGP) was brought under the control of the head of state and because there were no adherence to the principles of rule of law, they used the Police to perpetrate all sorts of illegal activities and thus the destruction of the institution was total (Omonobi, 2010).

However, a number of scholars have situated the poor performance by the police in the social arrangements that dictactes the way it functions. To the school, it should be possible to say, or argue that the performance or the conduct of the police during any particular period, given its origin, was not dictated by the peculiar activities of significant members of the Force such as the IG but by the existing socio-political arrangements (oloruntimehin, 2005: 215). He argues further that by the nature of these arrangements, the members of the various arms of the state's social control apparatus especially the police, through its leaders are instruments wielded by the ruling class for the achievement of its interests mainly through the supression of the powerless members of the society.

To Okome (2013), state failure explains the weakening of critical state institutions, including the NPF. She argues that this has led to the privatization of the state and the attendant weakening of its social capita as many citizens resort to self-help. In particular, the capacity of Law Enforcement Institutions is further weakened by the fact that the state was the first to unleash violence on the citizenry, a situation which is further compounded by structural violence in the nature of Nigerian politics, with a winner-take-all character that motivates the do-or-die approach to the capture of the apparatus of state power(Okome,2013:155). Alao has further reinforced the importance of the state-society context to perceptions on the NPF. He states that

“broadly speaking, most of the constitutional powers granted to the NPF are the same as those guiding the activities of other police formations around the world. It is the interpretation of these provisions, and the nature of subsequent operations, which lead to abuse of power, and should be the target of reform” (Alao, 2012:30).

Okome states further that state-sanctioned use of naked and blatant violence is emblematic of the state’s lack of authority and its weakness in guaranteeing the security and defence of citizens (Op.Cit: 134). Extra-judicial use of force, lack of respect for the rule of law, and official impunity are pervasive in Nigeria. Lack of citizen’s safety and security is a related problem indicative of profound institutional crisis in contemporary Nigerian politics.

Values and models are like Siamese twins and are mutually reinforcing. Indeed, the type of value shaping an institution determines its *raison d’etre* and will logically define the core objective of such institution at the strategic, operational and tactical levels, as well as what activities it undertakes and how it defines efficiency and effectiveness. Values are means towards achieving the goals of effectiveness and efficiency of the NPF.

While this value is broken-down in the Vision, Mission and Strategic Objective of such institution, their validity, credibility and applications are often tested in the operational and tactical levels of operationalization. These include, for the NPF in particular, effectiveness of checks and oversight, level of centralization, power and potency of restraint mechanisms, functional decentralization, community participation, commitment to human rights and the rule of law, protection of human security, etc. An important part of the operational and tactical institutionalization is what is referred to as police culture, which has been described as ‘a constellation of structural, institutional and personality factors’ (Alemika, 2012:33).

Police ‘working personality’ and culture, which are often the parts of policing that people encounter on a daily basis, result from the elements of police work- danger, authority and isolation. To Alemika (Ibid), police work breeds’ solidarity and occupational pathology characterised by perceptions of the public as uncooperative, unsupportive and antagonistic toward the police. In Nigeria, he explained that this

engender a tendency by the police to protect each other's criminality and misconducts as a result of which the police is undermined and a culture of impunity thereby entrenched.

On value and culture, documentary evidences suggest that the NPF is one of the institutions created by the colonialists primarily for the protection of their political and economic interests. This resulted in the involvement of the NPF in brutal repression of the people, which in turn led to distrust and crisis of confidence between the police and the people. The post-colonial Nigerian state retained the predominant value and culture of colonialism, as ingrained in the norms, laws and operational guidelines of its institutions, now for the protection of the interests of the elite. The result is the perpetuation of the inherited anti-people culture by the NPF.

The lack of culture of civility and protection of people's rights is further reinforced in the legal frameworks establishing the NPF, particularly the culture of repression and antagonism against the people in the Police Act of 1943 (as amended in 2004); lack of vision and mission statements, failure to link policing to the safety and protection of citizens rights and values; wide and unchecked discretionary powers; abuse and ineffectiveness of supernumerary policing; arbitrary and almost-absolute powers without corresponding checks; pre-eminent power of the President lack of constitutional role for the Police and absence of Terms of Reference for Inspector General of Police (IGP) in the Constitution; inefficiency of the Police Affairs Ministry; weakness of oversight bodies like the Nigeria Police Council (NPC) and the Police Service Commission (PSC); and failure to ensure plurality of accountability. These have resulted mostly in the ineffectiveness of the NPF and dwindling public trust.

Not only has pseudo-police organizations been created by state governments, the powers of the PSC has been usurped by the police leadership, for example through the illegal execution of the PSC's mandate by the Police authorities while the PSC has also routinely violated its enabling law and the Constitution. The orientation and culture deficit is also illustrated by the lack of clearly civic training doctrines for recruits, who are often cultivated to be brutal and antagonistic against 'bloody civilians' while the attempts to introduce human rights education in the NPFs

curriculum have been repeatedly frustrated, though managements of the Police Colleges allow for the occasional teaching of human rights courses in their training institutions on an *ad hoc* basis. The overall result is that all previous police reforms were predicated upon a seemingly grossly flawed values and cultural foundations, which hampered them from leading to effective outcomes.

However, growing distrust, perceived deficits of the NPF in terms of civic values and culture, and the inability of the NPF to give timely and robust responses to citizens' security needs contributed to the struggle for public space by other models of non-state policing like the vigilante groups, state-approved corporate guards, traditional guards and ethno-religious militias, which emerged to take over the 'ungoverned spaces' in the country. Despite their complementary role in maintaining peace and security, value deficit in the NPF has prevented the development of acceptable institutional and legal frameworks to define the relationship between the police as the 'sole' policing organization and these non-state co-producers of security. There are also no frameworks to harmonize their work with that of the police. Indeed, their relationship with the police has oscillated between confrontation and tension (Ifijeh, 2002).

Alemika as well believes that the ecological context has extensive influence on policing culture. According to him:

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 catalysts 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, 1993: 59).

Based on the value decadent system within the NPF, its inappropriate structure and the criminogenic ecology in which they have to operate, the force, has had to resort to atrocious acts in undertaking its responsibilities, including extrajudicial killings, torture, rape, and extortion, with relative impunity (NOPRIN/OSJI, 2010:11). Part of the result of police alienation from the people is the advent of local, ethnic and religious militias, who developed to fill the void created by the incapability of the NPF or in some cases, to seize the space occupied by the NPF through open confrontation. These militia groups, which enjoy varying degrees of *ad hoc* recognition and collaboration with the NPF, are not legally authorized to play any role in public security.

Odekunle (2005:26) identified a number of indices for measuring police performance. These include:

- Effectiveness: (e.g fewer or reduced criminal victimization; higher proportion of crimes known to the police cleared by arrests; increased recovery of stolen property; higher rates of arrests which results in conviction; lower traffic accident rates; faster response time to reports/complaints;
- Responsiveness: (e.g higher citizens perception of safety from crime; higher citizens ratings of police performance in general; higher citizen ratings of specific police activities; higher rating of police conducts in terms of honesty, integrity, courtesy and fairness);
- Equity: (i.e. with reference to egalitarian distribution of “protection” to all sections of the population);
- Efficiency: (i.e. with reference to cost-and-benefit analysis).

A break-down of these into ordinary meaning reveals that the value and worth of a police force can be determined/measured by: (a) the amount and quality of protection it offers the citizens as a whole; and the degree of confidence and cooperation it enjoys from the average citizens. In the case of the NPF, there seem to be a perception of failure in meeting these millstones. Ojukwu, (2011: 25-46) however identified the confusion over the existence of an articulated and internalized shared-value as one of the most critical challenges facing the police in Nigeria. Settling the confusion over the core values of the could also help in proffering answers to what Tamuno (2011:

250-251) defined as questions on a 'Peoples Police', particularly as they apply to human security issues, its independence vis-à-vis the Executive Arm, and responsiveness to the safety and security of the people.

It is trite, therefore, to observe that the NPF does not have the appropriate value system, training, tools, and structural design to cope with the policing challenges of a country as big and as diverse as Nigeria. In addition, there is no coherent coordinated scheme whereby the various policing practices in Nigeria intersect to form a consistent system of action required for publicly recognised plural policing (Hills, 2011: 50). These seem to constitute the main problematic of policing in Nigeria.

## **2.6 Appraisal of the Literature**

The major lesson that can be gleaned from the works of scholars and practitioners is that values determine the model and the model is an encapsulation (or sum total) of the core values of the security institutions. In the same vein, the model determine the effectiveness of the governance of the police and the level of efficiency and effectiveness with which its objectives are achieved. The model of policing practiced in most countries of the world is a function of the historical peculiarities and the institutional culture of each. The nature, type and character of political systems also determine the level of control wielded over the police. In most developed countries, the police institutions is seen as public service, a factor which necessitate the participation of all levels of government as well as the community in policing, and orientate the officers to be civil and serve only in the public interest.

Despite the commitment to service and decentralization, police in the developed world is shaped by historical peculiarities and local needs. To underscore the importance of history and need, the Israeli policing model, which is focused on the traditional model, places emphasis on counter terrorism, crime combat, pre-emption of assault, attacks against assailants and arrest, as well as emphasis on bomb disposal and the use of technology in crime prevention (Fabiya, 2010:1-3), due to the threat posed to public safety by perceived hostile neighbours, particularly Hezbollah in neighbouring Lebanon and other militant and terrorist groups in Palestine. It is evident from the literature review that most developed countries (largely in Europe and the Americas), irrespective of the model they practice, give importance to public

consultations and local help in policing activities- though sometimes informally, and it is as well important to note the clear separation of crime investigation from law and order maintenance duties in most of the jurisdictions.

The review of literature also illustrates how historical legacies and values determine the fundamental differences between policing in Africa and Western countries. Most Police institutions in Africa were created by the colonialists as centralized, paramilitary organs for promoting the safety and interests of the ruling class, a situation that has remained in most post-independence African states. Major problems that cuts across most police institutions on the continent include; weak investigative and crime prevention skills, use of force as the major strategy of law enforcement, weak oversight and complaint mechanisms, structural over-centralization and political control, culture of impunity, utilization of the military in policing duties, poor working conditions, lack of integrity in the recruitment process, weak training curriculum, lack of political will for holistic reform, weak structural foundation for community policing, and misplacement of priorities in police reform. Most importantly, the review reveals the abundant human capacity and opportunities for structural decentralization of policing in many African countries.

For Nigeria, it amplifies the salience of depoliticization, value reorientation, structural decentralization and pluralization of policing within a coordinated framework, to ensure effective crime prevention and law enforcement. Indeed, Soludo has rightly concluded that the policing system, as currently designed has not and cannot offer Nigeria sustainable security and that the system needs to be reformed (Soludo, 2012: 74). For the NPF to become more effective in terms of governance, there is need to address fundamental deficits such as value and orientation, political autonomy, internal accountability and external oversight, reform of the recruitment and training regimes, improvement in investigation and prosecution methodology, improvement in the welfare of the force, and enforcement of international human rights laws and norms.

## **2.7 Theoretical Framework**

The 1990s saw political science develop a renewed interest in institutions as reflected in the growing importance of the new institutionalist literature. The focus of political

scientists on institutions is not a new phenomenon as the field of comparative politics was dedicated, until the mid-1950s, to the study of formal-legal structures. This "old" institutionalism was accused of being descriptive, a-theoretical, parochial and non-comparative (Thelen and Steinmo, 1992: 3-7). These criticisms triggered a major change in the discipline as society-centered approaches, whether they spoke of groups, classes or simply civil society became favored over institution-centered ones. While institutions never completely dis-appeared from the agenda, few theorists seriously considered their role in shaping political outcomes (Lecouers, 2000: 510). New institutionalism has a definite "theoretical core" embodied in the idea that institutions play a crucial and autonomous role in shaping political behavior, but it is not a unified school of thought. In fact, three streams of new institutionalism developed in relative isolation from one another: rational choice, sociological and historical (Lecouers, 2000: 511, Weyland, 2008).

Historical Institutionalism (HI) is the branch of new institutionalism that developed most specifically as a reaction to the debates in political science between pluralists, neo-Marxists and structural-functionalists. HI opposed the conceptualization of the state as a neutral arena where groups struggled, an instrument in the hands of a dominant class or the natural product of social needs. They argued that the state was a set of potentially autonomous institutions that could affect the structure and outcome of competition between groups. For historical institutionalists, preferences, goals, interests and even identities are politically constructed. They are not "givens" but represent something to be explained (Ibid:513).

Indeed, a central preoccupation of historical institutionalists has been to show how institutional designs favour some groups at the expense of others while paying particular attention to cross-national and historical variations. This preoccupation with the institutional patterns of power distribution and structure has translated into a focus on the policy process. This approach opposes the idea of an inherent logic to history. It does not view history as a coherent sequence of events resulting from the behaviour of rational self-interested maximizers but rather as the contingent product of the interactions of a diversity of actors and institutions. The process of institutional development is integrated into this vision of history, as HI situates the emergence of institutions in a complex world marked by patterns of relationships between a



multitude of actors and already existing institutions. Unlike other forms of new institutionalism, HI emphasizes unexpected developments and incongruities as opposed to continuity and regularities, and is therefore philosophically able to deal with change (Ibid: 514).

Understanding the policy choices of a particular country entails an understanding of the country's political and policy history, as argued by Hall (1992), and in particular the impact of various institutional factors on policy choice and government performance. HI, like other forms of institutional theories, gives explanatory pride of place to the rules, routines, standard operating procedures, and norms of legitimate action that both enable and constrain political action. It is however distinct from other forms of institutionalisms in its belief that historical context durably defines the purposes to which new institutions are put: the goals they pursue; the values they embody; the norms of appropriate behavior they both adhere to and expect from others (James, 2009: 53-54).

Thus, the basic idea behind HI is that the policy choices made when an institution is created or a policy initiated, will have a long-range determining impact on future policy, which in literature is explained as 'path dependency' (Nørgaard, 2001:28). Policy initiated at any point in time is thus determined by choices made in the past. The path may be changed but this requires great political craftsmanship.

According to HI, ideas create institutions, which thereby become material manifestations of the ideas (Ibid). HI does not accord more importance to any of the actors in the policy process and analyses that several actors can in different ways contribute to policy outcomes, and as such institutional outcomes at any point in time is the product of the convergence of a number of historical factors.

HI which was inspired by the pioneering works of Plato, Locke, Hobbes and Madison builds on earlier works by Katzeinstein, Skocpol, Thelen and others scholars too numerous to mention, by viewing institutions as intervening variables (or structuring variables) through which battles over interest, ideas and power are fought. For them, institutions are important both because they are the focal points of much political activity and because they provide incentives and constraints for political actors and

thus structure that activity. Rather than being neutral boxes in which political fights take place, institutions actually structure the political struggle itself. Institutions can thus also be seen as the points of critical juncture in an historical path analysis because; political battles are fought inside institutions and over the design of future institutions (Steinmo, 2001:4).

In either case, the HI is interested in developing a deep and contextualized understanding of politics. In sum, HI provides a framework for the role of institutions in structuring relations of co-operation and conflict between actors. At its centre is the idea that agents, particularly political elites, do not operate in a vacuum but within an institutional setting that might impose constraints or offer opportunities for action. HI considers the impact of institutions on elite behaviour in two different ways.

First, it holds that institutions structure political situations, as they produce contextual conditions, some fluid and others rigid that dictate different patterns of co-operation or conflict. The institutional impact on the definition of preferences, goals, interests and identities is a key feature of this structural force. Second, historical institutionalism accepts the idea of its rational choice cousin that institutions affect the strategic calculations of actors, shape the agenda and render some alternatives more attractive than others. It also agrees that political actors use institutions for strategic purposes (Lecours, 2000:519).

Sociological institutionalism on the other hand arose primarily within the subfield of organization theory, according to Hall and Taylor. The new institutionalists in sociology argue that many of the institutional forms and procedures used by modern organizations were not adopted simply because they were most efficient for the tasks at hand, in line with some transcendent 'rationality.' Instead, they argued that many of these forms and procedures should be seen as culturally specific practices, akin to the myths and ceremonies devised by many societies, and assimilated into organizations, not necessarily to enhance their formal means-ends efficiency, but as a result of the kind of processes associated with the transmission of cultural practices more generally. Thus, they argued, even the most seemingly bureaucratic of practices have to be explained in cultural terms.

The sociological institutionalists tend to define institutions much more broadly than political scientists do to include, not just formal rules, procedures or norms, but the symbol systems, cognitive scripts, and moral templates that provide the 'frames of meaning' guiding human action. Such a definition breaks down the conceptual divide between 'institutions' and 'culture.' The two shade into each other. This has two important implications.

First, it challenges the distinction that many political scientists like to draw between 'institutional explanations' based on organizational structures and 'cultural explanations' based on an understanding of culture as shared attitudes or values. Second, this approach tends to redefine 'culture' sociology itself away from formulations that associate culture exclusively with affective attitudes or values toward ones that see culture as a network of routines, symbols or scripts providing templates for behaviour without which the world and the behaviour of others cannot be interpreted.

It follows that institutions do not simply affect the strategic calculations of individuals, as rational choice institutionalists contend, but also their most basic preferences and very identity. The self-images and identities of social actors are said to be constituted from the institutional forms, images and signs provided by social life (Hall and Taylor, 1996:17).

Sociological institutionalists argue that organizations often adopt a new institutional practice, not because it advances the means-ends efficiency of the organization but because it enhances the social legitimacy of the organization or its participants. In other words, organizations embrace specific institutional forms or practices because the latter are widely valued within a broader cultural environment. In some cases, these practices may actually be dysfunctional with regard to achieving the organization's formal goals. Historical and sociological institutionalists approach the problem of explaining how institutions originate and change quite differently. Both begin by insisting that new institutions are created or adopted in a world already replete with institutions (Ibid:21).

Sociological institutionalists use it to explore the way in which existing institutions structure the field of vision of those contemplating institutional reform. Thus, they focus attention on the processes whereby those developing new institutions ‘borrow’ from the existing world of institutional templates. Historical institutionalists use the same starting-point, namely a world replete with institutions, to direct our attention to the way in which the power relations instantiated in existing institutions give some actors or interests more power than others over the creation of new institutions. However, to this emphasis, they marry a conception of path dependence that also recognizes the importance of existing institutional templates to processes of institutional creation, how they are governed and how they undergo reform (Ibid: 23).

Flowing from the foregoing is a number of observations viz; political event/policy development and evolution of institutions occur within historical and sociological contexts, which have a direct consequence on the substance of policy and the governance of the institutions. Rather than treating all political actions as if fundamentally the same irrespective of time, place or context, historical and sociological institutionalists’ explicitly attempt to situate their variables in the appropriate context; and expectations are shaped by past historical experiences, characterized by decision shaped by a combination of factors, particularly critical junctures and path dependency (Steinmo, 2008: 164-167).

Thus, HI and sociology guide the study in identifying continuity, change, and flaws in the governance of the NPF and to put in sharper perspective, the challenges confronting the governance of the police reforms between 1999 and 2014. It also enable us analyze more clearly, how the historical legacies of the NPF have constrained the NPF to act in ways in which it became more difficult to achieve the outcome of effective and efficient national security for Nigerians.

The summation of Crank (2003: 204) is relevant. He states that institutionalized organizations are generally to maintain the integument of social conduct. These organizations, such as the police, are about meanings and values. Efficiency, he argues, occur within a context in which fundamental values are rarely questioned. Put differently, efficiency considerations are always present in “means” considerations- that is; identifying the method is most efficient to achieve a particular end. But goals,

organized and stated in terms of institutional values, and taken for granted meaning, link the organization to its broader societal or community context.

## **2.8: Linking Historical and Sociological Institutionalisms to Policing**

The poignant observation of Hills (1996; 271) that the “Police are an integral part of society; they are not neutral arbitrators, but are affected by political changes, by the interests of regimes, and by personal ambitions. However, that “their systems have also a strong capacity to survive” is apt. For this research, these theoretical approaches are therefore useful for explaining the value that have shaped the governance of reforms in the NPF, as well as helping to understand how they have unraveled in terms of their outcome.

First, the evolution of the NPF as well as its progressive decline happened within historical and sociological contexts. That is, *when* the NPF evolved as a modern police force has grave implications on *how* it has evolved and *what* it has achieved or otherwise. The NPF was seen by several scholars to have been established with the major purpose of antagonizing fellow countrymen/ women and protecting the interest of the ruling class (be it colonialist, military or civilian), in an era of over-arching unitary system.

The second relevance of the theoretical approach to the subject of this thesis is underpinned by the fact that “behaviour, attitudes, and strategic choices take place inside particular social, political, economic and cultural contexts” (Steinmo, 2008:165). For instance, the criminogenic context in which the NPF evolved contributed to its evolution as a paramilitary body and shapes its resistance of the stakeholders to an over-arching transformation of the Force.

The existence of Nigeria as a *soft* state also account for the over-reliance of the police as a tool of exercising power over the majority of the people, often less powerful than the ruling elite, a factor that shapes growing impunity among officers and men of the NPF. Thirdly, as expectations are molded by the past, historical institutionalist perspective on the NPF would tend to look at patterns of happenings in the past for an understanding of why the stakeholders have reacted to gross crisis of policing through the institution of legions of reform measures. Were these measures perceived as

tactics to keep a perennially cacophonous and restless populace quiet through the empanelling of series of ‘government committees’? Or is the perceived “successes” of the ‘Gobir’, “MD Yusufu” and “Murtala “Nyako” Committees enough motivation to re-live the past?

This analytical framework also help to highlight the inconsistencies and irregularities in the history of governance of the reforms in the NPF, particularly the historical weakness of institutions meant to play some roles in the implementation, and their contribution to the outcomes of reforms. In sum, the approach will enable us contribute to a systematic analysis of the value that has shaped the development and implementation of the NPF reforms and its impact on effective and efficient internal security.

## CHAPTER THREE

### HISTORY AND INSTITUTIONAL DESIGN OF THE NIGERIAN POLICE

This Chapter sets out to discuss the background to policing and historicization of institutional designs (normative and legal frameworks) and model of policing in Nigeria. It as well contains the mandate, objectives and organizational structure of the NPF

#### 3.1 Background

Policing was a prominent feature of pre-colonial indigenous governance system in many parts of Africa and also what would eventually become known as Nigeria (Dalgleish, 2005: 55-69). Local policing methods were rooted in the community, religious and cultural structures and were a potent means of maintaining law and order. Early accounts reveal that the enforcement of traditional customs and beliefs was carried out by community structures such as age grades (formal organizations whose membership is based on pre-determined age range), secret societies or vocational guilds (for example, of hunters, farmers or fishermen).

Through these diffuse systems of crime control, law and order was maintained, largely without the use of violence (Human Rights Watch, 2005:9). These pre-colonial police structures were largely coordinated by the leadership of pre-colonial kingdoms and empires and were made to perform other roles outside the scope of modern-day rule of law institutions.

A striking feature of pre-colonial policing was their community roots and orderly internal processes. And because local police institutions emerged from among the people, who bestowed on them the garb of legitimacy, most historical accounts of their activities have been positive.

In the centralised emirate states of the North, the Yoruba and Edo Kingdoms of the West, they have certain features documented by Rotimi (2001:2). These include: (I) they were drawn from palace slaves; (ii) they were appointed by, and responsible to,

the kings; (iii) they had a political head who was a senior official of government and almost always a eunuch; (iv) they had a distinctive dress and/or hairstyle; (v) they combined the triple roles of bodyguard, messenger and executioner; and (vi) they also performed diplomatic and revenue- collecting functions. In pre-jihad Hausa city-states, there was a body of men known as *dogarai*, from the class of slaves, who served as bodyguards to the *Sarki* but the authority of the *Galadima*, over the *dogarai* was taken away after the Fulani jihad overthrew the *Habe* order. But the role of the *dogarai* as an institution enlisted to disciplining offenders and guarding the town remained (Smith, 1960:36 & 338).

Further allusion to the existence of another typology of local police known as *Yan doka* by Smith (Ibid) has been dismissed by other scholars, who claimed that it emerged from the re-organisation of the *doagarai* in the colonial era. The pre-colonial police were known severally as *Ilari*, *Osi Iwefa*, *Are Apeka*, *Emese*, and *Agunren* in a number of Yoruba Kingdoms. In the more Republican Igbo system, which was described as a highly democratic and decentralized, policing roles were carried out by the age grades in a more or less *ad hoc* manner (Imoaghene, 1990: 9, Crowder1962).

A striking feature of pre-colonial policing was the recruitment of distinguished men, who by-and-large, commanded the respect of townsmen and villagers (Ibid: 106). Apart of the members of the warrior class, distinguished members of other elite traditional societies and clubs such as the *Ogboni* and *Oshugbo* among the Yoruba, the *Sekeni* or *Sekiapu* among the *Izon*, the asogwas of the Nsukka area and the ekong, ekpe, ekpo, or egbo of the *Ibibio-Efik*, the *Igene* and *Egbonugele* among the *Esan* area were recruited into the traditional police (Okoigun, 2004: 7-8). Tamuno categorized the traditional policing models into four.

The first category of the cadre that functioned as indigenous pre-colonial Nigeria Police was constituted out of the messengers of village and town heads. Still in the tradition of informal arrangements, the second important cadre of police in pre-British Nigeria were part- time workers who were gainfully engaged in other professions such as hunting. In the third category of traditional police were members of distinguished age grades and somewhat exclusive social clubs often referred to as secret societies. According to him, a fourth important category that can be discerned



was the *Doagari*, who are reputed to have attained a level of professionalism and internal coherence (Tamuno, 1966: 104, Okoigun, Ibid: 7).

Within the Igbo tribes of the Eastern part, Okafo revealed that the use of masquerades was predominant in maintaining law and order. He enumerated the methodology of 'masquerade policing' thus:

You also have the masquerade cult *mmanwu* as a [traditional] government functionary. Much of the function of these masquerades is to effect obedience to the sanctions of the town on a culprit. These masquerades could invade a culprit's home, and seize all his belongings until the owner paid the stipulated fine for his crime, and again reclaimed his property by a further fine. This police action of the masquerades is generally referred to as *iri iwu*. Some masquerades, the clever one of the young boys, called *Iga*, also kept surveillance over the village streams during the dry season, to see that water wasn't misused (oral historical account by a witness, *Noo Udala*, cited in Okafo, 2007:9)

The work of Agogbuo (1983: 356) also revealed the influence of the masquerade in ancient Imo culture and in the culture of the *Ikwere* and *Awara* people whereby masquerade wield law enforcement functions and implement disciplinary action against offenders. However, challenges encountered in maintaining effective law and order in several pre-colonial Nigerian societies through local policing was mitigated by the use of cultural values of restraints. Hence, policing was used as a means of last resort in law enforcement, mostly after the failure of other structures of societal cohesion.

In the Southernmost part of the country, particularly among the Okrika, Kalabari, Nembe, and Akassa Izon people, they had groups playing policing functions variously referred to as *Sekiapu*, *Sekeni* or *Ekine Club*, which enforced payment of debts and investigated infractions. In the Efik milieu, it was the *Ekpe Society* that played such a role (Tamuno, 1993: 134).

There were instances of women participation in pre-colonial policing in Nigeria as documented by Tamuno (Op. Cit: 108). Among the *Ogrugru*, *Iga*, and *Asaba* people

some appointed elderly women helped in policing 'affairs in the market'. Similarly, the *Egbele Ereme*, 'a body of women who had passed the age of child bearing among the *Okrika Izon* were drafted into policing activities, especially among the female population. Throughout the *Ibibio-Efik* area, there were women groups that helped maintain law and order among fellow women. The *Umuada* among the Igbo also played similar roles, but it was only in the *Batama, Bata* and *Mbula* areas of Yola Province were women allowed to play any role in policing. For most part of the North, female policing were a rarity. Though women's role in policing was informal and inconsiderable, their principal weapons were mob action, and public ridicule, or social ostracism of women who had behaved badly (Tamuno, Op. Cit: 108).

Apart from the maintenance of the law, tax collection was an important role reserved for the local police in pre-colonial Yoruba Kingdoms and emirates in the North. Details about this are contained in the works of several scholars (Atanda, 1973; Fika, 1978; Ubah, 1973; Rotimi, Op cit: 4). Their account contained the role of the local police in the process of assessing, collecting and transmitting tax dues from the districts to emirate headquarters in the North and how the Ilaris collected taxes at the city gates for onward transfer to the headquarters of the Kingdoms in Yorubaland.

There are also documented evidences of the role played by the Ilari as emissaries of the Alaafin outside Oyo Kingdom to the Ijebu, Egba and Dahomey territories either to collect tribute or to make peace (Rotimi, Ibid: 4). This connotes the widespread usage and acceptance of the local police in ensuring effective public management and the recognition of this institution across the disparate Kingdoms in Yorubaland.

Allusion has also been made to the prominent role of spirituality in pre-colonial policing in Nigeria, whereby the oracle was used as a means of detecting and investigating crime. In the words of Okoigun, (Op. Cit: 4):

The realisation that consultation can be made before the oracle at Arochukwu, Umunoha and so on in Igboland and in the East in general; Alamoka, Osunene in Ishan Edo State, Esere juju among the Urhobo of Delta State, the numerous Alawos in the Yoruba area; the Dagire among the Bata speaking peoples of the former Adamawa Emirate was sometimes enough to guarantee

a law abiding culture among the citizenry of pre-colonial Nigeria

However, some accounts have not been so kind as to exonerate the pre-colonial police from anomalies and structural deficiencies. Using Ibadan as an example, Watson (2003) recounted that during the pre-colonial period, militarism and civil disorder generated a civic Ibadan and that battle prowess was the foundation of civic power which led to economic rewards such as slaves, booty and tribute payments extracted from the inhabitants of conquered towns for the war Generals and the people (Watson, 2005: 61).

The society therefore existed as a Hobbesian state of nature of a sort, with the employment of an admixture of rules and compromises to hold a turbulent city together and maintain a delicate 'detente' among the warlords of the city. For example, she explained, 'a private individual would be executed at once for murder, but a chief must commit suicide by any method he may prefer, for if executed publicly his house would be demolished and his family ruined' (Ibid: 78) but the suicide option will preserve the prestige 'ola' of the house while giving the people a feeling that justice has been done.

The advent of colonialism necessitated the adaptation of the local police structures to the economic and political goals of the colonialists. There are different accounts of the Colonialists' motives for establishing a police force. Most scholars approached this from a regional perspective while a few of them attempted to justify the establishment of the police from a national perspective. Ehindero for example, argued that the colonialists saw the police as a unifying institution capable of engendering nation- building. However, Kemi Rotimi gave four reasons for the establishment of a 'modern' police where they did not exist, and for modernising them where they existed.

The colonialists hoped to secure the loyalty of the native authorities; they intended to build up the native administrations; they hoped to keep down the cost of administration; and in the North, they desired to mediate in the alleged war of racial supremacy between North and the South of Nigeria (Rotimi, 2001:1) while also employing the police to tackle intra-ethnic crisis. The important point to note here is

that these reasons adduced all have to do with the aspiration of the colonialists to enlist the police to the protection of their strategic interests in Nigeria. Another point to note is that the colonialist's focal institution for the adaptation of the police was the Native Administrations, on which the indirect rule of the British was anchored. The objective adduced by Lugard for the establishment of the Native Administration system can indeed give an insight. He stated that:

...The object in view was to make each Emir or Paramount Chief assisted by his judicial council, an effective ruler over his own people. He presides over a Native Administration organised throughout as a unit of local government. The area over which he exercises jurisdiction is divided into districts under the control of Headmen...The Emir appoints and dismisses his subordinate chiefs and officials. He exercises the power of allocation of lands and with the aid of the Native courts, of adjudication in land disputes and expropriation offences against the community. To intrigue against him is an offence punishable, if necessary, in a Provincial Court. Thus, both British and Native Courts are invoked to uphold his authority...It is the consistent aim of the British staff to maintain and increase the prestige of the Native ruler, to encourage his initiative and support his authority (Lugard, 1922: 200).

Whilst Rotimi (Op. Cit: 4) claimed that pre-colonial police organisations in Nigeria were more of political than social organisations and their men were more of personal servants of the chiefly authorities than agents of the community, he was quick to point to the convergent interest between the monarchies and the colonialists as responsible for the decision of the colonialists to allow native authorities to establish their police organisations. That the Indirect rule, one of the major system which the police was to defend in the colonial era, failed woefully in the East also bear testimony to the nexus between the political character of colonial policing.

Watson narrated further, in highlighting the challenges of transformation of the internal security architecture into a 'modern' one, that after 1897 and following the advent of the colonialists, external warfare ended and without the spoils, chiefs had to find alternative means to meet their expenses and maintain their followings (Ibid). This led to increase in criminal activities and the threat of localised crime erupting

into a full-scale uprising (ibid: 67- 68), a situation which was contained by an admixture of strong arm tactics through the colonial police and consensus building between the colonialists and primordial institutions.

The Nigeria Police Force did not emerge as a unified institution from the ashes of indigenous police organisations that dotted the Pre-Colonial societies that formed what was later to become known as Nigeria. Rather, it was a fresh and completely new experience in policing and in its *raison d'être*, with the first emerging in 1861 in Lagos Colony. Prior to this, the British colonialist had enlisted a Squadron to contribute to the abolition of slavery and slave trade between 1807 and 1833 (Tamuno, 1970: 251).

The squadron contributed to the abolition of slavery and the slave trade but the Colonial Office declined to transform it into an internal security organisation because of the projected high cost involved in maintaining it. What emerged in 1861 thenceforth is therefore a distinct and separate institution with the mandate to defend the political objectives of the time, rather than secure the interests of the people.

### **3.2 The Colonial Era**

The seed of colonialism was sown in the slave trade period that predated it, and which witnessed the gross depletion of Africa's human and natural resources. This seed matured during the Berlin Conference of 1884/85, which served as the platform for the partitioning of Africa into spheres of influence for the Great Powers of the time. It was in that Conference that the present-day Nigeria was arbitrarily allotted to the British Crown. This was followed by the penetration of Niger area by Sir George Goldie in 1885, which led the Royal Niger Company to protect the British economic interests in the new colony. Following certain intriguing occurrences, Lord Frederick Lugard was appointed in 1897 to protect the British interests.

Lord Lugard introduced the indirect rule governance system, which allowed the British to guarantee its economic interests whilst preserving existing traditional political system, and indeed employing them to the furtherance of the British interests. What are then the interests of colonialism? Ejimofor in attempting to answer the question submitted that they (the colonialists) saw themselves as free traders. In

the course of time they claimed a trusteeship over a large chunk of land and the people...and ensured that their natural resources were not denied to the world (Ejimofor, 1987: 189).

The colonialists had to resort to the use of force and intimidation in order to subdue and overcome the indigenous people. This made them to resort to the manipulation of the traditional structures in order to maintain effective control. This was guaranteed through indirect rule and the adaptation of local police structures to the colonial objectives. Killingray probed the nature of justice administration during the colonial era and he asserted that it “created ‘new crimes’, many of which were offences against the imposed structure of colonial management” (Killingray, 2004: 413) in order to overpower local resistance to alien rule. Under the superintendence of the British, existing police structures were converted into Native Authority police working at the behest and under the control of traditional rulers and village elders (Asiwaju & Marenin, 2009: 284).

In ‘stateless’ societies and village communities typical of the South Eastern part of Nigeria, artificial authority structures- warrant chiefs- were appointed to act as representatives of the colonial power and were given some policing and order maintenance and law enforcement authority (Ibid). It is therefore not surprising that the long engagement of Nigerian Police with unprofessional, criminal and corrupt conduct, spanning several decades, started in this epoch. There are three broad categories of police in Nigeria during colonial rule: the Federal Police, the Regional Police and the Native Authority Police. The Regional Police was the last to emerge among the three and was the most short-lived.

During this era, the Native Authorities (NA) symbolises the governance instrument of the colonialist in most parts of the Federation, with this manifesting in its control over the police. It also reflected the lack of accountability of the NA system and how this malaise was transferred to the police. According to Mandani, the Native Authorities:

Bore little resemblance to a local administration, say in Britain. Its personnel functioned without judicial restraint and were never elected. Appointed from above, they held office so long as they enjoyed the confidence

of their superiors. Their powers were diffuse, with little functional specificity...Native Courts, Native Administration, and a Native Treasury – together crystallized the ensemble of powers merged in the office of the chief ...the Chief is the petty legislator, administrator, judge, and policemen all in one. Every moment of power – legislative, executive, judicial, and administrative – is combined in this one official. Here there is no question of any internal checks and balance on the exercise of authority (Mandani, 1996: 53-54).

In more specific terms, Tamuno (cited in Chukwuma and Alemika, 2004: 8) maintained that the legal framework for their involvement in policing gave them wide powers as contained in The Native Authority Ordinance No. 4 which conferred on them 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 subsequently increased under the Protective Laws (Enforcement) Ordinance (no. 15 of 1924).

Tracing the genesis of the Nigeria Police, Nwanze (cited in CLEEN, 1999:16) submitted that Sir Stanhope Freeman, the then Governor of British West Africa and the man credited with the initiative of forming the nucleus of what later became the Nigeria Police Force wrote a memo to the British Home Office requesting authority to create a force different from the army to act as consular guard. His request was granted and the force, which he formed, was used to quell the Epe uprising of 1863.

The activities of the consular guard drew the attention of the Governor of Lagos Colony, Captain John Glover. It was Captain Glover who requested and received the permission of London to increase the number of the force to one hundred. Shortly after, the ‘Hausa Guard’ and the Constabulary of the Lagos Colony were established. A legal instrument backed the new forces as an ordinance was enacted in 1879. This law was however amended with another ordinance, which created the Lagos Police Force, an investigative unit known as the criminal investigative department, in 1896.

Ehindero (2008: 4-6) revealed that the police institutions evolved along the British model. One of the Commissioners, according to him was a soldier and the other a lawyer. The Soldier, Colonel Charles Rowan, fashioned a police force that abolished

violence and instilled peace as a stable and permanent condition of everyday life. He claimed further that the police was formed primarily to protect British interests and from 25 men in 1861, the population of the Hausa Consular Guards increased to 113 in 186.

In 1930, the Lagos, Northern and Southern Forces were amalgamated to form the Nigerian Police Force, operating alongside Native Authority/ Local Government Police Forces (LGPFs) in the old Northern and Western Regions. By 1969, these forces were merged with the Nigeria Police Force, thus making the police force to become 'national'. Ehindero seemed to have an exaggerated view of the positive heritage of the Nigeria Police Force. Indeed, he claimed that:

Initially the Police Force grew along military tradition in the area of deployments of men into companies and sergent parties; the mounting of Sentry Guard. That was how far the marriage of convenience goes. The job of the police was eventually conceptualized as working with little power and force but cooperatively and respectfully with the population (Ibid: 7).

This seems to contrast those of several scholars and analysts. Alemika for instance documented the not too ideal motive behind the colonialist creation of the Hausa Consular Guards in Lagos. Quoting the Duke of Newcastle in a letter dated December 31 1863, who said:

The men (Hausa) being from the interior and professing the mussulman religion (Islam) are hated by the natives of these parts who have hitherto only known them as their slaves. The Europeans dislike them also as being of a more independent character than the Lagos people. They thus have the government to depend on, and if properly managed, will prove a valuable resource to this settlement (Alemika, 1993: 203).

To this scholar, the practice of alienating the police from the communities they served, was to ensure that such officials, when deployed to execute punitive expeditions, would act as any army of occupation and deploy maximum violence on the communities (Ibid: 202-203). This point finds amity in the assertion of Ahire (1993: 239) who quoted a Speech that illustrates that the British never intended a people friendly and service oriented police for Nigerians.



Lord Lugard was quoted to have justified the design of the police thus “the Fulani in old times under Dan Fodio conquered this country. They took the right to rule over it, to levy taxes, to depose kings and to create kings. They in turn have by defeat lost their rule, which has come into the hands of the British. All these things which I said the Fulani by conquest took the right to do, now pass to the British”. Odu (cited in Chukwuma, 2006:2) in agreeing with the above account, also noted that “the police was conceived, not as a service organisation for the natives but as an instrument of correction or oppression of the natives...because of the use to which the colonial masters put the police i.e harassing and arresting tax defaulters, brutalizing trade unionists and other nationalists, and torturing persons accused of criminal offences”.

In addition, Nwolise revealed that most of the men who volunteered to be recruited at the period were strangers and outcasts in the area, perceived as known deviants, ex-slaves and criminals but who being illiterates, essentially unemployed and without independent means of livelihood were seen to be in a position to obey and carry out the orders of the colonial masters without question or critical analysis (Nwolise, 2004: 72). Rotimi (1993:190) also analysed, most poignantly, the replacement of the selection of policemen by social structures and normative values of the society in the pre-colonial era with the juridical discretionary powers of British officers, whose value judgment prevailed<sup>2</sup>, and without any community input whatsoever.

A lot has been written about the ‘divide-and –rule’ objective of colonial rule and this also finds expression in the way the police was organised. Human Rights Watch, for instance submitted that the composition of the initial police forces varied depending on location. For example, in the Lagos Colony a deliberate strategy utilised officers from the linguistically and culturally distinct Hausa ethnic group from the North of the country, a practice that appeared to alienate the police from the local community they were employed to control.

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<sup>2</sup> First the Native Authority (NA) could recommend a candidate to the Assistant District Officer who was in charge of the NAPF. He would in turn, recommend to the District Officer (DO) that the candidate be recruited or rejected. The decision of the DO would be communicated to the NA and the Resident. Second, the Assistant District Officer could initiate the enlistment process; the recruitment of eligible candidates was referred to the native authority and Resident for ratification (Rotimi, 1993:190)

By contrast in the Northern Nigeria Protectorate a system of indirect rule depended on the Hausa Chiefs and Emirs, and thus the Emirs' existing police system was strengthened (Human Rights Watch, Op. Cit: 7). It also recorded that in many areas the police engaged in brutal subjugation of communities and the suppression of resistance to colonial rule. Furthermore, the use of violence and repression from the beginning of the colonial era marked a dislocation between the police and local communities (Ibid:8). Other accounts recorded that both the Nigeria police and local police forces were implicated in numerous acts of abuse and corruption (Human Rights Watch, 2010: 14).

The police forces were also organized as mercenary units and employed in several punitive expeditions to maim and kill 'belligerent' natives and to burn and loot 'obstructionist' villages (Alemika, Op. Cit). Introducing a labour dynamic to the goal of colonial policing, the point was made that the burden of colonial policing was the subordination of the national interests of the people to the political and economic interests of the state. It was revealed further that through armed patrols, raids, arrests and detention, the colonial police protected the colonial economy by policing labour.

Onoge (1993: 178) further revealed that 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. Therefore the police, in the consciousness of the people, became the symbol of the dictatorial establishment rather than the protector of the people's rights.

Analysts have lamented the lack of accountability during this epoch as one of the critical factors that explains impunity. Chukwuma (Op. Cit, 3: Asemota 1993: 395) pointed out that in all known cases of police torture, long detention without trial, extrajudicial killings, abuse of power and brutality against trade unionists, nationalists and students during the colonial era, there was no documented evidence that any of the police officers involved in such abuses were held accountable for their actions or reprimanded for their infractions by the colonial police authorities, thus starting the cultivation of a culture of impunity.

The police was also reported to have connived with the local judicial structures between 1920 and 1924, to hang 453 people refused legal counsel after non-jury trials, many of them with offences that had political colourations (Hill, 2007:5). In supporting the view that discipline was not enforced Tamuno quoted a Member of Parliament as recalling how a traffic warden offered to work “without pay” as an alternative to termination after been found guilty of certain offences. However, he revealed that police officers were indeed penalised for offences committed He revealed that between 1952 and 1955, 117 members of the Nigeria Police Force were convicted of corruption, stealing, false pretence, and other offences of dishonesty (Tamuno, 1970, Op. Cit: 255).

In terms of institutional development, Jemibewon (2001: 6) recorded a few, including the enactment of Police Ordinance (Cap. 32) 1917 which provided for the Southern Police Force for the colony and Southern Provinces; as well as the Northern Police Force for the Northern Province. Each had an IGP, a DIG, Commissioners, Assistant Commissioners, Superintendents and other ranks. The Colonial administration also embarked upon the building of a depot in Lagos for the training of the indigenous Police locally and constructed barracks to accommodate some of them between 1921 and 1923.

The Kaduna Intelligence Bureau was also set up in 1903 but was later merged in 1937 with the fingerprint section of the Criminal Intelligence Department (CID), the progenitor of the Force Criminal Intelligence Department (FCID). Nwolise stated that the police recruit in early colonial Nigeria were not properly trained. He cited the case of Governor Denton as an example. The Governor refused to send Nigerian police officers to the Metropolitan Police College in England for proper civil police training and who instead sent them to Royal Irish College where policemen were trained in paramilitary fashion in order to master how to contain rebellious elements.

Nwolise further claimed that the colonial masters had feared that if Africans were exposed to civil police training in England where police officers were then trained with emphasis on human rights, the supremacy of the law and welfare of the community, the seeds of revolt may be sown which would grow within the police and extend to the wider society (Nwolise, Op. Cit: 73-74). The foreign training was later

stopped altogether by Denton's successor, William Macgregor who adduced the following reasons:

Several men and officers have been trained in England in order that they should teach others here. They have not done so. Generally, the men sent, came back spoiled, proud and above they're work and position. I have therefore no intention of continuing this system, save in very special cases, unless you are of contrary opinion (Tamuno, cited in Nwolise, *Ibid*: 76).

The colonial period also witnessed a flurry of activities within the Native Authority Police Forces (NAPF). The first NAPF was created in Abeokuta in 1905 by an Order-in-Council of the Egba United Government (EUG). The NAPF in Egbaland built on the success of organised security apparatus which was first mooted in the Division in 1900, when members of the Ode, (the hunters' society) were engaged to serve as night guards with power to arrest and shoot robbers. In Lagos, the government had bodies of men, for example, the Rural Police and the V.R. Constables.

Subsequently, Councils were created in Oyo, Ife, Ilesa, Ekiti, and Ibadan with law enforcement mandates, with the Ibadan NAPF models used as a model for reforming the NAPF in other parts of Oyo Province while the Oyo Provincial Force was subsequently used as a model for the Western Region from the 1950s. (Rotimi, *Ibid*: 7-8). Table 3.1 contain landmark dates in the evolution of the Nigeria Police from the Colonial period up till the late 2000s.

**Table 3.1**  
***Strategic Dates in the Evolution and Development of the Nigeria Police Force***

<b>Date</b>	<b>Event/ Remarks</b>
1861	Establishment of the Lagos, Consular Guard
1863	Establishment of the Hausa Constabulary
1886	Formation of the Northern Police
1891	Formation of the Marine Branch of the Police
1894	Establishment of the Niger Coast Constabulary
1896	Formation of Tailoring Unit of the Police
1896	Establishment of the Lagos Police Force (on January 1)
1898	Creation of the Criminal Investigation Department (CID) in the Lagos Police Force
1901	Establishment of the Fire Brigade as part of the Police
1922	Creation of the Finger print section in the Police
1928	Establishment of the Motor Traffic Division
1930	Merging of the Northern and Southern Police formations to establish the present Nigeria Police
1947	Formation of the Railway Police Command
1948	Opening of the Northern Police College (renamed Police College, Kaduna in 1967)
1949	Opening of the Southern Police College (renamed Police College, Ikeja in 1967)

1950	Establishment of the Transport Unit of the NPF
1951	Opening of the first Workshop of the Transport Unit
1953	Commencement of Cadet Inspector recruitment
1955	Recruitment of the first set of Women Police in Nigeria
1957	Force Headquarters created 5 Branches (Administration; Operations; Finance, Supply, Works/ Building; General Investigation; & Special Branch
1957	Establishment of Police Multipurpose Cooperative Society
1958	Formation of Works Department
1960	Formation of the Armament Branch
1961	Formation of the Mounted Police Branch
1962	Formation of the First Police Mobile Force Squad in Kaduna
1962	Opening of Force Headquarters, Kam Salem House at Moloney Street, Lagos
1963	Creation of Police Dog Section
1964	L.O Edet became the first Nigerian to serve as Inspector General of Police (IGP)
1964	Mary Edet (wife of first IGP) formed Police Officers' Wives Association (POWA)
1966	Native Authority Police and Local Government Police were merged with the Nigeria Police
1966	Military rule begins and with it, the neglect of the NPF personnel, welfare and equipment
1972	Establishment of Police College, Enugu, now Police College, Oji River
1973	Establishment of Police College, Maiduguri
1973	Inauguration of Nigeria Police Air Wing
1974	Formation of Traffic Warden Section
1975	Formation of Police Medical Services
1975	A new "F" Department was created to take charge of research and planning
1975	Formation of Ports Authority Police Command
1976	Establishment of Police Staff College
1976	"E" Department was scrapped and it became the National Security Organisation (NSO), now SSS. The Department was replaced by the Criminal Intelligence Bureau (CIB)
1986	Creation of Police Zonal Commands
1986	Earlier branches scrapped and replaced with six Directorates headed by a Deputy Inspector General of Police (Finance and Admin; Operations; Logistics/ Supply; Investigation; and Training Command)
1999	Beginning of the Fourth Republic, marking the beginning of the efforts to restore the glory of the Nigeria Police Force after over 30 years of neglect by successive military regimes.
1999	Appointment of M.A.K Smith as IGP (May 29)
2001	Commissioning of the new Police Force Headquarters (Louise Edet House) at Abuja.
2001	Appointment of Tafa Balogun as IGP, and his introduction of the 8 Point Programme of the NPF including Operation Fire for Fire (Anti-Crime) and the concept of the Community Policing.
2001	Police became targets and victims of ethno-religious militants, a situation that demoralised personnel
2004	The Police launched its Community Policing initiative, using six states ( Benue, Enugu, Jigawa, Kano, Ondo and Ogun ) to pilot its implementation
2005	Police withdrew 120 Police Officers serving in the UN Congo Mission because of accusations that they had engaged in sexual abuses
2007	The badly flawed and largely disputed General Elections was conducted by INEC and the police was highly indicted in various atrocities, as recorded by the media, political parties and international observers.
2008	Police rejuvenated its insurance scheme for officials who died in active service
2009	Renewed violence against police personnel recorded, mainly in Northern Nigeria. These attacks were spearheaded by radical Islamic groups, mainly the <i>Boko Haram</i> in Bauchi, Borno and Yobe States

Source: Nwolise, OBC (2004) **The Nigeria Police in International Peace-Keeping Under the United Nations**, Ibadan: Spectrum Publishers, p. 74-75 & Onovo, Ogbonnaya (2005) **“The Nigeria Police Force in National Security”** lecture delivered to Course 13 at National War College, Abuja, p. 7-8 (data Updated by Researcher).

### **3.3 The Pre-Independence Period**

Following the amalgamation of the police forces of the protectorates in 1930, C.W Duncan was appointed the first Inspector General (IG) of the Nigeria Police Force (NPF). Duncan, who was formerly the IG of the Southern Nigeria Police Force and was treading on familiar turf, did not however make any major attempt to reduce the dominance of the British police officers in the NPF. Ayua and Dakas (nd: 4) stated that the minorities’ fear of victimization led to the de-regionalization of Nigeria’s police forces and their replacement by a single, federal police force controlled by the Central Police Council.

The period also witnessed a restructuring of the country into three regions in 1947- Eastern, Western and Northern- and the establishment of regional police commands headed by Assistant Commissioners in each region. Nigerians, especially from the Eastern and Western parts, also opposed the NA system because it was non-participatory and non-representative. They saw it as an unacceptable modification of the monarchical system of government of the pre-colonial era. They also accused the NA system of non-responsiveness to the needs of the people, as lacking effective revenue base for meaningful development as well as lacking the required number of personnel for effective local administration (Aina, 2006: 323-324).

The collapse of the Native Authority system in the period before the country’s independence however did not lead to the end of the NAPF; it rather led to its gradual transformation into the Local Government Police Forces in Western Nigeria. However, the NAPF continued in the North.

This era witnessed the appointment of the last set of foreign Inspectors-General of Police. Jemibewon (Op. Cit: 7) gave a chronology of the men (See also Table 2). The point to note here is that the fact that five expatriates headed the police in quick succession between 1947 and 1964, at a time the country was at the threshold of self-

governance, did not help in formulating and implementing long- term reorientation and capacity building plans to prepare Nigerians from administering the institution effectively. This led to the absence of developed structure and policy goals for the post- independent police force.

However, the good welfare system for which the Federal Police was noted was not allowed to wane. A retired senior police officer revealed that welfare of officers and men was prioritized and this helped in sustaining the loyalty and commitment of the officers. He quipped further:

There was enough barracks accommodation; and of course, the colonial officers made things very easy that if you are an NCO (Non Commissioned Officer)...you lived in the barracks, and if you are an Inspector, you lived in the Inspectors' Quarters, which is a bungalow. And of course, if you are a senior officer, you lived in a Government Reservation Area...And of course; you had a car (Oditia, 2010).

This viewpoint was corroborated by a former Inspector-General of Police, Alhaji Aliyu Attah (1997: 3) who while acknowledging the importance and prominence of the police as an institution at the time used the police headquarters as a measure of relevance. He asserted that:

At the time it was built, the Force Headquarters building was the most modern and magnificent architectural edifice undertaken by the colonial government for any agency or department. This demonstrated to Nigerians the degree of importance the Police was to the colonial office. 'Kam Salem House' located along Moloney Street in Ikoyi is very close to the then official residence of the Governor-General (later the President of the country), the Prime Minister's residence, and the Supreme Court Building (Ibid).

One should quickly add here that the provision of barracks accommodation for police officers at this time, though seen as an attempt to enhance the welfare of men and officers of the Force, turned out to be counter-productive in the post-independence era as this further widened the gulf between the police and the people. Indeed, a good practice in policing is that officers should live among the people as this helps police-community understanding, cooperation and enhances intelligence gathering.

However, the colonialist deliberately designed the institutional structures of policing in such a way that ostracised them from the people.

A number of scholarly works have however been dedicated to specific cases of police impunity during this period. One of the most horrendous atrocious acts committed by the police during this period was the Iva Valley Massacre of 18 November 1949, when twenty one coal miners with the Colliery Workers Union were killed on the orders of Assistant Police Superintendent F.S Phillips. According to Ibeanu and Momoh (Op. Cit: 20- 21), the workers were on a 'go slow' protest demanding the implementation of the Harragin and Miller Committee Reports on improved wages and allowances for workers the management had invited the police, having refused to negotiate with the workers.

A Commission of Enquiry that was constituted to look into the massacre found that the police allegation that the workers were armed were untrue. Other incidents in which the police exhibited high level of brutality against the people included Aba Women's riot which was held to protest excessive taxation under colonial rule, Egba women's revolt against poll tax, the African Civil Servants Trade Union strike and the General Strike of 1945, the Burutu Workers' strike of 1947, and the political disturbances of 1953 following the visit of NCNC delegates to Kano over the constitutional crisis. In addition, local police were also used to attack opponents under the Western and Northern regional governments, among them minorities from Southern Nigeria, a situation, which made some Southerners to clamour for a central police force to overcome the arbitrariness of the regional police forces (Ibid: 50).

It must be noted however that the police was not wholly responsible for breakdown of law and order in so many instances and were indeed obstructed in safeguarding lives and property. The system of policing by the colonialists also encourage a governance system based on divide-and-rule, which further reduced the capacity of the natives to agitate for an end to colonialism. The summation of Olaniyi is important here. He submitted that in some cases, it was considered (by the Colonialists) the responsibility of Africans to police themselves and that in this sense; crime and violence that were not directed against colonial establishment were unchecked. Native Authority system, which enabled traditional rulers to exercise considerable political powers, encouraged



them to use forced labour, impose arbitrary fines and perpetrate oppressive rule (Olaniyi, nd:8). This assertion finds resonance in the viewpoint that:

Membership of the Colonial Police Force conferred indescribable power and privilege underpinned by a distinctive uniform. It created in the surrounding population a perception of closeness to the colonial regime, and of power among (and against) the local community. To the “natives” against whom the Police were trained, this was very much unaccountable power. It was easy for the police personnel that wished to do so, to run a protection or influence peddling racket for a fee or for nothing if they wished. This explains the abuses for which different units of the colonial police- from constabularies to the Native Authority Police- were famous (Odinkalu, 2004).

In summing up the colonial-era policing in the country, Jemibewon asserted, “a major point to note is that the colonial administration, both in London and in Nigeria, did not deem it fit to set up an elaborate Police Force for the territories which it acquired. This was probably so because the colonialists feared the enormous cost that would be involved and believed that it could put down any serious threat to its interests with sheer military might” (Jemibewon, Op. Cit: 8).

Also following the line of this summation by Jemibewon, Osayande also revealed how the colonialist created a disarticulated police force for the newly independent Nigeria: He stated:

...At independence, about fifty percent of the officers in the Nigeria Police were foreigners. Most of them didn't want to serve under the blacks so they opted for early retirement...First, it started as a colonial police set up by the colonial masters to carry out colonial directives. When they left at independence, the police force was not adapted to our own needs as a young independent country (Osayande, 2000: 3).

Due to lack of a structural transformation on the values and ideals of policing in the country during the transfer of power to Nigerians within the NPF, an analyst observed that the process was like “transferring a slave from one master to another, as the Nigerian leadership simply ‘re-colonized’ the Nigerian Police” (Osayande, 2005: 4). As noted by Asiwaju and Marenin (Op. Cit: 285) the run-up to independence in 1960

engendered mass protests, social turbulence and conflict, which was carried over to the post-independence period. She revealed that this heated up the polity and made the then Inspector – General of Police, Louis Edet to admonish politicians to refrain from what has now become known as the 8 Don'ts:

Don't set fire to the motor vehicle of your political opponents; don't overindulge yourself in alcohol...or Indian hemp for the purpose of whipping up 'Dutch courage' to tackle your thuggery duties efficiently; [and] don't arm yourself with broken bottles, machetes, sticks and so on when accompanying your political leaders (Diamond, cited in Asiwaju and Marenin, Ibid: 285).

It therefore became curious that given the extent of weakness of the police, the post-independence government did not deem it fit to embark on a reform of the force. Rather, it was preoccupied with a “ceremonial transfer of allegiance from the British crown to the Federal Republic of Nigeria and a change of their former crests bearing the symbols of the British crown to the Federal Coat of Arms. All other features that made the Colonial police widely feared and despised were left untouched” (Chukwuma, 1998: 26).

### **3.4 The Age of Juridical Change (1960- 1966)**

Nigeria got her independence on 1 October 1960, after decades of resistance and protests against colonialism by the people. The country evolved as a parliamentary democracy, and three leading political parties emerged victorious in the country's three regions. The Action Group (AG) controlled the Western Region; the Northern Peoples' Congress (NPC) was in charge of the Northern Region; while the National Council for Nigeria and the Cameroons (NCNC) controlled the Eastern Region, each with separate regional police.

Whilst the NPC and the NCNC formed a unity government at the centre, the AG opted for the opposition. However the pattern of political contestation at the regions was for the ruling party to muzzle the opposition in its region whilst striving to gain control over the other regions, using less prominent political and tribal groups. In these circumstances, the politicians of Nigeria's first Republic turned the police into a

partisan and discredited institution thus jeopardizing effective law and order in the country.

This post-independence period heralded the Nigerianization of the top hierarchy of the Nigeria Police, which started with the appointment of Mr. L.O Edet as the first indigenous Inspector-General. The new, indigenous leadership embarked upon the task of rebuilding the police force.

Central to this was the need to resolve the question: who controls the police. Crucial to the resolution of this question was the role of the Regional Police Forces, vis-a-vis the Federal Police. However, too much emphasis was laid on the control rather than the effective and efficient management of the police. The recommendations of the Willinks Committee on the Minorities and the Constitutional Committee of 1958 were eventually the bedrock of constitutional provisions (1960 and 1963 Constitutions) in the First Republic.

The highlights of the 1958 Constitutional Conference recommendations included:

- That the practice whereby the bulk of the NPF was kept in the regions each under the control of the Commissioner who recruited the members of the Regional Command under the general direction of the Inspector- General should continue;
- That Police Council is set up to administer the NPF. The composition of the Council was to be made up of the Prime Minister or the Federal Minister in charge of law and order; the Regional Premier of each of the regions or its Commission; and the Inspector- General and Regional Commissioners who were not allowed to vote but could attend meetings;
- The Police Council was not allowed to handle staff matters reserved for the Police Service Commission;
- The Inspector- General was expected to assume the responsibility for the operational use and tactical disposition of the NPF, subject to the demands of the Federal Government. The Commissioner of a region was in charge of the day-to-day running of the NPF detachment to the region, subject to the wishes of the Regional Government that had the constitutional responsibility of

maintaining law and order, subject to the final authority of the Federal Government (Tamuno, cited in Jemibewon, Op. Cit: 48- 49).

A Police Service Commission was also created. A major lacuna however was the exclusion of local police forces from these regulatory frameworks, which further accentuated the politicization of the force. The resultant effects were captured thus:

The Police Service Commission ...failed to insulate the police from political pressures. The Commission's members who were political nominees had to carry out the wishes of the Prime Minister and Regional Premiers. In fact, the members of the Police Service Commission had to seek the approval of the Prime Minister and Regional Premiers in matters concerning the appointment of the Inspector- General and the Regional Commissioners. This no doubt reduced their status to that of mere political appointees. The implication of this on the security of tenure of both persons was that they had to perform their duties to the pleasure of the Prime Minister or Regional Premiers or risk dismissal (Jemibewon, Ibid: 50-51).

The politicization of the police affected professionalism and was further complicated by the concurrent politicization of the public prosecution office. This situation led to increment in incidents of political violence unleashed by the dominant political parties in the respective regions, the aiding and abetting of indecorous conduct by police officers and in cases where the police endured to perform its duties professionally, the compromise of prosecution by the Directors of Public Prosecution (DPP), who were themselves political appointees. Tamuno reproduced an Editorial highlighting the ways through which justice administration was undermined during this period:

If thuggery is to be stamped out in Western Nigeria, then full support must be given to the police and administration of justice. The police must be given a free hand and the courts left entirely to themselves without pressure and hindrance. The withdrawal last week of criminal cases against certain political supporters of the DPP in Western Nigeria is a negation of unfettered justice. It is not the first time that the DPP has withdrawn cases against men identified as his party stalwarts. A few months ago, an Akure Magistrate faced the embarrassment of an order to halt the trial of eleven party supporters charged with varying degrees of

hooliganism (Daily Times Editorial, cited in Tamuno, 1970, Op.Cit: 243).

This editorial, which illustrates one of the remote causes of police weakness in the First Republic, was written at the height of the Western Regional crisis. However, all the major political parties at the time were guilty of abuse of power and the misuse of the police in settling political scores with opponent.

So much was the cases of abuse of power, particularly by the Regional and local/native authority police that the Eastern Regional Premier, M.I Okpara mulled the idea of facilitating the establishment of local government police to deal with his opponents, before the violent termination of the First Republic by the military. Another causal factor for police impunity was the wide power given the police, without commensurate control through oversight mechanisms. Indeed, Ibeanu and Momoh pointed out that:

Under the Criminal Procedure Code of Northern Nigeria, the police had extensive powers to arrest offenders. They could arrest a person without a warrant, or take a person on the basis of 'credible' information or 'reasonable complaint' of being involved in a crime. The criminal code did not state explicitly what these clauses meant. It was in this context of arbitrariness that we can appreciate the powers used by the police over the members and supporters of the United Middle Belt Congress (UMBC), the rival party to the NPC in Northern Nigeria (Ibeanu and Momoh, 2009: 18).

The police was therefore utilised in the period after Nigeria's independence to commit a lot of infractions, which further weakened the foundations of the country's fragile nationhood.

**Table 3.2**  
**Nigeria's Inspectors General of Police Since 1910<sup>3</sup>**

s/n	Name	Title	Period
1	C . W Duncan	IGP and Director of Prisons	1910-1930 1930-1935
2	S.H Trantham	Ag. IGP	1935-1936
3	Alan Saunders	IGP	1936-1937
4	A.S Mavrogordato	Commissioner of the NPF	1938-1942
5	W.C.C King	Commissioner of Police	1942-1947
6	T.V.W Finlay	Commissioner of Police	1948-1949
7	H.E.J Stourton	IGP	1950-1952
8	R.J McLaughlan	IGP	1952-1956
9	Kerr Bovell	IGP	1956-1962
10	J.E Hodge	IGP	1962-1964
11	L.O Edet	IGP	1964-1966
12	Kam Salem	IGP	1966-1975
13	M.D Yusuf	IGP	1975-1979
14	Adamu Suleman	IGP	1979-1981
15	S.A Adewusi	IGP	1981-1983
16	Etim Inyang	IGP	1983-1986
17	M. A Gambo	IGP	1986-1989
18	A.I Atta	IGP	1990-1993
19	I. Coomassie	IGP	1993-1999
20	M.A.K Smith	IGP	1999-2001
21	T.A Balogun	IGP	2001-2003
22	S. Ehindero	IGP	2003-2007
23	M. Okiro	IGP	2007-2009
24	O. Onovo	IGP	2009-2010
25	H. Ringim	IGP	2010- 2012
26	MD Abubakar	IGP	2012-2014
27	Suleiman Abba	IGP	2014-2015
28	Solomon Arase	IGP	2015-

Source: Nwolise, OBC (2004) **The Nigeria Police in International Peace-Keeping Under the United Nations**, Ibadan: Spectrum Publishers (Updated by Researcher), p. 80-81 (Updated by Researcher).

Ironically, the handling (or mis-handling) of internal security issues by the police led to the collapse of the country's First Republic in 1966. Under the direction of the NPC Government at the centre, the police was used in a partisan manner to harass and frustrate opposition elements, which further accentuated the challenge of effective internal security.

<sup>3</sup> Though the NPF was established in 1930, it emerged from the ashes of para-military contraptions that preceded its formation, hence the existence of the equivalent of the office of the Inspector-General of police from 1910.

The crises in which the police performed below expectations included the tiv revolt of 1960- 64 and the Western regional crisis. In the tiv crisis, the police was used to intimidate opposition UMBC stalwarts. Anifowose lamented that:

Many of the policemen came to be dreaded and hated by those Tiv who were unlawfully detained on the instructions of one or another of the Clan Heads. One notorious Clan Head detained tax defaulters in his own compound where he had a private cell. The Tiv NA took little or no notice of complaints unless they were bribed to do so, while they arrested and charged people at will...(Anifowose, 2006: 22).

The First Republic was brought to an end vide a mutiny by a section of the army on 15 January 1966. The major reasons given by the mutineers were largely issues relating to corruption and mis-management in governance, with some of them accentuated by internal security crisis. Notwithstanding the weaknesses inherent in the NPF during this epoch, it was still externally regarded as illustrated by the recommendations of the then United Nations (UN) Secretary-General U Thant on the need for the NPF to help train the Congolese Police (Ohaegbunam, 1982:125).

The military government of General J.T.U Aguiyi-Ironsi, which succeeded the civilian government, was quick in disbanding the local government police and merging the regional police with the Nigeria Police Force as part of a larger reform of the country's administrative structure. Providing insights into the linkage between law enforcement and the reform of the local government system in 1966, Ibeanu and Momoh pointed out that the clamour for the reform of the system lay in the fact that the government in power in each region, Eastern, Western and Northern, wielded their influence using regional police and security paraphernalia to suppress opposition (Ibeanu and Momoh, Op. Cit: 39).

They argued further that those who sought to influence power in that era included the dominant political party in the region, and the district officers and native administration in the locality. The Native Authority Police then became a key instrument of political repression, and therefore of frequent conflict and crisis (Ibid).

### **3.5 Era of Accommodation (1966- 1979)**

This era was seen as the beginning of marginalization and decline of the police force in the maintenance of internal security. It was however a period of reluctant accommodation of the police at the highest level of governance by the military rulers. This has to be put in context. When the military seized power in 1966, the Nigerian Army had strength of only 11,000 men and the Police were the only law enforcement agency that had a presence in all parts of the country, which made the new military rulers to co-opt the police into the governance process and the Inspector-General was made a prominent member of the highest decision making organ, the Supreme Military Council.

At the outbreak of the Nigerian civil war in 1967, the army was compelled to recruit more people to prosecute the war and by the end of the war in 1970 the population of the armed forces had increased to 250,000 men. Hence, the police was not considered as important in the power politics of the time and was indeed seen as a threat and a rival by the military, which led to the undermining of the police by successive military governments (Asemota, cited in Chukwuma, 2004:42) and also frequent police-army clashes, which often led to the destruction of lives and property.

Towards the end of military rule in 1979, it had become commonplace for soldiers to be asked to take over police functions at the slightest excuse by the military hierarchy. Thus, the post-colonial Nigerian military leadership could be said to have 're-colonized' the Nigeria Police (Osayande, 2008:5). NOPRIN/OSJI (2010: 30) reveals that since the police was the only security organisation with nationwide security presence and licence to use violence in internal security operations, they were co-opted and used to sustain military dictators.

A marginal reform of the police force was one of the urgent actions undertaken by the military after the Coups of 1966. This entailed the integration of both regional and local police forces into the Nigeria Police Force (Human Rights Watch, 2010: 15). Giving insight into the circumstances that surrounded the stoppage of multiple policing at the regional and local government levels and the unification of the police into the Nigeria Police Force after the advent of military governance, Ohonbamu



asserted that “in 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...while in the North, political opponents were arrested by the 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 rights” (Ohonbamu, 1972: 75- 76), thus, the attempt at restoration of the dignity and effectiveness of the police through the unification policy.

The military also appointed several police officers as military governors, administrators of different states and territories, or federal- level ministries (Ibid), in addition to leadership of Special Task Forces on petroleum distribution and other sundry issues. Indeed, Attah (1997: 4) referred to the Police Inspector- General at the time, Mr. Kam Salem was described as “the third most powerful officer in the country after the Head of State, General Yakubu Gowon, and his Deputy, Admiral Akinwale Wey” and the police also had “three governors out of the twelve state governors” (Ibid).

The police also wielded tremendous influence in security decision-making through the S-Branch (which later became the State Security Service) in which capacity, a notable example of which was Nigeria’s endorsement and recognition of the MPLA, one of the warring factions in the Angolan crisis, as facilitated by the then Police IG, Mr. M. D Yusufu (Garba, 1987:23-24). The fact that a contingent of the police was also sent to the Grenadian police in 1975 is also suggestive of a relatively high level of professionalism (Ibid: 12)

However, no sooner had the military rulers consolidated power than they started whittling down the influence of the police. This started with the politicization of the police by drawing them into issues and activities outside of their jurisdiction. For instance, Omoigui cited an instance during the July 1966 counter Coup, when the Military Governor of Eastern Region, Lt. Colonel CO Ojukwu, surrounded himself with handpicked mobile policemen of Eastern origin to protect himself from what he perceived as a northern dominated army battalion in Enugu (Omoigui, 2006).

Omoigui further revealed that the initial mutual respect between the military and the police would eventually experience strains after the outbreak of the civil war in 1967. The outbreak of civil war led to a downward and degenerating spiral of crimes and violence and helped entrench a culture of violence in Nigeria and which further portrayed the police as incompetent.

Before the incursion of the military into politics, “most of the offences recorded were of a minor nature. These included...petty stealing, assault and other lesser crimes, although occasional murders and burglaries were recorded” (Jemibewon, 2000: 30). After the civil war, Nigeria began experiencing frequent armed robberies, which necessitated the constitution of special tribunals to try offenders and killing of culpable offenders by firing squads (Ibid). Increasing spate of robbery incidents also drew the army into police duties.

The not-too-cordial relationship between the military and the police has however been traced to feelings of jealousy on the part of the military. Oditia (Op. Cit) traced rivalry between the military and the police to the better welfare package and better official standing accorded the latter. He explained thus:

An ASP with one pip drives a car, lived at the GRA while a soldier with the same one pip live in the mess and was being driven around in a Landover. Because by their own organisational set up, you are not entitled to own a car until you are confirmed a full lieutenant...the policeman becomes an administrative worker of the public service of Nigeria in which case, he can be transferred from the police to any executive position in the civil service...so the policeman...was now seen as a respectable citizen of Nigeria. The army was very jealous of the police before they came into politics and as soon as they came in, their first task was to put a stop and all the enjoyment that the police was enjoying (Oditia, Ibid).

It was further revealed that during this period, a major motive for weakening the police was to forestall their usage to plan a coup against the military regime. The civil service reform of 1976 also led to the forceful retirement/ dismissal of several policemen, including the then Inspector- General Alhaji Kam Salem and the curtailing

of the powers of the new Inspector-General of Police, M.D Yusufu (Ojiako, 1980: 159).

It is noteworthy that the Niger-Delta rebellion started during this epoch and was led by a policeman, Isaac Adaka Boro, of the Niger Delta Volunteer Force (NDVF) whose members were trained and armed by Boro, who led an ill-fated secessionist plot (Obi, 2006: 29). The event though an isolated act of sabotage shows the beginning of a pattern of discontent and sabotage that would later become the mainstay of the police in future decades.

On internal governance mechanism, it was observed that the poor accountability within the Force, which started at the Colonial epoch, worsened during this period. Chukwuma (2003: 62) explained that attempts to stem the tide of indiscipline through special measures did not achieve much result. He wrote of one of the measures, Police Regulation of 1968:

The rather lengthy Code was very detailed in providing steps to be involved in dealing with police insubordination or misconduct against fellow officers. There is however, no mention of the requirements of observing the rights of all persons they come in contact with, provision of guidelines on the use of force, maintenance of the confidentiality of certain information in their possession, the prohibition of the use of torture in their work and the full protection of the health of persons in their custody as provided in the United Nations Code of Conduct for Law Enforcement Officials (Chukwuma, 2003: 62).

The major drawback of the police at this time was the absence of institutionalised external regulatory framework and dwindling attention to the welfare and adequate equipment of officers and men of the Force.

### **3.6 Era of Rebound (1979- 1983)**

The Second Republic was inaugurated on 1 October 1979, after 13 years of military rule, which saw the regimes of four military Heads of States. The Second Republic emerged after a transition programme, mid-wife by the regime of General Olusegun

Obasanjo. The country practiced a Presidential democracy, with Bicameral legislature at the federal and state levels.

Under the constitutional framework, the President and State Governors were deemed to be Chief Executives of the country and the states respectively and in that capacity, the Chief Security Officers. Five political parties; National Party of Nigeria (NPN); Unity Party of Nigeria (UPN); Peoples Redemption Party (PRP); Nigerian Peoples Party (NPP); and Great Nigerian Peoples Party (GNPP) hotly contested the 1979 General Elections that produced the Republic's leaders. However, Nigeria's democratic experiences during this epoch showed that the politicians had learnt nothing and had forgotten nothing and it seemed a replay of the ill-fated First Republic.

The dominant pattern of political behaviour during Nigeria's Second Republic can be defined in terms of the incessant pressures on the state and the consequent fragmentation or prebendalizing of state power (Joseph, 1991: 5). The end of governance therefore became the sharing of 'national cake' for supporters, cronies and referent groups. This raised the stakes politically for contending political parties and primordial interest groups. In the ensuing bitter and acrimonious political struggle, institutions of government were also drawn into the battle for political relevance and dominance.

Part of the strategy of gaining and retaining political power was the control and militarization of the Nigeria Police, including the recruitment and training of an anti-riot squad, popularly "known as the 'mobile police' whose rough appearance, low educational qualifications and exaggerated combat outfits gave the central government new instruments of political and social control" (Ibid).

Shorn of state or local government police to counter the oppression of the federal police, many state and local governments that belonged to the opposition parties resorted to the use of political thugs to maintain their grip on power. The outcome was frequent clashes between political fanatics and the police. The fact that the Federal Government almost monopolised the control of the police further increased their influence and power.

Odita gave an insight into the *raison d'être* for the Police's relative relevance under the Shagari administration thus:

When Alhaji Shehu Shagari took over as a civilian President, he used a police ADC and because his ADC was a policeman, it was possible for the ADC to tell him the ills of the police and a lot was achieved during his days to better the lot of the Nigeria Police Force (Odita, Op. Cit)

Another possible reason was that after the advent of civil rule in 1979, there was need to de-emphasize the role of the military in internal security and beef up the police to meet its responsibilities. Within this framework, the police ordered armoured vehicles for riot control. They also got better support and equipment than what was obtainable under military rule, to perform their duties effectively. However, these did not translate to effectiveness and the major issue for lingering inefficiency was the willingness of the police to be used as political tools and the clear partisanship of the police high command in managing political tensions of the time (Joseph, Op. Cit: 162, 182).

The police could not professionally manage the tremendous pressure piled on it as a result of incessant intra and inter party violence by the politicians of the Second Republic. The police abused the power issued it to give permit for rallies, police ballot boxes and guard personnel during ballot counting (Rotimi, Op. Cit: 199- 200). In an attempt to proffer an answer into the question 'why the police were amenable', Rotimi pointed to the lack of operational control over the police by state governments, opportunism by the policemen, and corruption by politicians as causal factors of police ineffectiveness and inefficiency.

The politicians could see the loopholes in the constitution, which did not make the police answerable to an array of institutions and the ruling party, exploited this situation to full advantage. It was alleged for instance, that the appointment of Mr. Sunday Adewusi as Inspector-General of Police over and above the then Acting Inspector- General, late Adamu Suleiman, was to due to lack of oversight and done specifically to enable him 'prepare the ground for the eventual massive rigging of the

1983 General Elections' (Toungo, 2010). On the appointment of Mr. Adewusi as the IG in 1981, Mr. Adamu Suleiman was reverted to his position as DIG and subsequently retired from service with immediate effect ((Oloruntimehin, 2005:221).

On the part of Mr. Adewusi, his appointment as IG and his concern about his continued stay in office tended to be the major factor which determined his role in particular and that of the generality of the NPF during the 1983 General Elections. This explanation, which derives from, the existing socio-political arrangements tend to be more meaningfully compared to the claims based on some personal shortcomings of the IG such as alleged receipt of bribe (Ibid: 221). Police during the 1983 elections was mainly motivated by the nature of the existing socio-political arrangements which involved the existence of a ruling group whose main interest was to remain in power.

The Nigeria Mobile Police Force, which was trained in para-military tactics and strategies, primarily for the management of urban violence, especially to counter incidents of civil disturbance where conventional police unit cannot cope, came in handy as a tool against political opponents at the time. Their trademarks were an automatic rifle, a horsewhip, boy's cap or beret, black shirt over khaki trousers and canvas boots.

The members had a reputation for being poorly educated; poorly trained and trigger-happy, thus making Nigerians to nickname them 'kill and go' (BBC, 2001). Mobile Policemen played critical role in violently quelling political uprising as a result of the massive rigging of the 1983 General Elections.

The seeming loss of confidence in the police by majority of the political actors further motivated politicians to resort to self help. Ironically, the police was instrumental to the fall of the Second Republic. Babarinsa (2003: 191) documented how the police was able to do this through its partisanship and institutionalised impunity. His account contained how political opponents of the then ruling NPN were tortured, shamed and in some instances killed across the federation. He gave some concrete instances:

In Lagos, Adewusi ordered the arrest of Dele Giwa, then editor of *Sunday Concord*, whose paper was daring enough to expose the power struggle between the Inspector-General and Akinjide, the attorney-general. In Oyo State, Alhaji Umaru Omolowo, the Commissioner of Police, withdrew the mandatory police orderly from two judges – T.A Ayorinde and A.A Sijuade – for allegedly delivering judgments unfavourable to the police. In 1983, Dr. Azikiwe was prevented physically from campaigning freely in Maiduguri, Borno State, when the police commissioner forbade him from going to any other part of the city apart from the approved campaign venue (Ibid: 191-192).

In addition, Jemibewon (2001: 217) quoted a powerful actor in the 1983 coup, Col. Abubakar Umar as stating that “one of the main reasons for the 1983 coup was the army’s fear of the growing of the Police Mobile Force... the government then not only antagonised the army by equipping Adewusi’s force with armoured personnel carriers, sophisticated communications equipment etc, and going so far as to allow the PMF to molest and harass soldiers but equally alienated publicly the massiveness of the electoral fraud called Verdict ‘83”.

It was an irony that one of the first acts of the succeeding military regime of Muhammadu Buhari was to intercept the armoured vehicles bought for the police by the Shagari government, because of the perception that the tanks were purchased to prepare the police for battle with the army. Immediately following the coup of December 1983, all the police armoured vehicles were impounded and a high powered probe panel set up to investigate the matter (Omoigui, 2006). In summing up perceptions about the Police under the Second Republic, Joe Garba made the following assertion:

The Upholders of law and order had themselves become corrupted by their involvement with the ruling party. Inspector-General Sunday Adewusi was said to have become so partisan that it seemed that he did not recognise himself as a public servant paid with the taxpayers’ money. His police force was regarded as an instrument of oppression, particularly the Mobile Force which in its unbridled and excessive actions had earned itself the dubious sobriquet of ‘Kill and Go’ (Garba, 1995:45)

### **3.7 The Age of Decline (1983- 1999)**

Unlike the first coming of the military which witnessed a collegial governance system, this era, witnessed the prominence of what can be termed as ‘presidential dictatorship’ (with the exception of the Buhari regime) whereby the Head of State/President held almost absolute power and can unilaterally constitute and dissolve the military decision-making organ. The era witnessed the regimes of Generals Buhari, Babangida, Abacha and Abdulsalam Abubakar and a brief interregnum of three months, in which the country was under the leadership of Ernest Shonekan.

It is important to note that this era witnessed at the global level, the end of the Cold War, the almost universalisation of liberal democracy and at the regional level, the quest of most developing countries to battle their economic crisis through Structural Adjustment Programmes (SAP). The implication of these for Nigeria is that recession increased the spate of poverty, corruption, economic crimes, frustration and aggression on the part of mainly discontented Nigerians.

These frustrations were also occasionally expressed through incessant violent student demonstrations and ethno-religious militancy. In addition, the wave of democratic transition also gingered the rebirth of civil society organisations, who resorted to protests and demonstrations to enforce the integrity and sanctity of the country’s transition to democracy, which appeared for most time to have been designed to fail by the ‘departing’ military class. Thus, the Nigeria Police had its hands full, in terms of ensuring effective internal security. Yet, the period marked an all-time low for the police, in terms of political support, prominence and capacity to fight crimes.

The taste of what type of future awaits the police was given to them during the coup that ousted the government of General Muhammadu Buhari. During the military coup of August 1985 that ushered in the regime of General Ibrahim Babangida, several policemen at Ikeja were killed by some soldiers out of the Ikeja Cantonment who were never punished for their indiscipline (Omoigui, Op. Cit). The next was the pauperisation of the police officers and men, and the start of a culture of bribe taking.



The account relayed by a foreign scholar who worked in Nigeria in the early 1990s summed up the environmental issues underpinning unprofessional conduct on the part of the police “When I worked at a Nigerian University... the ruling elite no longer invested in state building. A senior lecturer earned the equivalent of \$70 U.S per-month; a teacher got about \$20 per month, and a policeman less than \$10. So the main concern of civil servants was to generate extra money, with the result that policemen were widely perceived as “daylight robbers” (Harnischfeger, 2006:56).

In a report on the growing spate of police corruption at the time, Newswatch Magazine reported that “more often than not, Nigeria Police personnel are seen unashamedly with guns tucked under their arms or pointing at motorists, demanding and collecting N20 from each passing commercial vehicle they come in contact with” (cited in Adebayo and Ojo, 2009: 73) The era also witnessed widespread ‘monetisation’ of bail, a situation that warranted the then Inspector- General of Police, Mr Etim Inyang to direct that posters with the inscription ‘Bail is free’ be pasted in all police stations throughout the country.

The astronomic rise in crime during the period under review, coupled with the dwindling resources and political support available to the police encouraged a pattern of reaction based on ‘fire-fighting’. Governments’ reaction to rising waves of crime varied but have common features which included: relative ineffectiveness and occasional counter-productiveness; the absence of the established knowledge that most wars are won (and most crises effectively and efficiently managed) with more of brain than of brawn and the sober reflection required by a rational consideration of the long-run over the short-run implications (Odekunle, 2005: 23).

Thus, governments’ perception of crime and control measures became narrow, legalistic, synonymous with, and limited to ‘crime’ and ‘criminal’ as legally defined and adjudged by the police and the courts- and which perception resulted in ...paramilitary response to the problem of crime in the country (Ibid). This pragmatic response to the rising wave of criminality assured short-term success in some cases, it could however not lead to abatement of crimes in the country. An example of success was in the Anini saga, which led to the smashing of a notorious armed robbery gang

led by one Lawrence Anini, which held the country's then Bendel state hostage for years.

The police caught him on December 3, 1986 after killing several policemen and innocent citizens. He was eventually executed in 1987 after a judicial trial (Marenin, 1987: 259- 281). Other notorious armed robbers also tackled the police mainly in the Southern part and they helped in drawing attention to ill-equipment and incompetence of the police to forestall their operations, making the force to resort to violent resistance which often led to mindless killings on all sides, as well as loss of innocent lives.

The harsh economic environment coupled with growing insecurity further put the readiness of the Police to test. These insurrections were mostly ethno-religious conflict in which joint operations by the police and military harshly combat protesters. These included numerous student protests, Zango Kataf crisis (1987), the anti-SAP revolt (1988-89), Kaduna religious riot (1989), the June 12 crisis (1993-94), and the Niger Delta internal operation against the Movement for the Survival of Ogoni People (MOSOP).

In terms of institutional development, the police witnessed considerable decline during the period, with the establishment of a number of specialised agencies/task forces to perform the roles hitherto handled by the police. The National Drugs Law Enforcement Agency (NDLEA) is an example of such agencies, created with responsibilities to combat drug trafficking and other drug-related offences, investigation of cases of known drug barons and their agents as well as the confiscation of their assets (Musa, 1998: 26-27).

The creation of the NDLEA also reflect an underlying incoherence in security policy-making as the agency's success would be dependent to a large extent on coordination with the International Police (INTERPOL), whose coordinating focal point was anchored within the Nigeria Police Force. Other agencies established to perform some police duties were the Federal Roads Safety Commission (FRSC) and National

Security and Civil Defence Corps (NSCDC)<sup>4</sup>. Another dimension to the decline was refusal of the military leadership to appoint Police Affairs Ministers but rather appointed Director-Generals (equivalent of Permanent Secretaries) to man the affair of the police.

The period witnessed the efforts by the police to respond to the rising wave of financial crimes by re-jigging its criminal investigations department and by playing prominent role in the Presidential Task Force on Trade Malpractices and Crude oil Deals (Musa, Ibid: 58-59). The measures taken at the time can however be said to be ineffective, given the eventual blossoming of the fraud 'industry' after this period.

On a positive note, the Force underwent a reform in 1986, leading to enhanced effectiveness and efficiency, especially in combating armed robberies and in boosting staff welfare. A major feature of the reform was the creation of Directorates of Finance & Administration, Logistics & Supplies, Operations and Training Command. Also established were the Federal Investigation and Intelligence Bureau (Musa: Ibid). Other features of the reform included

- The creation of Force's Secretary's office headed by an Assistant Inspector-General of Police;
- The division of the country into eight zones with each zone commanded by an Assistant Inspector- General of police, otherwise known as Zonal Assistant Inspector- General; and
- Creation of Area Commands in the State with each Area Command headed by an Assistant Commissioner of Police (Attah, Op. Cit: 23).

And in 1989, the police was separated from the civil service, a move that eliminated the confusion over the true status and identity of the police.

By the early 1990s, the attention of security agents started shifting to the Niger Delta region due to the resistant of the people to decades of neglect, environmental degradation, abuse by security agents and intimidation. Peaceful moves by the MOSOP were brutally suppressed by the police and army. The motive for

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<sup>4</sup> General David Jemibewon quoted General Domkat Bali as stating that the idea of the National Guard, an elite security force for Presidential Protection, arose from the inability of the police to contain 'street riots'. See, Op.Cit: 230.

government's reaction to perceived security threats in the region was captured by Obi, quoting a Nigerian Minister of Defence in a lecture delivered at the Nigerian National War College, Lagos in 1992:

At present and most certainly in the medium term, the economic survival of the country would depend on the oil sector. Therefore, physical facilities and structures could be objects of attack by countries or groups of people who do not wish Nigeria well...Having taken account of these economic threats to our defence policy, appropriate measures would have to be taken not only to prevent such attacks but to counteract them effectively by force of arms if necessary and punish saboteurs appropriately (cited in Obi, 1997: 5)

Also during this period, the Abacha government created a special operation called the River State Internal Security Task Force, in which the police and army played prominent roles. The Task Force was noted for its brutal repression of the Ogonis and other ethnic minorities fighting for environmental justice in the Niger Delta region. The police also violently repressed peaceful protests and killed defenceless civilians in other parts of the Niger Delta (Nnoli, 2003: 36-37).

The era also witnessed the sustenance and institutionalization of military-led anti-crime task forces and tribunals, which took over the roles of the regular police. The military officers in the task forces were equipped with sufficient supplies of superior guns, bullet-proof vests, high-performance vehicles, life insurance and better motivation. These included: Operation Sweep (Lagos); Operation Wedge (Ogun); Operation Hot Chase (Osun); Operation Zaki (Borno); Operation Gbale (Oyo); Operation Wipe (Edo); Operation Storm (Imo); Operation Watch (Kwara); Operation Flush (Rivers); Operation Keep Away Criminals (Kebbi); Operation Scorpion (Adamawa), and so forth (Shetimma and Chukwuma, 2002:4).

Under the military, the suspension of such democratic institutions as the National Assembly, the NPC, and the PSC all of which have oversight function over the NPF left the police institution as an orphan at the mercy of the ruling military. This led, according to Osayande, to the waning of public confidence in the Police Force and the resultant apathy towards the organization (Osayande, 2005: 6).

At the time the military were retreating back to their barracks on May 29 1999, internal processes and mechanisms for police accountability, respect for human rights and observance of the famed police 'civil tradition' had been so eroded so much so that then Chief of police in Nigeria, Alhaji Ibrahim Coomassie had to lament that "the force (Nigeria Police Force) has been torn between the civil populace and the military, so much so that its civil traditions are almost lost to military authoritarianism (Alemika and Chukwuma, cited in Chukwuma, 2006, Op. Cit: 3).

Indeed, the mid 90s has turned the police turned into an army of occupation by vested interests. For example, Shell, the multinational oil company, was reported to be buying weapons for the police (Duodu, 2006: 3) to unleash terror on the Niger Delta people.

Giving an overview of the police after decades of military rule, Omeben, cited in Akinsanya (2005: 405) states that the military subdued and dominated the police and caused it to lose its influence in the area of performance. The job that the police was noted for was taken over by the military. To further spite the police, they set up the road marshals and money that should have gone to the police to help it reorganize itself was diverted to other causes and areas.

Omeben concluded that the military in an attempt to spite the police, spitted the society and in the post-transition period from 1999, the society inherited a police that was morbid and dumb. Parry Osayande, a retired DIG puts it more poignantly:

The police have been polluted to such an extent that the force requires a complete surgical operation and dialysis...the blame should first of all, go to the government, starting from the time the military made an incursion into government. Because they felt the police was their supplanter even the water cannons we bought at that time were seized; they thought they would be used against them. In terms of funding, the government had been operating a jacketed budgeting. The government would give the police whatever it liked and leave them to appropriate it anyhow they like (Akinsanya, 2005: 406).

In summing the impact of the long years of military rule on the police, the Presidential Committee on Police Reform submitted that successive military regimes erroneously regarded the Nigeria Police as a rival power base (to the armed forces)

and as such did everything they could to undermine its capabilities and effectiveness, so as to sustain their political hegemony. The report also continued that as a result, standards of training, discipline, kitting, etc. fell drastically as a result of deliberate underfunding and neglect.

Worse still, through several interventions and subterfuge, the military deliberately created rival law and order institutions, and usurped police duties by setting up anti-crime taskforces and other outfits and effecting so many changes in the institutional organization, appointment and deployment of the Nigeria Police, which further eroded public confidence in the Force. The report revealed that this trend went on throughout military rule, from 1966 to 1979, and from 1983 to 1999 (PCPR, 2006: 177-178).

In lamenting the pauperisation of the police as an institution, former IG Attah also lamented at the twilight of his tenure in 1992 that “gone are the days when there were enough barracks accommodation for policemen with very powerful sergent-majors enforcing the greatest sense of discipline among rank and file (Attah, Op. Cit: 33). The destruction of the NPF by the military was particularly telling on training. In this regard, for the 15 years during which recruitment were frozen, facilities at the Police Colleges deteriorated badly and when this embargo was lifted in 1999 the Colleges had not only become unsuitable for the training of personnel, recruits across the Colleges were also disoriented by their poor facilities. Thus, the police as an institution entered the epoch of re-democratisation with great hopes and expectation of the restoration of its dignity, so that it can perform its rightful role in maintaining effective internal security.

### **3.8 Model of Policing in Nigeria: Historical Perspectives**

From the foregoing, it is clear that the NPF as an institution has gone through a number of models. The initial colonially created policing model was based on militarism<sup>5</sup>, as set up by foreigners for the protection of their own interest and for the safety of the colonial officials. The Police Force was made up of ex-slave Hausas,

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<sup>5</sup> Interview, Alemika, 11 March 2014.

foreign to the southern societies where they were initially deployed. After colonial rule, Nigeria was unable to develop its own policing philosophy based on the dynamism, needs and evolution of the society. Ideally, policing philosophy is not settled and should be contested but in the case of Nigeria, there has not been a sustained struggle to transform the police from a para-military model.

Nigeria's style of public policing is shaped by a number of critical factors. Indeed, the legacy bequeathed by the colonialists, the centrifugal pull among the component units, which have heightened Nigeria's social and political crises over the years, and the interpretation of national security from a very narrow point of view by the political elite have all combined to pressure the police into adapting institutional values that are at variance with service orientation. The colonialist's imperialistic conception of policing, as noted above, ensured that it designed a paramilitary NPF capable of responding adequately to crisis, rioting, insurgencies, economic sabotage, and industrial actions/strikes, ethnic and religious disturbances.

The precursor to the NPF, the Hausa Constabulary founded in 1861 had the duty to safeguard the imperial authority of the colonialists and actually led 'attacks' on a number of local forces, notably the Egba Forces in Ikorodu, in 1865 (Ahire, cited in Onyeozili, *Op.Cit*: 36). The military elements of policing was emphasised and developed in the police, which contributed to successful suppression of labour activists and anti-colonial groups.

Independent Nigeria inherited this paramilitary model incapable of dealing with some of the post-independent security and political challenges, but was quickly adapted by the political elite to protect their security at the detriment of the majority. The new leadership did not exploit the advantage of political independence to infuse community orientation and enhance the intelligence-gathering capacity of the police.

Rather, the NPF became a tool of local and national political regimes with only juridical but non-functional oversight. Following the collapse of the First Republic, the successor military regimes in their goal of centralizing and unifying critical institutions of state did not spare the NPF, a step, which further alienated the institution from the people.

The NPF has over the decades further reinforced its paramilitary structures and features through the following cardinal but consistent policy choices: over-centralization of control; military-styled hierarchy and military command structure; articulated policies that consistently depicts war against crime and criminals; engagement in violence in order to force societal change; existence of quasi-military bureaucratic system; use of terminologies similar to that of the military; frequent use of commands and order; operational cohabitation of the police and military through Special Operations and Joint Task Forces; utilization of police personnel to serve regime interests, particularly during elections and illegal impeachments; usage of the police to intimidate political opponents; discouragement of individual creativity; accommodation of policemen in barracks, insulated from the civil society; paramilitary training with mainly traditional courses; resilience against reforms and change.

Whilst not efficient in the protection and promotion of Nigeria's security, this model has been suitable to Nigeria's political elite, who largely sees the police as a tool of political intimidation, oppression, suppression of the people and the protection of their private interests. Little wonder therefore, that the police participated prominently at both strategic and operational levels, to support and sustain decades of military rule and by so doing, alienated itself further, from the civil society. Asiwaju and Marenin, periscopes the features of the NPF, as inherited from the colonialists thus:

This structure encourages seniority and rank over performance, competence and merit. This structure has prevented younger and junior ranking officers from developing fresh ideas that could facilitate innovative reform initiatives in the NPF. Most of the time, the senior officers cynically tell the bright junior officers to 'wait for their turn' in order to implement their bright ideas (Asiwaju and Marenin, Op. Cit: 283)

They note the impetus for a paramilitary model of policing for the NPF by stating, "in a political process which is seen as a zero-sum game, the police have remained a powerful resource, tool, and protector of particularistic interests, at the expense of service to the people. Success in politics matters greatly and losers are out, in exile or



in prison...and control of the police helps ensure that you end up on the winning side” (Ibid).

The paramilitary model of policing exposed the NPF to problems such as lack of accountability, widespread violation of human rights, corruption, partiality, ineptitude, and enmeshed them in the complex web of politics, and ethno-religious centrifugal crises. In addition, it appear that the security gap created by the unsuitable model of policing being utilised by the NPF, coupled with its structural over-centralization, which deprive certain groups among the elite of the services of the force, are impetus for distrust and opprobrium.

Indeed, a British Council Study Group Report sums up the paramilitary perception of the NPF as characterised by “a military conditioning, hierarchical rigidity, lack of empowerment and ‘siege syndrome’ defensiveness, leading to an absence of meaningful communication from bottom up and top down ‘management by intimidation’ (Cited in Asiwaju and Marenin, Ibid: 292). Insufficient social capital for the NPF to perform effectively led to explosion in crimes and the a justification for the rise of a new group of informal vigilantes cutting across cultural, occupational, ethnic, religious and social groups, to provide the security that the NPF does not seem to be able to accomplish, using the same discredited paramilitary tactics and strategies of the NPF.

Vigilantism, which was the predominant security strategy based on the community-policing model in most part of pre-colonial Nigeria, regained prominence as an alternative law enforcement mechanism after the advent of democracy in 1999. With active support from state governments, these vigilante groups carried out sensitive security duties, including crime prevention, investigation, interrogation, prosecution and at times, extra-judicial judgments. However, a brief examination of three of these informal security/vigilante groups will reveal that their modus operandi is not essentially different from those of the NPF and that they have also experienced some transformation into paramilitary forces.

The Bakassi Boys was set up to address the rising crime rate in some South-Eastern Cities. It was formed around 1998, with varying identities, viz, Abia Vigilante

Services, Anambra Vigilante Services (AVS), and Imo Vigilante Services. The advent of the Bakassi Boys was closely linked to the explosion of violent crimes in Aba and its environs in the late 90s and the inability of the NPF to either prevent or respond effectively to these problems.

The evolution of Bakassi Boys is traceable to the establishment of the Onitsha Traders Association (OTA) Vigilantes. At the height of the problem between 1997 and 1999, over two hundred traders at the popular Aba Market were reportedly killed by armed robbers (Human Rights Watch/CLEEN, 2002: 9). This situation made the Onitsha Traders Association (OTA) to establish a temporary/ad hoc vigilante group to secure the market and lives of members.

The OTA Vigilante succeeded in rooting out criminals from Onitsha but ended up committing extensive human rights violations. Public outcry on atrocities committed made government to disband them and establish the AVS. The Anambra State House of Assembly recognising the AVS as a security outfit in August 2000 passed a law.

The transition from OTA to Bakassi boys was marked by violence, amidst resistance by traders from the Onitsha Market traders. The new group allegedly committed worse atrocities than the OTA, and similar structures were then established in Abia and Imo States. At the initial stage, the OTA was sustained through financial contributions by businesses, local governments, and other institutions, with complaint of extortion and intimidation from some quarters.

The relationship with the respective state governments varies. The affected states passed laws, giving the Bakassi Boys mandates to enforce security and the state governments finance parts of their activities. This led to reduction in crime rates in the affected states as well as community participation in securing the states. But the paramilitary model of policing adopted by the groups ensured that atrocities such as extrajudicial killings, vendetta, maiming, arson and political brigandage were perpetrated, and this instilled fear into the very public that demanded their establishment *ab initio*. The groups soon became private armies for the Governors and as the 2003 General Elections drew nearer, the Bakassi Boys got enmeshed in the murky waters of politics, lost credibility with the general public, and were

accordingly disbanded. Critics of the Bakassi Boys stated that they did not measure up to Vigilantes groups because they were faceless, carried arms, were not properly trained and perpetrated terrorism.

The Oodua People's Congress (OPC) was founded in 1994 in the South Western part of Nigeria to advocate for autonomy for the Yoruba people but later took up law enforcement mandates due to the rising crime rate in the region. However, its avowed objective of protecting Yoruba interest anywhere in the world, coupled with its paramilitary strategies, have undermined its effectiveness in securing lives and property. OPC's foray into security was occasioned by the ineffectiveness of the NPF and as the body made forays into areas that the Police could not reach and brought criminals to justice, its popularity with the people grew.

However, widespread extrajudicial murder, ethnic cleansing of majorly Hausas and Izon in Lagos and killing of policemen by OPC members led to the disbandment of the body in 2002 and the prosecution of its leaders. Though the group remain in operation beyond 2003, its influence in the area of law enforcement has been whittled down considerably. Its 'Achilles' heels' was its paramilitary strategy which emphasised aggression, trial by ordeal, violent engagement of offenders, human rights violations etc.

Hisbah Guard in some Northern States, namely Kano, Kaduna, Niger, Borno, and Zamfara were created to monitor and enforce the Sharia law. State governments fund them. However, it is in Kano State that the Hisbah is well organised and effective. This is partly due to the inability of the NPF to effectively police the state, a situation that necessitates supplementary security services by the Hisbah, as well as by self-help community protection groups and vigilantes (Hills, 2011: 50).

According to Olaniyi, Hisbah had its origin in the initiative of Islamic Groups with the aim of supporting implementation of sharia. However, the proliferation of Hisbah by several civil society groups following the reintroduction of sharia in 2000 led the then Governor Rabi'u Kwankwaso of Kano to formally launch the outfit to support crime control and maintain social order enjoined by Islam (Olaniyi, 2011: 84).

The Kano State Government eventually promulgated a law to regulate the body's activities and also established a Hisbah Board to coordinate the activities of the body. Unlike the Bakassi Boys, Hisbah personnel do not have the power to arrest or prosecute culprits; rather they are expected to hand over people found to have violated the sharia law to the police. The Hisbah Board engages in activities such as encouraging sanitation, helping with traffic, controlling crowds during religious services, mediating local conflicts, acting as a sort of neighbourhood watch, ensuring the implementation of the sharia, particularly those relating to the preservation of social order etc. Under Governor Kwankwaso (1999-2003), the activities of the Hisbah were guided by Islamic Laws and regulated by the state government and the NPF. Political manipulation was limited due to the deep entrenchment of Islamic cultures and scholars strong enough to counterbalance the influence of the governor.

However, with the advent of Ibrahim Shekarau in 2003, the Hisbah assumed a more radical posturing, and has been a tool in instrumentalizing ethno-religious chauvinism in Kano with flagrant violation of the rights of Christians and minorities. Relationship between the Hisbah and the NPF deteriorated with the latter accusing the former of colluding with criminals and accusing some of the members, drawn from *Al Majiri* groups of committing sundry crimes like arson, rape and robbery (Harnischfeger, 2008).

The *Ohaneze Ndigbo*, pan-Igbo Cultural Group accused the Hisbah Guard of victimizing Igbo businessmen in Kano and of dispossessing them of billions of Naira in several attacks, and called for its disbandment (Azania, 2012). In addition, the Hisbah in 2005 was involved in confiscation of materials used by Kannywood film producers in Kano and arresting motorcyclists alleged to be carrying women, in addition to forbidding unauthorised fashion and music during social events. Nevertheless, the return of Kwankwaso in 2011 has instilled some moderation into the activities of the group, and attacks from the Boko Haram Sect have provoked debates on the effectiveness of the Hisbah. Nevertheless, concerns over the paramilitary orientation of the body lingers.

In recent years and in response to worsening security situations, the NPF has made steps to embrace community-policing model. Aside piloting the scheme in fourteen

local governments spread across the six geo-political zones of the country and undertaking extensive scoping studies, seminars, and orientations aimed at fostering attitudinal change among officers and men of the NPF, has established a Project Plan on the Implementation of Community Policing and also seeded Community Policing Developers (CDP) among the men of the NPF as trained trainers of peers.

However, the prospects of the community policing initiative, which is largely restrictive and externally driven, as a strategy of transforming the police seem not bright, particularly due to the absence of basic minimum pre-requisite for the success of such complicated initiative, such as security and trust, functional democracy and respect for the rule of law, and decentralized and community friendly institutional structure.

### **3.9 Objectives and Enabling Mechanisms of the NPF**

Policing involves coercive and/or ideological regimentation of social life. This is done through the activities of the police as an institution and sundry state intelligence and security forces, and through other measures aimed at deducting and suppressing behaviours, actions, and orientations that threaten the prevailing social order (Alemika, cited in Nwolise, 2004:71). It entails the systematic structures put in place to provide “security or at least a social and psychological feeling of security, for a majority of citizens, in a majority of places, and for the most of the time” (Odekunle, 2005:26). According to Odekunle (Ibid), policing becomes more important if the following facts are considered:

- Policemen are the government officials most proximate to crime, temporally and procedurally, and are the leading figures in crime prevention/control and in the law enforcement process;
- Policemen's honesty, integrity and observance of procedural laws in handling offenders and non-offenders have deep implications for the citizens' perception of fairness and justice and for the degree of respect the average citizen has for the law;

- Being highly visible (compared to courts or prisons) and being the primary or main government authority legally authorized to use force on citizens, policemen's behaviour affects the citizens' opinion about their government.

Police therefore by virtue of their work are in the best position to create an environment free from fear and conducive to the realization of people's human rights, particularly those that promote unfettered political activity, which is the hallmark of a democracy (CHRI, 2005:2).

International best practices indicate that whilst police are given a lot of discretionary powers by the Constitution in order to allow them have the flexibility to enforce peace and security; robust restraint mechanisms are also put in place to curtail their excesses. This is in recognition of the need for the police to strike a balance between preventive and corrective actions. Indeed, the British Royal Commission acknowledges this much when it counselled that “the police should be powerful but not oppressive; they should be efficient but not officious; they should form an impartial force in the body politic; and yet be subject to a degree of control by persons who are not required to be impartial and who are themselves liable to police supervision” (cited in Nwolise, Op. Cit: 87).

The Nigeria Police Force operates within the power given to it by the Nigerian Constitution, though there are a wide array of laws and institutions (consistent with the provisions of the Constitution), which also guide its operations. The Nigeria Police Force is established under part 111 paragraph B, Section 214 (1) of the Constitution of the Federal Republic of Nigeria 1999, which states that:

- (1) 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.
- (2) Subject to the provisions of this Constitution –
  - (a) The Nigeria Police Force shall be organised and administered in accordance with such provisions as may be prescribed by an Act of the National Assembly;

- (b) The members of the Nigeria Police Force shall have such powers and duties as may be conferred upon them by law;
- (c) The National Assembly may make provisions for branches of the Nigeria Police Force forming part of the armed forces of the Federation or for the protection of harbours, waterways, railways and airfields.

In terms of the objectives of the Nigeria Police Force, Section 4 of the Police Act (Cap. 359) Laws of the Federation of Nigeria sets them out to include: (i) prevention and detection of crime; (ii) preservation of law and order; (iii) apprehension and prosecution of offenders; (iv) protection of lives and property; (v) due enforcement of all laws and regulations with which they are directly charged; and (vi) performing such military duties within and outside Nigeria as may be required by them or under the authority of this or any other Act ( Sule, 2008:39).

In addition, the Nigeria Police has the power to (a) take measures to prevent crime; (b) investigate crime; (c) interrogate suspects; (d) prosecute suspects; (e) search properties and persons in order to prevent crimes, detect or investigate crimes, detect and apprehend offenders, and collect evidence for prosecution; (f) grant bail to suspects pending investigation or arraignment in court; (g) serve summons; (h) regulate procession and assemblies; (i) disperse illegal and unlawful procession and assembly, among others ( Police Service Commission and CLEEN, 2005:19).

Jemibewon (Op. Cit, 24-32) further identified other functions of the police to include road traffic regulation, response to emergency calls, provision of defined social services (such as mediation in social disputes, escort services for endangered citizens, taking part in emergency rescue operations, etc.), beat patrol, maintenance of anti-vice police squads, and miscellaneous duties. Coomasie (1996:3) was more specific in his own classification of the objectives of the Nigeria Police, which he enumerated as follows:

- (a) To improve the efficiency of the Force, her expertise, her equipment, mode of operation and the general welfare of the personnel;
- (b) To identify and monitor criminal gangs;
- (c) To dismantle criminal organizations rather than simply apprehending and prosecuting individual members of such groups;

- (d) To inflict potential damage on the capacity of any criminal organization or gang, to stem the tide and prevalence of armed violence;
- (e) To achieve optimal cooperation with all peace-loving citizens and organizations to achieve a decorous climate for economic growth and development; as well as
- (f) To foster cooperation with sister nations for crime prevention and control.

Section 215 of the Constitution, which deals with the appointment of Inspector General and control of the Nigeria Police Force, reads inter-alia:

- (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 Commission.
- (2) The Nigeria Police Force shall be under the command of the Inspector-General of Police and any contingents of the Nigeria Police Force stationed in a State shall, subject to the authority of the Inspector-General of Police, be under the command of the Commissioner of Police of that State.
- (3) The President or such other Minister of the Government of the Federation as he may authorise in that behalf may give to the Inspector- General of Police such lawful directions with respect to the maintenance and securing of public safety and public order as he may consider necessary, and the Inspector-General of Police shall comply with those directions or cause them to be complied with.
- (4) Subject to the provisions of this section, the Governor of a State or such Commissioner of the Government of the State as he may authorise in that behalf, may give to the Commissioner of Police of that state such lawful directions with respect to the maintenance and securing of public safety and public order within the State as he may consider necessary, and the Commissioner of Police shall comply with those directions or cause them to be complied with:



Provided that before carrying out any such directions under the foregoing provisions of this subsection the Commissioner of Police may request that the matter be referred to the President or such Minister of the Government of the Federation as may be authorised in that behalf by the President for his directions.

- (5) The question whether any, and if so what, directions have been given under this section shall not be inquired into in any court.

Section 216 concerns the issue of delegation of power to the Inspector – General of Police. It reads:

216 –

- (1) Subject to the provisions of this Constitution, the Nigeria Police Council may, with the approval of the President and subject to such conditions as it may think fit, delegate any of the powers conferred upon it by this Constitution to any of its members or to the Inspector- General of Police or any other member of the Nigeria Police Force.
- (2) Before making any appointment to the office of the Inspector – General of Police or removing him from office the President shall consult the Nigeria Police Council (Federal Republic of Nigeria, 1999: 83-84).

The Constitution also makes provisions on two important oversight bodies for the police. These bodies are the Nigeria Police Council and the Police Service Commission. Even though the National Security Council also plays a role in securing the country, its impact on the police is marginal compared to the two aforementioned bodies. In this wise, we shall briefly periscope the major provisions that concerns them, in the 1999 Constitution, in relations to this thesis.

Section 153 (a) of Chapter VI (B) identifies 14 Federal Executive Bodies (Commissions and Councils) among which are the Nigeria Police Council and the Police Service Commission with varying degree of power and autonomy. Section 156 states inter-alia:

- (1) No person shall be qualified for appointment as a member of any of the bodies aforesaid if –

- (a) He is not qualified or if he is disqualified for election as a member of the House of Representatives;
  - (b) Within the preceding ten years, he has been removed as a member of any of the bodies or as the holder of any other office on the ground of misconduct.
- (2) Any person employed in the public service of the Federation shall not be disqualified for appointment as Chairman or member of any such bodies;

Provided that where such person has been duly appointed he shall, on his appointment, be deemed to have resigned his former office as from the date of the appointment.

On the independence of these bodies, sections 157 provides that the president may remove members of the Commissions from office, acting on an address supported by two-third majority of the Senate, praying that they be so removed for inability to discharge the functions of the office or for misconduct. However, section 158 s that safeguards their independence on issues of appointment and exercise of disciplinary control over persons, excludes both the Police Service Commission and the Police Council (Ibid, 63- 66).

In the Third Schedule of the Constitution, the composition and function of the two bodies are clearly defined. Membership of the Police Council includes the President, all state Governors, the Chairman of the Police Service Commission and the Inspector- General of Police. Functions of the Council are: (a) the organisation and administration of the Nigeria Police Force and all other matters relating thereto (not being matters relating the use and operational control of the Force or 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. (Ibid: 146- 147).

On the other hand, the Police Service Commission has a Chairman and “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 Commission has 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. Enormous powers were also conferred on the Commission by the Police Service Commission (Establishment) Act No. 15 of 2001.

Section 6 of the Act charged the Commission with the following responsibilities: (a) appointing and promoting all officials of the NPF (other than the Inspector- General of Police) (b) dismissing and exercising disciplinary control over the same persons; (c) formulating policies and guidelines for the appointment, promotion, discipline and dismissal of officers of the NPF; (d) identifying factors inhibiting and undermining discipline in the NPF; (e) formulating and implementing policies aimed at efficiency and discipline within the NPF; (f) performing such other functions as, in the opinion of the Commission are required to ensure optimal efficiency in the NPF; and (g) carrying out such other functions as the President may from time to time direct (Police Service Commission and CLEEN, 2005, Op. Cit: 22).

Chukwuma (2004: 43) pointed out that the Police Service Commission is representative of the various interest groups in Nigeria, including the judiciary, retired police officers, women's interest groups, Nigeria's media, non-governmental human rights organisations, and the organised private sector. The Police Service Commission was inaugurated in November 2001, two years after the entering into force of the 1999 Constitution, in order to fulfil the mandate given to it by the constitution to perform oversight functions on the Nigeria Police.

Other legal mechanisms empowering police operations in Nigeria have been outlined by Coomassie cited in Nwolise, (Op. Cit: 88-89) and as derivable from Police Act of 1958 as amended in 1967 Cap 41, as well as various Criminal Procedural Acts, Decrees, and Codes. They are as follows:

1. Power to prosecute in any court of law (Police Act, Section 19).
2. Power to arrest (Criminal Procedure Act Cap. 43, Police Act, Section 2: 20-21).
3. Power to arrest a person who refuses to aid Police (Police Act, Section 41).
4. Power to take fingerprints and photograph of a person under arrest (Crime Prevention Act, Section 20:12).

5. Power to detain, stop, and search persons being suspected of criminal behaviours (Police Act, Section 25).
6. Power to dispose of property unclaimed, found or otherwise (Police Act, Section 31).
7. Power to search premises suspected of being used for receiving stolen goods (Police Act, Section 24).
8. Power to grant bail to persons under arrest without warrant (Police Act, Section 23).
9. Power to request a convict to be sentenced to Police supervision (Crime Prevention Act, Section 3).
10. Power to prevent a person suspected of planning or plotting to commit offence by taking such a person to court to be bound over to be of good behaviour for a period of time (Criminal Procedure Act, Section 87- 100).
11. Power to grant permit and regulate assemblies (Public Order Act No. 5, 1979).
12. Power to issue search warrant (Official Secret Act).

### **3.10 Structure of the NPF**

The Inspector General of Police (IGP) appointed by the President and who retains his job only at the President's pleasure as the head of the NPF. Section 215 (2) of the Nigerian 1999 Constitution states that "the NPF shall be under the command of the Inspector General of Police". There are three different structures identified by the Police Headquarters (npf.gov.ng), namely; Command, Administration and Organization. On the Command structure, following the IGP in rank are the Deputy Inspectors General (DIGs), Assistant Inspectors General (AIGs), Commissioners of Police (CPs), Deputy Commissioners of Police (DCPs), Assistant Commissioners of Police (ACPs), Chief Superintendents of Police (CSPs), Superintendents of Police (SUPOLs), Deputy Superintendents of Police (DSPs), Assistant Superintendents of Police (ASPs), Inspectors of Police, Sergeant Majors, Sergeants, Corporals, and Constables.

In terms of administrative structure, the IGP is assisted at Headquarters by 7 Deputy Inspectors-General (DIG) and two Assistant Inspectors General of Police (AIG) who are heads of Departments. The Departments are: A Department- Administration and Finance; B Department- Operations; C Department- Logistics and Supply; D

Department- Force Criminal Investigations; E Department- Training; F Department- Research and Statistics; G Department- Information and Communications Technology; Force Secretariat headed by a Force Secretary and with responsibility for general supervision and coordination of policy matters; and Force Intelligence Bureau which provides intelligence on crime and national security. Also at the Headquarters and some State Commands, there are Specialised Units with responsibilities for specific actions. These include Sports, Police Bands, Veterinary, Air Wing and Medical. Formation Units with Specialised mandates include the Police Colleges, Ports Authority Police, Police Cooperatives, Marine Police and Counter Terrorism Squad (See Annex 1 for detailed Organogramme).

Organizationally, the NPF is divided into 12 Zones headed by AIGs, with DIGs providing oversight over a combination of zones (See Figure 2.1). Each Zone is subdivided into state Commands. There are 36 State Commands headed by Commissioners of Police (CPs).

Section 215 (a) which vests operational control of the Police in the IGP also states that any contingent of the Nigeria Police Force stationed in a state shall; subject to the authority of the IGP, be under the command of Commissioner of Police of that state. Each state command is subdivided into Divisional Police Headquarters, Police Stations, Police Posts, and Village Police Posts. In all, there are as at 2005, total police manpower strength of 417, 608, with 309,049 active personnel spread across the ranks. There are also 123 area commands, 1,202 divisions, 1,030 Police stations, and 2, 797 police posts (Asiwaju and Marenin, Op.Cit, 287).

**THE NIGERIA POLICE  
THE 12 ZONES REPRESENTED IN VARIOUS COLOURS**



**Figure 3.1: Zonal Map of the Nigeria Police.**  
**Source: npf.gov.ng, accessed on 20 January 2013.**

In summary, this chapter has shown that historically, the complications associated with paramilitary, overcentralized, and non-accountable design of the Nigeria Police have hampered its effectiveness and efficiency. It is also clear that the force has exhibited insufficient level of internal control and discipline, while external oversight has been ineffective.

It was also revealed that the essence and outcome of policing has not changed, over five decades after independence and that several initiatives aimed at enhancing the efficiency of the police failed because issues of holistic institutional transformation were not addressed. In addition, the Chapter was able to show that the failure to address deep-rooted values deficits, and design an appropriate model for policing accounts for police failure for over five decades. It submits that finding solution to

Nigeria's internal security crisis will entail partnership between the police and the community, including informal security groups and vigilantes.

It submits further that given the increased awareness on human rights and the upsurge in democratic values in hitherto authoritarian political system in the country, citizens have been creating and nurturing alternative security structures that can meet their security needs and 'the almost absolute lack of trust in the Nigeria Police had been reflected in the patronage of about 50% of Nigerians of Non-State policing groups' (Alemika, cited in Baker, 2009:2). Such groups include an admixture of citizens anti-crime groups or vigilante groups, ethnic or clan militias, civil defence forces, semi-commercial anti-crime groups, trading communities security arrangements, informal local government security groups, customary structures, restorative justice community – based groups, etc. The historical analysis of the Nigerian police in this chapter is by no means exhaustive, it however serves as a compass to enable us understand the institutional culture prevalent in the police, the paramilitary model it has embraced and the over-centralized structural design of the Force.

## CHAPTER FOUR

### REFORM INITIATIVES IN THE NPF (1966-1999)

The previous chapter analysed the historical context of policing in Nigeria up till 1999. The Chapter historicizes the elements of the reforms in the police since the 1967 unification. It also analyses the contexts of the reforms, their governance and outputs.

#### 4.1 GOBIR 1967 UNIFICATION REFORM

The Reform Commission for the NPF was headed by Alhaji Yusuf Gobir (also severally referred to as The Study Group or Yusuf Gobir Panel), so named after its chairman and the 15 members, 5 of which were high-ranking policemen. Alhaji Gobir was a former politician and serving senior civil servant at the time he was saddled with this onerous national assignment. The Head of State, General JTG Aguiyi-Ironsi constituted the Panel in order to ensure the realization of the unification<sup>6</sup> policy earlier established by the military administration. In the course of the panel's assignment, a counter-coup occurred in July 1966, which led to the death of General Ironsi.

The Counter-coup was planned and executed by a group of Northern Officers who wanted the North's secession from Nigeria. General Yakubu Gowon, who allowed the work of the panel to continue, replaced Ironsi. Alhaji Gobir previously served in the Northern Public Service, having hailed from the Ilorin Division. He was one of the Permanent Secretaries who persuaded the coup plotters of July 1966 against secession, an indication of his unification ideals<sup>7</sup>. He played tremendous role in stabilising and unifying Nigeria during this period of tension between Northern and Southern Officers and was perceived to have been a champion for unification of institutions due to the strong centripetal pull of the time.

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<sup>6</sup> As opposed to the Federal System being practiced by Nigeria. Disquiet over this policy would later contribute to the coup d'état of July 1966 that toppled the Ironsi Government.

<sup>7</sup> See, Gamji.com, The Roaler-Coaster Life of Murtala Muhammed, <http://www.gamji.com/article6000/news7073.htm>



Alemika<sup>8</sup> further justified the Gobir reform on the need to harmonize the quality of policing in the country, enhance standardized training, and need to structurally address inadequacies of the LGPF and NAPFs in the areas of human rights violations. It is necessary to point out that Alhaji Gobir had neither previous experience nor familiarity with police affairs to guide him and his committee in making a decision on the unification of the police. However, he possessed a rich political pedigree. Alhaji Yusuf Amuda Gobir was the first Ilorin indigene to be appointed a Federal Permanent Secretary in 1962.

Late Amuda Gobir was seen a jewel of inestimable value to the people of Ilorin Emirate. A renowned author, L. A. K. Jimoh, (1994:305)<sup>9</sup> had these words to describe him: “Amuda Gobir was an amiable personality and readily helpful at all times not only to individuals no matter their place of origin but also to communities, organizations and societies. Through his efforts, silently in most cases, several Ilorin indigenes, in particular, and Nigerians generally, secured Federal appointments and were, with his encouragement, able to make impressive advancements in the Federal Public Service. He also obtained for several other people various forms of public patronage, including contract awards in different sectors of the economy”.

As a political leader from Ilorin, it is perceived that Gobir was pandering to the military politics of centralization and acting as a gate-keeper for the military rather than conducting a thorough surgery of the ills of the regional policing and recommending viable remedies to overcome them. Thus the reform was quite sensitive to the political expediency of the time. Little is known of other members of the reform team. However, given the fact that they were civil servants at the time, it would be almost unthinkable for them to have recommended anything other than the unification of the police, given that the de-facto agenda of the military was generic institutional and political centralization of the country. Alhaji Gobir produced the report of his panel in August 1967.

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<sup>8</sup> Interview, 11 March 2014.

<sup>9</sup> LA.K Jimoh, Op. Cit See also: :

[http://www.iedpu.com/download/SURVEY\\_OF\\_THE\\_ECONOMY\\_OF\\_ILORIN\\_EMIRATE.pdf](http://www.iedpu.com/download/SURVEY_OF_THE_ECONOMY_OF_ILORIN_EMIRATE.pdf)

The Committee 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 Ironsi 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 (Alemika, 2012: 21).

The Panel recommended the establishment of a single national police force and identified defects in the pre-1966 system. These included the inadequate training of members of the N/LGPFs and the considerable political control exerted by the former regional authorities. The federal military government accepted the major recommendations of the Panel. In February 1968, the IGP, NPF, Kam Salem announced that the NA/LGPFs of the Northern and Western Nigeria would be gradually integrated into the NPF so as to have a single police force throughout the federation (Rotimi, 2001: 122-123). The reform led to the amendment of the Police Act to provide for a centralized operational control of the Police by the Head of State.

It also recommended the rectification of the defects in the pre-1966 policing systems such as the inadequate training of members of the NA/LGPFs and the considerable political control exerted by the former regional authorities (Rotimi, Op.Cit). Officers from the regional police forces were interviewed and converted to NPF Officers with varying degree of successes in the absorption processes in the North and Western part of the country, though it was more difficult in the former due to the relative low level of education.

Post-Regional Police era, the NPF could be said to have strengthened the NA/LGPF in the areas of professionalism and welfare. Crime rate was low and officers demonstrated a high degree of honesty and patriotism. Illustrating the key role of these factors in the professionalism demonstrated by the police during the Nigeria civil war, Momoh and Ibeanu (2008:50) argued that the police Special Branch

demonstrated efficiency in its collaboration with the military 'against subversion, sabotage and espionage'.

They ensured that many federal installations were not attacked. The police's bomb disposal unit also helped in spotting the Biafran -made bomb known as 'Ogbunigwe'. After the war, argues Inyang (Cited in Ibid):

A general appeal was made to the populace by the government to surrender their arms and ammunition to the Police. In order to recover those arms that were not surrendered, Special Police squads were set up to trace and recover them into custody. In spite of this effort, not all arms and ammunitions were surrendered or recovered. A new dimension in armed robbery surfaced. This could be traced to unemployed erstwhile rebel soldiers; particularly the renegades and criminals among them who failed to surrender their arms

One of the major contributions of the Gobir Commission to police scholarship in Nigeria was the early revelation of “corruption in the NPF and that ‘promotion bargaining’, a graduated tariff of sums payable for promotion to various ranks within the Force” was the order of the day (Marenin, 1985:81).

However, the reform set the foundation for what later appeared to be an uncritical step towards centralization. The advantages of the reform were; unification of command and control and the attendant operational coherence it conferred on the new NPF; reduction in alleged political interference and misdirection of the NA/LGPFs by local interests and communities; as well as better funding for the police.

The disadvantages include absorption of many uneducated and poorly trained persons into the NPF; and gradual erosion of the capacity of the newly-formed police force in crime control at the grassroots, due to lack of intimate knowledge of personnel, of local crime peculiarities. Aside the ‘centrist’ personality of Alhaji Gobir, powerful politicians and military officers also preferred a centralized police (Rotimi, 2001: 127).

In spite of the upsurge in crime and small arms proliferation after the Nigerian Civil War, the police in the 70s rose up to the task of effective national security. As analysed in the previous chapter, the Police later deteriorated in terms of quality service towards the end of the 70s, a problem that climaxed at the end of the Second Republic in 1983. The NPF would undertake its next reform only in the period of a pervasive crisis, almost 20 years after the initial reform.

Commenting on the policing reforms in the 70's, Marenin stated that attempts to improve standards are often complicated by political events. The dissolution of the Native Authority Forces led to the incorporation of about 9,000 former Native Authority Police into the NPF and it absorbed about 10,000 demobilized soldiers during 1976-78. These groups were not highly trained as police officers nor were the short reorientation sessions likely to overcome a long experience with a patronizing post-war military service (Marenin, 1985:80).

Conversely, Rotimi (2001:122) situated the reforms within the context of perceived decline in the NA/LGPFs performance which started during the political crises of the First Republic, was exacerbated by negative public opinion immediately after the coup d'état of February 14 1966. They were variously accused of political witch-hunting, extortion, corruption, extra-judicial activities, as well as lacking adequate training. Rotimi summed-up the crises in the following words:

In varying degrees, the crises of legitimacy and stability faced by the ruling elite in both (Northern and Western) regions made it necessary that they be assured of the support of the forces of coercion at their absolute disposal (Ibid: 128)

This situation was not helped by the perceived contempt of the military for the police and the presence of past victims of the NA/LG Police in second military administration headed by Lt. Col Yakubu Gowon, which continued with the implementation of the police reform started by the first military administration headed by General Aguiyi Ironsi. Finally, as aptly captured by Rotimi, those who favoured the continued existence of the NA/LGPFs might have failed to win their case for two main reasons. One, the general climate of opinion in the country then was still very strong against the deposed, civilian ruling elite and some of the institutions associated

with them. Two, the new military ruling elite and their civilian associates were opposed to the continued existence of the forces.

#### **4.2 REFORMS IN THE 1980s**

The successive military juntas' containment policy against the police had been on for too long (with the exception of a brief 4 year period of civilian rule from 1979-1983). By the early 1980s, it had started producing its antithesis, as illustrated by lack of tools and capacity to prevent and control crimes. The materials purchased for the police by the Shagari government, like Armoured Tanks, other weapons and buildings were confiscated by the Buhari military Junta. In addition, the organizational design was no longer suitable for the ever-expanding population of Nigeria. In addition, rapid urbanization, sophistry in the perpetration of crimes, also put additional pressure on the NPF to reform.

One of the immediate reasons for the reform of the NPF in the 80s was the glaring deterioration in standards. Of particular importance was the 'Anini Saga' in which a notorious armed robber and his gang constituted themselves into a sort of alternative Law Enforcement Agency and 'Defender of the Poor against the Rich', albeit to terrorise citizens mainly in the old Bendel State. The tardiness of the NPF in capturing Anini, occasioned by operational lapses and allegation of corruption against many of the Officers in the Bendel State Command of the NPF, were parts of the factors that informed the 1986 reforms (Marenin, 1987:260).

In the light of the above, reorganization was authorised by the administration of General Ibrahim Babangida in 1986. According to Attah (1997: 23), the kernel of the reorganization was the decentralization of the NPF, featuring the following elements:

- (a) Creation of five Directorates at Force Headquarters, each headed by a Deputy Inspector-General of Police;
- (b) Creation of Force Secretary's Office headed by an Assistant Inspector-General of Police;

- (c) The division of the country into eight zones with each zone commanded by an Assistant Inspector-General of Police, otherwise known as Zonal Assistant Inspector-General;
- (d) Creation of Area Commands headed by an Assistant Commissioner of Police.

The schedule of duties of the old and new offices established were also reviewed and aligned. The reform which seemed like a response to the rising cases of armed robbery, criminality and advance fee fraud, was the first and only strategic reform undertaken by the police leadership. It was aimed at strengthening the operational efficiency of the police in a dynamic country like Nigeria.

To Attah, some supposed improvements recorded as a result of the reorganization are: first, Directorates at Police Headquarters enjoyed increased autonomy, with the IG playing only a coordinating role. Secondly, the Commissioners of Police in the states are directly answerable to their zonal Commanders and have only secondary links with Force Headquarters, except in situations of emergency. Thirdly, states were broken into Area Commands with each command headed by an Assistant Inspector-General of Police, thus bringing the police closer to the grassroots (Ibid: 27-28).

Under the re-organized NPF, the CPs had a smarter administrative process, with the creation of Area Commands. Each of the Command, which comprised Police Divisions, was under the leadership of an ACP. On the positive side, the re-organization led to relative efficiency in the hitherto cumbersome administrative structure of the Force, which had impacted, on its law and order maintenance functions.

It also enhanced the operational effectiveness through the creation of a dynamic organizational set up at all levels for rapid response to law and order situations. On the negative side, it was noted that the re-organization created overlapping in some areas for the police, which could result in personal clashes among officers (Jemibewon, 2001: 105). The establishment of the Zonal Headquarters for instance, entailed the diversion of a reasonable number of men at all levels to administrative duties, which would otherwise have been deployed for police duties and it further compounded the problem of inadequate infrastructural facilities at the Zonal levels.

For Jemibewon (2001: 103), the reorganization had its positive and negative sides. On the positive side, it reversed the hitherto very slow and cumbersome decision-making process in the Force as matters, which previously had to be referred to Lagos, could now be handled at the Zonal Headquarters level. It also enhanced operational effectiveness through the creation of a dynamic organizational set up at all levels for rapid response to law and order situations. Besides, it brought the Force face to face with expansion, which resulted in the execution of massive promotion exercise among the rank and file and boosted morale.

The retirement, which also accompanied the reorganization, revitalized the Force and improved its image for a while. Notwithstanding the positives in Jemibewon's assertion above, the performance of the NPF did not significantly improve with the reorganization. Indeed, following the 1986 student riot at the Ahmadu Bello University, Zaria, the Government set up a Panel of Inquiry, which indicted the police. The Panel, headed by Major-General Emmanuel Abisoye (rtd) observed that "the Nigerian Police is not organized to perform its constitutional role. It should be equipped with its complement of equipment and transport, to be able to perform its constitutional role" (Ibid: 106).

The Panel also recommended that the instrument establishing the Nigeria Police mobile Force, as contained in the Nigeria Police Regulation (1968), be repealed. Government however rejected the recommendations on the ground that they would result in disbanding the police mobile force.

#### **4.2 1989 Nyako Committee Initiative**

Three years later, a Reform Committee headed by Admiral Murtala Nyako was established by the government to address rising cases of insecurity in the country. At the time of his appointment, Admiral Nyako was a member of the Armed Forces Ruling Council (AFRC) having served as the military governor of Niger State. After submitting his report, he was appointed as the Chief of Naval Staff of the Nigerian Navy.

Nyako joined the Royal Nigerian Navy in June 1963 as an officer cadet, commenced his officer training at the Britannia Royal Naval College, Dartmouth, England in September 1963, was commissioned as a Sub-Lieutenant in September 1965 and completed his initial naval training in September 1965. Nyako returned to Nigeria in October 1966. After his return, he held a number of on-board and shore appointments. He was at one time a Commanding Officer of a Patrol craft, a Landing craft and the first missile carrying ship of the Nigerian Navy.

In February 1976, General Murtala Muhammad appointed Nyako governor of the newly formed Niger State, which had been split out from Sokoto State. He served in this post until December 1977. Later he became the Chief of Naval Operations at the Naval Headquarters, the Flag Officer Commanding the Western Naval Command and the Flag Officer Commanding the Naval Training Command from where he was appointed the Chief of Naval Staff in January 1990.

The highlights of the reform included the establishment of a Quick Intervention Force in each state of the federation to address the upsurge in crime, particularly armed robbery. This was separate from the mobile police units, specifically to monitor political events and to quell unrest during the transition to civil rule. In addition, the reform led to the abolition of the Police Service Commission and the establishment of the Nigerian Police Council (NPC), which was placed under the direct control of the military President. The NPC had as members, the President, Chief of General Staff, Minister of Internal Affairs and the Inspector-General of Police.

Each state unit of the NPF, of between 160 and 400 police was commanded by an assistant superintendent and equipped with vehicles, communications gear, weapons, and crowd control equipment, including cane shields, batons, and tear gas. A Federal Investigation and Intelligence Bureau (FIIB) was to be set up as the successor to the Directorate of Intelligence and Investigation; three directorates were established for operations, administration, and logistics, each headed by a deputy inspector general<sup>10</sup>.

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<sup>10</sup> See [http://www.enongqaipublications.com/uploads/2/5/0/4/25047672/law\\_enforcement\\_and\\_crime\\_in\\_afri ca.pdf](http://www.enongqaipublications.com/uploads/2/5/0/4/25047672/law_enforcement_and_crime_in_afri ca.pdf)



The Directorate of Operations was subdivided into four units under a deputy director—operations, training, communications, and the Mobile Police. The Directorate of Administration was composed of an administration unit headed by an assistant inspector general (AIG), and of budget and personnel units under commissioners. The Directorate of Logistics had four units—procurement, workshop/transport, supply, and work/maintenance— under AIGs. The zonal arrangements were retained. However, AIGs were authorized to transfer officers up to the rank of chief superintendent, to set up provost units, to deploy mobile units, and to promote officers between the ranks of sergeant and inspector<sup>11</sup>.

Also as fallout of the reform, in August 1989, President Babangida laid the foundation stone for a Nigeria Police Academy (NPA) in Kano State. The NPA was to be affiliated with Bayero University until adequate infrastructure was available for independent operation. Admission was to be regulated by merit, by the quota system, and by federal character.

The commandant was to be at least an AIG and assisted by a provost who would oversee the academic program. Modeled after the Nigerian Defence Academy in Kaduna, the NPA would offer a five-year academic and professional degree program for new cadets and an eighteen-month intensive course for college graduates aspiring to a police career. President Babangida also disclosed plans to obtain technical assistance from Britain to establish a central planning and training program to modernize and upgrade police training<sup>12</sup>.

In spite of the reforms, the police did not fare significantly better in crime prevention and law enforcement as its subsequent interventions in the 1989 SAP Riots, the 1991 Kaduna riots, the disturbance at Tafawa Balewa Town, Kano Riot over the visit of Evangelist Reinhard Bonnke in 1991 as well as numerous crises in Rivers, Tiv-Jukum Areas, Onitsha and the June 12 1993 riots were not effectively managed, leading to destruction of property and further discrediting the NPF. This got to a level that the then Military Government of General Babangida concluded that “the police can no

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<sup>11</sup> Ibid.

<sup>12</sup> See

[http://www.photius.com/countries/nigeria/national\\_security/nigeria\\_national\\_security\\_nigeria\\_police\\_force.html](http://www.photius.com/countries/nigeria/national_security/nigeria_national_security_nigeria_police_force.html)

longer contain street riots and that instead of moving soldiers in, the National Guard can come as a buffer” (Jemibewon, 2001: 106).

### **4.3 REFORM IN THE 1990s**

With the establishment of the National Guard, the neglect of the NPF heightened<sup>13</sup> and as part of the consequences, the country “recorded an increase in crimes and above all, the political tensions (as a result of the annulment of the June 12 1993 Presidential elections) in the country generated a lot of heat for policemen” (Jemibewon, 2001: 110). These challenges increased the tempo of extortion and impunity among police officers. As 1994 dawned, growing indiscipline, impunity, logistical challenges and fear of total collapse of the institution in many quarters led to the clamour for a reform of the Force.

On 8 April 1994, then Head of State General Sani Abacha inaugurated a six-man Panel on the re-organization and reform of the NPF headed by former Police IG MD Yusufu, with retired DIG Parry Osayande as the Secretary. Other members were ex-IG Sunday Adewusi, Adamu Suleiman, Etim Inyang, and Mohammed Gambo. Their Terms of Reference included:

- To assess the structure and organizational roles and functions of the Nigeria Police Force and make recommendations for improvement;
- To examine the scope and standard of training and other personnel development activities in the Police to determine their adequacy or otherwise;
- To determine the general and specific causes of the collapse of public confidence in the Police and suggest ways of restoring public trust in the institution;
- To examine the records of performance of police officers and men with a view to identifying those that can no longer fit into the system due to declining productivity, old age, indiscipline, corruption and/or disloyalty;
- To determine the causes of low morale in the Police and suggest ameliorative measures; and

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<sup>13</sup> In fact, at the time IBB ‘stepped aside’, the NPF were being owed salaries running into several months, which the then IG Ibrahim Coomasie put at N2 billion. The salaries were not paid until November 1993.

- To make any other recommendation for the improvement of the NPF (Jemibewon, 2001: 117).

In inaugurating the Committee, the Head of State, General Sani Abacha listed the ills confronting a 'troubled police' to include structural problems which have over the years become so endemic that it is now extremely difficult, if not impossible for even the dedicated officers to operate well and function optimally. These problems range from the attitudinal issues to the infrastructural: from the administrative to the attendant low morale. These are problems, which are evidently comprehensive in magnitude and protracted in duration (Abacha, cited in Sunday Champion, April 17, 1994).

Assessing the work of the Committee after some years, Yusufu stated:

Well, you would remember that when Abacha came in 1994, he appointed a Panel to look into the problems of the Nigeria Police Force. The members of the Panel were the former Inspectors-General of Police, and I was the Chairman. We examined the problems and proffered solutions aimed at repairing the Nigeria Police, and gave the report to the government. I think in that report, all these problems that we have now were really highlighted and outlined. But, in a nutshell, for many years, the Nigeria Police was neglected, was deprived of the equipment needed for them. So in my view, give them the equipment that they need, fire as many rotten eggs in the force and train the remaining ones in a new orientation, so that we can have a new police force, not the type that we are all complaining about now (Yusufu, cited in Jemibewon, 2001: 116).

The Report of the Panel was never publicized and was not implemented. Rather, the police was extensively used in quelling peaceful demonstrations against the annulment of the June 12 1993 Presidential Elections perceived to have been won by Chief MKO Abiola.

Though the Yusufu Reform was the last formulated under military rule, the point should be made that its work was not so effective due to the non-implementation of its simplistic recommendations to the problems within the NPF, which had by then

become quite complex and complicated. By 1999 the Government was compelled by the security situation in the country, to arrange joint Military-Police operations in all states of the Federation for the maintenance of law and order.

The prolonged freeze on recruitment (for eleven years) in the NPF, which resulted in pervasive manpower deficit, inadequate funding and absence of an oversight institution like the Police Service Commission (PSC) did not help matters, thus leading to the institutionalization of a culture of impunity.

Alhaji MD Yusufu was the Police IG from 1974 to 1979. After his education in Nigeria and overseas, his chance meeting with the late Sardauna, Sir Ahmadu Bello, in the United Kingdom propelled him onto an unexpected career path. Back into the country he joined the Nigeria Police Force in 1962 as an Assistant Commissioner in the intelligence unit of the force, and rose through the rank until his appointment as the third indigenous Inspector General of Police in 1974. As IGP in the General Murtala Muhammed administration, MD Yusufu rallied a conclave of Marxist scholars of the Ahmadu Bello University (ABU), comprising the late Prof. Bala Usman and Prof. Patrick Wilmot, whose intellectual energies facilitated the dynamic foreign policy for which the Murtala Muhammed administration is reputed.

The knowledge, experience and contacts, which MD Yusufu developed with the liberation movements and their leaders from Southern Africa since the 1960s persuaded the military Governments of Generals Murtala /Obasanjo in 1975-79, to appoint him the Coordinator of Nigeria's foreign policy. MD Yusufu had also established a reputation as a successful foreign expert during the Nigerian civil war, when he organized and coordinated a team in the UK and France to block the right wing French Government led by Charles de Gaulle from recognizing Biafra.

This able team of three lobbied the French Left, other intellectuals and the Trade Unions and eventually succeeded in blocking the recognition of Biafra. It was after this successful French operation that MD got Dr. Patrick Wilmot employed as a lecturer in the Department of Sociology, Ahmadu Bello University, Zaria, and maintained very cordial relationship with him up to the end of his life.

As the regime's Foreign Policy Coordinator, all the leaders of the liberation movements in Southern Africa reported to MD directly, and it was through his influence that the Federal Government set up the National Committee Against Apartheid (NACAAP) and the Southern Africa Relief Fund (SARF). These two organisations, which had branches throughout Nigeria, raised huge amounts of cash and other materials in support of the victims of apartheid.

Soon after his retirement in 1979 MD literally picked up his politics from where he left it: he not only became a card-carrying member of the radical, NEPU-modelled, People's Redemption Party, he raised the party's flag in front of his Katsina retirement home and remained an active member until its proscription by the military in 1984. At the end of the second republic, MD Yusufu maintained a close and cordial relationship with the Buhari and Babangida regimes.

He was seen largely as a gatekeeper and stabilizer of the status quo. The combination of MD Yusufu's intelligence background, as well as the absolute domination of his Reform Committee by serving and retired officers, shows a pattern of continuation of preservation of the status quo by the Government, as far as police reform was concerned.

In a review of the major reforms undertaken during the military era, Daddy Saliba Mukoro in his book "Reforming the Nigerian Police: The Indisputable Way Forward" describes them as attempting to grow the police in the image of the military. He states that what is good for the military might not be necessarily good for the police. To him, while the main similarity between the military and the police are that they both wear uniforms, they are different in many other aspects. For example, while the military has a very long period of peace-time soldiering (when there is no war) with ample time for all forms and shapes of training to occupy the free time, the police do not have that luxury.

The police are all the time combating crime (there is no peace time). To Mukoro, to line the police up for military natured courses like the Nigerian Defence Academy-type, Command and Staff College type courses, and other similar military type

courses with no direct relationship to police duties amount to monumental waste of resources, that are urgently needed to procure police equipment, improve police salaries, welfare, to fund short duration police related courses, criminal intelligence courses, surveillance courses, dog handling courses, forensic courses, basic training courses, etc. As exaggerated as this assumption appears, the 1989 and 1994 Reforms of the police were focused on centralizing the accountability and oversight procedure in the hands of the military regime of General Babangida.

They were about issues of oversight and internal administrative re-organization, which largely imitated the military division. The Police was re-organized into a 7-Zonal Command, which replaced the previous arrangement in which the zones corresponded to each state of the Federation. Said Mukoro “All the zonal commands should be scrapped. They are concepts borrowed from the military, and are of no productive value for police-type operations, and are unnecessary bureaucratic bottlenecks and clogs in the wheel of police operational and administrative effectiveness, and a monumental waste of public resources” (Mukoro, 2011:18). In terms of outcome, the policing in the 90s was perceived as ineffective and focused only on securing the elite (Marenin Op.Cit: 81), as illustrated in a research conducted in the North Central part of Nigeria.

#### **4.4 ANALYSIS OF THE REFORM GOVERNANCE (1966-1999)**

The four reforms in the NPF conducted in 1966, 1986, 1989 and 1994 have certain similar features, namely: they were designed by the military government and imposed on the management of the NPF; the successive military regimes seemed to have developed pre-conceived outcomes for the reforms, with the respective panels validating or rubber-stamping such pre-conceived agenda, largely defined as centralization of authority, command and control. Also, the reforms were lacking in strategic conception of reforms and they largely focused on making the NPF more operationally efficient.

The Chairmen and members of the reform panels were trained in the public service; Gobir was a civil servant, Nyako a military officer while Yusufu was a retired IGP.

For Nyako and Yusufu Panel, the reforms did not take into account the exogenous environment, which in a way, necessitated them; and rather focused solely on the needs of the NPF. It may be recalled that the two latter reforms took place in a context whereby the rise in civil society activism, armed robbery, proliferation of small arms and light weapons as well as deep political upheavals have impacted societal expectations from the NPF.

The four reforms also have other features which included the: centralization of the works of the Committee to national-level stakeholders and non-inclusiveness of other security users at the states and local government levels; non-integration of reforms within a broader justice sector reform programme; non-inclusion of the police leadership in the formulation and ownership of reform measures (except 1986, which was due to the search for legitimacy by the IBB Regime); as well as weak political will to implement reform outputs.

It is apposite to state that in all the four cases, reforms were also due to external pressures. Gobir's reform due to the public outcry against the NA/LGPFs, Nyako's reform due to the combination of students riots, anti-SAP protests and rising spate of armed robbery, MD Yusufu due to combined pressure caused by non-regular payment of police salaries and rumour of mutiny/strike as well as the annulment of the results of the June 12 1993 Presidential Elections presumed to have been won by Bashorun MKO Abiola but which was annulled by the Babangida regime. Also, aside the Gobir Panel Report and the 1986 re-organization, which were implemented, the reports of the two others (ironically minimalist in design and conduct) were never implemented, a point that illustrates the weak political will of the regime that conducted the reforms.

## **CHAPTER FIVE**

### **REFORMS UNDER DEMOCRATIC RULE (1999-2014)**

#### **5.1 ECOLOGY OF THE REFORMS**

##### *Demographic Factors*

Demographically, Nigeria occupies a landmass of 923,037 square kilometres, with a population of around 170 million. The vast landmass of the country cuts through the grassland, savannah, all through the mangrove and the Atlantic Ocean. The demographic division in the country has made law enforcement quite complex and challenging as different strategies work due to the cultural, idiosyncratic, and behavioural differences among the over 400 dialect groups in the country, overseen by a Centralized and Unified NPF.

Law enforcement further becomes compounded by the fractious and divisive relationships among some of the country's ethnic groups resulting in perennial religious and ethnic violence and the violent nature of political competition in the country. Further to this, the NPF in discharging its responsibilities has to contend with problems of equipment and motivation, poor access road, power supply and other infrastructure in carrying out its activities.

Four French-speaking countries border Nigeria; three of which are occupying the lowest rung of the Human Development Index and which have become breeding grounds for criminal elements and economic saboteurs. Benin Republic, several analysts says, has for decades, looked the other way while international smuggling networks undermined Nigeria's economy through their activities. In the same vein, Cameroun, Niger and Chad Republics play host to bases and camps for criminal and insurgent groups, notably the Boko Haram<sup>14</sup> and associated terrorist groups.

The porosity of Nigeria's borders with these neighbours has contributed to the security crises that the country has been witnessing, mainly through the free movement of criminal and terrorist elements, the proliferation of small arms and light

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<sup>14</sup> This crisis escalated after men of the NPF extra-judicially murdered the former leader of the group in Maiduguri and the group has grown into full-fledged terrorist body.



weapons, the recruitment of Nigerian nationals into terrorist groups, poor external intelligence gathering allegedly in neighbouring francophone countries, and weak internal law enforcement. Nigeria's territorial waters spanning the entire Bight of Bonny and part of the Gulf of Guinea, is also one of the most volatile and has of recent overtaken the Somali frontier as the most insecure sea/gulf in the World. Security threats confronting Nigeria though dynamic in nature, are in the main inclusive of armed robbery, systematic killings and arson by herdsmen, terrorism, kidnapping/abduction, illegal bunkering of crude oil, illegal poaching/ fishing, smuggling, drug and human trafficking.

In 2012, Nigeria and Benin Republic started in the maritime domain, a joint patrol of the High Seas in what was termed 'Operation Prosperity', which has though been successful but is grossly inadequate in stemming a problem that is clearly trans-national and spans at least 12 countries cutting across the West and Central African Regions. There is however no complementary action on the land borders save for recent coordination of the Multi-National Joint Task Force (MNJTF) on Boko Haram in the areas adjoining the North-Eastern part of Nigeria<sup>15</sup>. Other initiatives aimed at ensuring collective actions have not effectively taken-off and are only at the different stages of design.

In order to foster good economic and political relations within its sphere of influence, Nigeria partnered other countries in West Africa to establish the Economic Community of West African States (ECOWAS) in 1975 and the body has since 1989, focused on the fostering of regional security and stability as one of its major objectives. The demographics of a young population, of poverty and a history of conflict that characterize the region correlate with high rates of economic and social crime in the region.

Forty-five per cent of West Africans are under 15 years old and 87% of the population of the region survives on less than a subsistence-level income (Tait *et al*, 2010:3). The region has also been ravaged by war and conflict. Within this context, Nigeria has

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<sup>15</sup> This is being done under the auspices of the Lake Chad Basin Commission (LCBC) Member States such as Nigeria, Niger, Benin, Chad and Cameroon, with the support of African Union, other strategic partners and France.

joined hands with other West African countries to deploy troops in undertaking peace enforcement in Liberia, Sierra Leone, Guinea Bissau and in 2013, Mali, while it has channelled several bilateral and multilateral assistance to ECOWAS Member States, related directly or indirectly to the protection of Nigeria's security.

The NPF is also a member of the West African Police Chiefs Committee (WAPCO), a consultative body aimed at fostering cooperation Police Services in the sub-region, set up since 1997 (Ndoye and Niang, 2011: 172-174). Further to this, a Cooperation Agreement on criminal matters was put in place in 2003 among members and between the body and the International Criminal Police Organization (ICPO-INTERPOL) (Ibid). However the body has been holding irregular meetings and consultations while it has not established functional technical cooperation activities among its members due to funding challenges and general poor engagement of the police by stakeholders within the ECOWAS Institutions and the Community at large.

Thus, the body seem not to have added much value to the NPF's plans on tackling cross-border challenges. Nigeria is also a signatory to all Protocols relating to good governance, peace and security, in order to ensure that neighbouring countries are peaceful, safe and thus ensure the safeguarding of her own national security. The absolute approach to the implementation of the country's policy of good neighbourliness, laudable as it is, has not often led to reciprocal gesture from West African countries and has called into question the effectiveness of Nigeria's approach to collective security in the West African sub-region.

### ***Economic Factors***

Nigeria is the largest economy by GDP size in Africa and is also the 26th largest economy in the world. On a per capita basis, Nigeria is number 121 in the world. It has made rapid progress during the police reform years notably in the mobile telephones market - Africa's largest - music and the hugely popular local film industry, Nollywood. Nollywood, is now worth 853.9 billion naira (£3.1bn) or 1.2pc of GDP (Daily Telegraph, 2014).

Nigeria's economic landscape is wide and has a significant opportunity for growth and wealth creation. However, the country also experiences widespread corruption, poor

governance, rampant oil theft and a raging Islamist insurgency in the north. According to the International Monetary Fund, Nigeria averaged 6.8pc annual growth from 2005 to 2013 and was projected to grow in 2014 at a rate of 7.4pc. That compares to a little over five percent between 2005 and 2008-9 in South Africa, which has struggled to go beyond 3.5pc since. Global investors have been eyeing Nigeria as a potential boom market, along the lines of the BRIC countries (Brazil, Russia, India and China) 10 years ago<sup>16</sup>.

The rebasing of the economy in 2014 gives the country the potential to build a prosperous economy, reduce poverty significantly, and provide the basic social and economic (e.g. infrastructure) services its population needs. Paradoxically, though rich in human, mineral, natural resources and other types of resources, management of these resources have often been marred by insufficient transparency and accountability, environmental degradation and lack of equity, factors that have contributed to the exacerbation of the security challenges in the country. In addition, over-dependence on oil and unmitigated rent-seeking behaviour to amass wealth from the oil and gas industry have conspired to undermine the country's development.

A major driver of security crises is high degree of youth unemployment. According to Adesina, Nigeria's overall unemployment rate amounted to 23.9 per cent of total Labour Force in March 2011, indicating a sharp increase from 14.9 per cent in March 2008 to 19.7 per cent in March 2009 and 23.9 per cent in 2011. Surveys by the NBS shows that persons aged 0-14 years constituted 39.6 per cent; those aged 15-64 (the economically active population) constituted 56.3 per cent, while those aged 65 years and above constituted 4.2 per cent of the population.

According to the NBS, the Labour Force in 2011 stood at 67,256,090, have that 51,181,884 are employed while the unemployed are 16,074,205. This provides a large reservoir of potential recruits by terrorists or criminal gangs for various criminal activities. Although, it is possible that the figures released by the National Bureau of Statistics may not have captured the total picture of the unemployed in Nigeria, but it

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<sup>16</sup> See <http://www.telegraph.co.uk/finance/economics/10749116/Nigeria-overtakes-South-Africa-as-biggest-African-economy.html>

is obvious that unemployment rate had reached a very alarming proportion in Nigeria (Adesina, Ibid).

Some of the economic consequences of insecurity identified by Alemika (2013: 225), include destruction of infrastructure and production facilities like oil installations, pipelines and communication facilities; disruption of critical services (transportation, communication, education, healthcare, electricity etc); destruction of public assets; loss of incomes from travels, tourism, hotels, restaurants, sports, and entertainment; attack on businesses, including banks, for the purpose of looting property, and theft of money; increased cost of production and services; reduction in production or service hours; increased expenditure on security and insurance; diversion of resources required for development; and growing unemployment and poverty due to declining productivity and investment.

Indeed, the success of police reform lies significantly with basic issues like the general standard of living, shaped by increasingly weakened purchasing power, mass unemployment and underemployment and food insecurity, all of which tends to criminalise the majority of Nigerians and complicate the works of law enforcement officers. In addition, lack of or/dilapidated infrastructure like potable water supply, good roads, electricity and technological infrastructure have also made some of the reform objectives difficult to attain. For example, even with recent marginal upgrades to the NPF forensic capabilities, lack of quality power supply has tended to render the Forensic Laboratory in Lagos almost obsolete<sup>17</sup>.

### ***Political Factors***

Students of Nigerian Government and Politics have dedicated enormous resources to analyzing the political culture prevalent in the country. Marenin (1987: 268-269) for example identified the following core themes: a feeling of powerlessness and alienation from the state and society in general; the view that competition, manipulation, and self-interest are the essence of politics; a strong commitment to communal norms and affiliations; a high degree of cynicism and distrust about the

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<sup>17</sup> Interview of anonymous DSP, Lagos, 11 March 2014

intentions of others, yet also, paradoxically, much optimism about one's own social future; male chauvinism; and an open and vociferous self-critique.

Over a period of about 20 years, scholars have continued examining the burgeoning aspects of the political culture such as violence, which has become instrumentalized as a tool of political competition (Adebanwi, 2005). Adejumobi (2011: 4-5) identifies factors that have weakened Nigeria's democracy and governance as executive arrogation of power and culture of impunity, rampant rights violations, and uncertainties over rules and procedures to shape democratic practices, lack of trust and cooperation among political stakeholders especially the political elite, and poor vertical and horizontal accountability by public institutions.

An atmosphere of executive lawlessness and impunity prevailed for most part of the post-transition civilian government of Chief Olusegun Obasanjo since 1999<sup>18</sup>, which almost diminished the gains recorded in institution-building and in fighting corruption. Indeed, the war against corruption was used for most part, to indict political opponents and maintain Presidential stronghold on political adversaries<sup>19</sup>. It was Nnoli (2003:25) that asserted that "conflict... arises overwhelmingly from the projection of state power by those who control it.

This projection of state power is expressed in the form of repression, domination, exploitation, authoritarian dictatorship, other undemocratic practices and political manipulation". Thus what occurs for the most part is state violence. Those who are aggressed are communities, ethnic groups, counter elites, minorities, workers, peasants and religious groups.

According to the Nigeria APRM Country Report, the political process in the country has been stabilized by a number of political engineering measures such as repeated attempt to nationalize the political party process; the expansion of and growing

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<sup>18</sup> An interesting indicator of the poor commitment of the Obasanjo Administration to the rule of law was the removal of Mr. Bukhari Bello as the Executive Secretary of the Nigerian National Human Rights Commission (NHRC) in 2006, following a public criticism of the government. This led to advocacy by CSOs for the strengthening of the autonomy of the Commission, which was effected in 2012/13 period.

<sup>19</sup> In an instance in 2006, President Obasanjo stated on campaign ground that because ex-Minister Segun Mimiko refused his instruction not to contest Ondo State guber election, he would be indicted for corruption by the EFCC and sent to jail. Akintola also cited an instance where former VP Atiku Abubakar and several opposition candidates were indicted for corruption by an Administrative Panel which sat for only 24 hours (Akintola, 2011:23)

advocacy for good governance by Civil Society Organizations (CSOs); the steady growth in judicial autonomy which at times contribute to checking the excesses of the Executive; the increasingly important role of the National Assembly in correcting some of the institutional disequilibrium in the democratic governance process; the stabilizing role of the traditional institutions; as well as the integrative role of the Federal Character Principle (FRN, 2008: 65-66).

However, the democratic process still face serious challenges among which are skewed balance of power in favour of the Executive and centralization of power in the Federal Government; the dichotomy between 'ethnic citizenship' and 'civic citizenship' created by the 1999 Constitution, a phenomenon complicated by the manipulative implementation of the Federal Character Principle; a weak election management system, coupled with poor coordination among electoral institutions and stakeholders; endemic corruption in all areas of national life; flagrant disregard for human rights (Ibid: 67-68); poor coordination of national security and ineffective conflict prevention architecture; and ethnic and religious manipulation of the populace by the elite in order to gain political mileage.

### ***Larger Security Context***

This context deal with issues of human security and its attendant implications for effective and efficient internal security and/or otherwise. The security environment is shaped by a number of factors. First, security seems not to be about the people but about the regime in power and as such, whist human security are not taken seriously, any perceived threat to the ruling class is seen as threat to national security and high-handed measures are taken to curtail them. Second, Nigeria has a long history of the involvement of the military in governance (35 of the 52 years), as a result of which members of the security sector have played important role in social and political engineering.

This has also prevented the development of robust and sustainable conflict prevention mechanism. The resultant effect is suppression of the grievances of the people, a situation that led to the outburst of cacophonous demands and agitations immediately after the transition to democracy in 1999 and the fallout of which the security services are still trying to manage. Third, the NPF has for most part of the post-independence

period, been at the fringe of safeguarding internal security, having become one of the major institutional casualties of military rule. Long year of military rule witnessed the systematic weakening of the NPF in the areas of recruitment, capacity, training, and operational control over issues of internal security. Consequences include the militarization of the police and absence of constructive inter-agency collaboration.

Corruption seems to be institutionalized with the omnibus provision for 'security votes' for the President and State Governors that is neither subjected to accountability nor transparency in its management. Taking a cue from this and other adversarial measures by security forces in the name of 'national security', Nnoli observed that there appears to be a mystification of the concept of security by the Nigeria state and as such, an understanding of the reality denominated by the concept is stunted (Nnoli, 2003: 5). He observed further that fragmented reality and judgmental relativism then reign supreme, and that in this context, individuals, rebel movements, ethnic groups, political parties, and even pressure groups implement disparate security measures (Ibid).

Since the advent of democratic governance in 1999, there have been attempts to reform the defence and security sector. This entails the elaboration of defence and security policies, institutional restructuring and capacity-building, strengthening of civilian control of the security forces, among others.

At this juncture, it is apposite to note the observation of Abdu (2013: 161) that in spite of the reforms, the decision-making structures do not seem to sufficiently provide for state and local governments despite the fact that Nigeria practices federalism. The state and local authorities have very little control over security forces, particularly the police, a situation that generated animated debates over the past years.

The sudden change that the transition from the long years of military rule to a democratic dispensation brought on the country (Nigeria) was so monumental and managing it was daunting.... The Nigeria Police Force that we inherited could be said to have suffered gravely from lack of such regulatory institutions and lack of focus... Our new-found democracy became to some extent a source of insecurity and lawlessness, as rights were misconstrued and exercised without

restraint. Views which were considered anti-government and hitherto suppressed out of fear under the military, were now freely expressed and often times violently too. Militant groups that were agitating for one thing or the other, often times armed, sprang up in some parts of the country. The police, who were not adequately prepared for the violent and criminal eruptions that heralded our democratic rebirth, was therefore stretched to the maximum of their capability (Jemibewon, 2001: 30).

The security institutions have also experienced serious value deficits. President Goodluck Jonathan cited the example of the Nigerian Immigration Service, saying he was shocked to discover through intelligence report that five out of six top officers whose names were forwarded to him for consideration for the position of the Comptroller-General of Immigration ought to have been dismissed from the service for misconducts.

Jonathan said, “Among them, only one is qualified to even stay and serve, others ordinarily are supposed to be dismissed from the records. And I believe that the story of Immigration is the same with most of our services. I believe that is why the performance of some of our military and para-military officers is abysmal. Because the yardstick being used for promotion is not based on competence, merit and performance.”

Some political consequences of insecurity include the penchant for politicians to see politics as war and organize armed groups for winning elections and for providing them personal security; ultimately, it becomes difficult to disarm these groups after each election, thus unleashing their weapons on the citizens through criminal activities. The politicization of security has also led to the weakening of the moral courage of the political class to tackle politically-induced crises like those of militancy in the Niger-Delta, the proliferation of ethnic and religious fundamentalist groups in the country, the menace of Boko Haram in parts of the North, nomad-pastoralist violence and such others.

As at 2014, with the deployment of the military in 32 of the 36 States in Nigeria, and with multifarious security challenges spanning the Boko Haram menace in the North-East, Nomad-Pastoralist clashes in the North- West and Central Regions, economic-



ethnic struggle for space on the Jos Plateau, kidnapping and inter-communal clashes and MASSOB separatism in the South-East, massive economic crimes in the South-South as well as armed robbery attacks in the South-West, the country currently deploys its biggest ‘peace-time’ military and police operations.

### ***Relational Implications of the Contexts***

The difficult ecology of reforms in the NPF rather complicates the implementation of the Police reforms. According to Odekunle<sup>20</sup> (Interview, 2014), Nigeria has a criminogenic social order in which criminality is encouraged, demanded, and is rewarded and in which the social order has led to the existence of a problem of crime and that has witnessed almost every section of the society contributing to criminality and in which criminality has become difficult to prevent and control. These contexts also led to the disablement of the agencies of crime prevention and correction from being corrupted by the society and therefore unable to perform their responsibilities.

A major issue to be taken into consideration in analysing the security context is the problem of terrorism. In particular, the violent campaign of *Jama'atu Ahlis Sunna Lidda'awati Wal-Jihad*, more widely known as Boko Haram, which first appeared in 2002 but became increasingly violent from 2012 and had control over at least 14 local government areas in the North-Eastern states of Adamawa, Borno and Yobe States, with intermittent attacks in other parts of northern and central Nigeria.

While there are several accounts on the etymology and objectives of the Boko Haram, what is a major concern for this work is that political interests and elite exploitation fuel the terrorist attacks carried out by Boko Haram, which has killed over 15,000 persons and displaced almost 1 million persons. According to Olojo (2014:4), the spectrum of public support for Boko Haram is representative of both active and passive elements of Nigerian society. Passive supporters may not make personal sacrifices in the form of suicide attacks.

However, their sympathy with the activities of insurgents, as well as refusal to betray them, is a key factor that undermines the government’s counter-terrorism efforts. The

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<sup>20</sup> Professor Odekunle is Nigeria’s foremost criminologist.

active supporters are made up of members, leaders (including some in government) as well as some foot soldiers. The problem is further compounded by the lack of a coherent response to the menace on the part of the government. According to Alao (2014: 187), right from the outset, the Jonathan presidency appeared not to be particularly sure of how best to handle the issue. In a way typifies the Jonathan's government's approach to security decision-making, the president explained away the incompetence of the security forces, stating "terrorism is new in Nigeria and since it is new, the security services have to change their methods. You cannot change the methods overnight".

What are some of the indicators of this crime problem, which has become interwoven with the social system in Nigeria? This can be seen in evident corruption in the process of obtaining admission, employment, and traffic control every day in the country, whereas those who perpetrate these daily crimes are rich and respected in the country.

The society being criminogenic, Odekunle added, makes the work of the police more difficult and as such the police as the institution for enforcing law and order, the criminogeneity of the society affects their functions and performance. The efficiency of the police is determined by the level of confidence the public have in the Force. Since the society have poor value, which has led to the evolution of adverse statistical norms which manifested as corruption, selfishness, indiscipline, etc, the police have found itself applying disproportionate force in maintenance of law and order in an atmosphere where the interests of the collective are subordinated to the interests of powerful individuals.

Most often, the respect of the police for suspects is attached to the socio-economic or political status of the offenders. Because of the nature of the politics, economic competition and roguish interactions between the country and her neighbours, it is therefore often difficult for the police to tackle crimes at the source, as most often, foot soldiers are used as scapegoats while the godfathers and entrepreneurs of violence are rarely punished. This turns the police not only into the tool of the Government but also a victim of the government's policies.

Criminogenism also flourish due to the perception of unfairness and inequality in the performance of law-making and execution, which is seen as protecting the strong and unduly punishing the weak. Since the business and political elite are also dominating the three arms of government at the Federal, State and Local levels, it has become easy for these institutions to render inefficient, the critical law enforcement and justice administration institutions in the country. For example, the punishment for a crime is expected to be attached to the weight of the offence but in the case of Nigeria, this has not been so. For example, corruption should be seen as more dangerous to the society than armed robbery because of the collateral damage of the former on the social, political and economic fabrics of the country.

For example, its negative impact on public infrastructure which has led to loss of several lives, damage to the morality of countrymen, etc. but in terms of the law, corruption is not seen as a capital offence partly because the elite and aspiring are the ones likely to commit the crime of corruption. Even in cases where rich and poor people commit the same type of offence, the poor is more likely to be convicted and end up in jail due to his lack of education, connection, wealth, social support and legal aid.

The criminogenic context that allows for this disparity contributes to weakening the law, policing, justice administration and correction. To Odekunle, the criminal justice system in Nigeria is not working because those who could benefit from imprisonment are not sent to prison while those who could not benefit from prisons are sent in there. This situation also contributes to hardening of petty criminals who see themselves as rejected by the society. In a hostile environment characterised by poor infrastructure, bad roads, collapsing medical and educational systems, power failure and the near legitimization of corruption, it is therefore understandable how and why the elite instrumentalize the disenchanting masses to continually perpetrate criminal activities and how and why the NPF as a member of such corrupted society, is rendered increasingly impotent in protecting law and order. The mainstream and operational<sup>21</sup>

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<sup>21</sup> Mainstream reform is used here to refer to Presidential or High-Level Reforms, in terms of the convening authority. It does not speak to the Terms of Reference, scope or substance of the work of such Panel/Committee.

reforms of the NPF therefore took place within these hostile and anti-social environments.

Thirdly, there is gross inequality in the distribution and consumption of resources (social, cultural, economic and political resources) in such a way that only a few percentages of the people of the country consume most of its resources<sup>22</sup>. This deprives the larger population of sharing in the wealth of the country as growth has failed to translate into development.

Relative deprivation often leads to frustration and aggression, and acute inability for people to internalize the ideal values, thus the values fail to translate into actual/statistical values, needed for the society to function in such a way to promote stability, peace and development. This situation contributes to erosion of positive values such as orderliness, discipline, fearless, punctuality, etc. which would in turn lead to peace, progress, togetherness and security. In this context, human security is undermined and as such the value of the Nigerian society has remained as ideal and has failed to translate into statistical or actual value because individual interests are put over and above the collective interests.

Since values do not exist in a vacuum, they cannot be internalized in a vacuum, the processes of socialization which entail life-long learning and internalizing the values of the society, and which includes modelling, problem-solving, etc. have failed to encourage positive values. That is why the country despite several measures to reduce insecurity and enhance public safety, crime statistics are still galloping, fluctuating up-and-down from one year to the other, because the fundamental problems have not been solved.

## **5.2 MAINSTREAM REFORMS**

This section interrogates the elements of the mainstream reforms formulated and implemented between 1999 and 2014. It examines the way and manner the reforms were formulated and how the relational context of Nigeria's value shaped the

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<sup>22</sup> Odekunle Interview, 21 March 2014

governance of reforms in the NPF. The reforms were necessitated by a declining NPF, characterised by deep crises, which were caused by:

- Long periods of military administration in Nigeria, 1966-1979, 1983-1999;
- Recruitment of demobilized soldiers into the Force –who lacked the discipline required in a civil Force;
- Poor funding, poor remuneration, irregular payment of salaries, delayed promotion, thus, leading to an ill-motivated, frustrated and relatively-deprived Police Force;
- Inadequate, ineffective and obsolete weaponry to confront criminals who employ sophisticated weaponry
- Inadequate and antiquated infrastructural facilities and logistics- inadequate, dilapidated, decayed and deplorable/unsanitary barracks accommodation;
- Antiquated, obsolete, inadequate and non-existing communication and investigation gadgets such as Walkie-Talkies, CB Radios, etc. for men on the beat;
- Inadequate and unserviceable vehicles including patrol vehicles;
- Non- existing scientific aids such as fingerprint slabs, camera and mobile investigation communication gadgets and out-dated forensic laboratories for carrying out DNA tests;
- Inadequate/ poor education and inadequate professional training for men and officers- in such courses as fingerprints identification, electronic monitoring and ballistics;
- Federal character in respect of recruitment and promotion; and
- Hostile environment and the character of the Nigerian society (Akinsanya, 2005: 408).

#### **Five-Year Development Plan (2000-2004)**

The Development Plan is seen as a complement to the 6-Point Agenda of the IGP Musiliu Smith, who was the first post-transition IG of the Police. The process of its adoption was coordinated by the then Police Affairs Minister, Brigadier David Jemibewon (rtd). It was developed after consultations among NPF top brass and the Ministry of Police Affairs. Its elements include:

- Definition of the Vision and Mission of the NPF as well as its core values;
- Increase in the total strength of the Force from 138,000 in July 2000 to 210,000 by 2014;
- Provision of barracks accommodation for a projected 165,000 policemen by 2004 as against 46,000 officers in 1999;
- Rehabilitation of the existing four Police Colleges and upgrading of all other training institutions in the various state Commands to meet the objective of the mass training and re-training of the rank and file;
- Proper maintenance of existing police communication network and aggressive completion of the Police Integrated Communication System;
- Improvement of police transport facilities, including the reactivation of its air wing and vehicle workshops;
- Establishment of an integrated welfare scheme covering salaries and allowances, pension and gratuity, and special financial services including a Police Community Bank;
- Rehabilitation of existing medical and recreational facilities and establishment of new ones;
- Improvement of the Force's image through an internal rejuvenation process and robust public enlightenment;
- Improvement of funding for the police through the establishment of a National Police Trust Fund to which stakeholders and interest groups would make mandatory contribution; and improvement of cooperation between the Force and other agencies of government whose activities relate or impact on the maintenance of internal security and the prevention and control of crime all over the country (Arase and Iwuofor, 2008: 7).

Government ensured that under the reform, questionable promotions carried out by the Abubakar administration on the eve of its departure was reversed, and Musiliu Smith became the new Inspector General of Police. A Ministry of Police Affairs was established, and a retired army general, David Jemibewon, was appointed into the Police Ministry portfolio. General Jemibewon had always taken interest in policing and has written a couple of books which analyses the problems of policing and recommended measures to improve the services of the NPF.

A retired General, Lawyer and former Military Governor of old Western State of Nigeria, he had a stint in the civil service after his early education. Following his retirement from the army, he held notable positions in the public and private sector and was believed to have been made Police Affairs Minister by President Obasanjo due to the need to carry out a quick surgery on the institution. Though conscious that a military-style approach to reform would be counter-productive, Jemibewon's efforts at a more systematic approach was also not effective due to the fact that he did not stay long enough to implement his plans and his successors as well as the President did not demonstrate the tenacity and will required to consummate the reform.

The Ministry planned to retire gradually some 50,000 police officers, consistent with the government's goal of re-orientating the police force to cope with its constitutional role. Under this five-year plan, some 10,000 officers are to be laid off on an annual basis, while 25,000 will be recruited after proper training (Alao, 2012: 33). These measures were however not implemented due to weak political will.

Under this reform the Ministry of Police Affairs also developed a Blueprint for policing and crime prevention. The Blueprint seeks to boost public confidence in the activities of the NPF and thus, enhance the partnership between the police and communities. It concentrates on those aspects of reform, which are primarily matters for the police.

It diagnosed the challenges facing the NPF as inadequate equipment; over-centralization of command; ethnic discrimination in the Force; poor training; poor infrastructure; inadequate office and residential accommodation; low information technology input; poor salary and condition of service; inadequate control of the police by the supervising authorities; absence of overall crime prevention and crime control policy; political interference; burdensome character of inherited colonial legal system; and corruption in the socio-economic environment (Isima and Okenyodo, 2010: 23).

The main objectives of the Blueprint included (a) reduction in incidents of crime; (b) tackle persistent offenders more effectively; (c) improve detection and conviction

rates; (d) tackle anti-social behaviours and reduce fear of crime; (f) provide support to victims of crime, and (g) rebuild public confidence in key aspects of policing.

Thus, under this framework, the following solutions were identified to the myriad of problems confronting the police: (a) standardized and reformed management system; (b) better use of forensic and technological tools to aid prevention, detection and conviction; (c) improved data gathering and storage techniques; (d) decentralization of decision-making; (e) more efficient use of resources at every level; (f) institutionalizing community policing; (g) establishment of persistent offender task force and targeting persistent offenders; (h) improving training and conditions of service; (i) establishment of an Independent Police Complaint Commission; (j) enactment of a new Police Act (Ibid).

According to Isima and Okenyodo (Ibid: 22), most senior police officers were not even aware of the existence of this development plan and only a few of the objectives were demonstrably realised (i.e. increase in police strength which was less than 150,000 in 1999 but rose to 320,000 in 2007, and improved transportation facilities- 1,500 vehicles were purchased for the Force in 2002. Indeed, our research fieldwork indicates that the reform was hurriedly packaged together to find a short-term solution to deep-seated problem of policing in Nigeria.

Another profound finding is the lack of political will and adequate financial resources by the Obasanjo administration to address the issues articulated in the reforms. In fact, reforms findings and policy implementation follows opposite trajectories, as the Government did not implement any of the major findings of the reform. The situation was further complicated by the cabinet reshuffle that led to the exit of the reform-minded Minister of Police Affairs, David Jemibewon. The non-implementation of the reform would later haunt the police as lack of attention to prescribed measures led to massive recruitment<sup>23</sup> of persons considered to be lacking in integrity and credibility into the Force. The influx of such persons led to the ballooning of indiscipline in the NPF, marked by incessant incidents of ‘accidental discharge’ (i.e stray bullets hitting

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<sup>23</sup> By 2008, the police had some 371,800 or more officers and men, making it double its size on the eve of transition to civilian rule in 1999.



innocent citizens), widespread allegations of rape and arson against policemen, setting up of roadblocks for extortion, and so on.

Other impacts of non-implementation was unprecedented pressure on Police Training Colleges nationwide, leading to the bastardization of ethical standards and values, the production of 'half-baked' police graduates, and poor foundation for the policemen who passed through these institutions at the time. The sheer number of the trainees, coupled with their ethical and educational deficiencies, simply overwhelmed the training facilities, which were reeling under pressure of almost dilapidated infrastructure. The lack of adequate infrastructure (like Barracks accommodation, transportation, vehicles, radio, weapons, and other tools) put additional pressure on the NPF and made it difficult for the new intakes to be properly inserted, mentored, equipped and motivated to perform their roles efficiently and effectively, within the ambit of respect for human rights and the rule of law.

In no time, it became difficult for the government to adequately cater for the newly employed (as well as existing) officers and men of the NPF. Service delivery was deteriorating, human rights abuses seemed to be officially sanctioned and impunity and arbitrariness became a defining feature of the Force.

### **2006 Dan Madami Reform Committee**

As revealed by a Former IGP, the immediate need for the Dan Madami Panel was due to the show of disaffection by members of the rank and file of the NPF, over non-payment of some entitlements, which they claimed had been paid to their military counterparts and were as well enjoyed by civil servants (Ehinder, 2007: xxix). It was a sort of Fire-Brigade contraption, which led to a shift in focus from the 5-Year Plan to addressing more immediate concerns.

The second issue was growing disquiet over the poor implementation of a fast-tracked recruitment process for the NPF. It was obvious at the end of the recruitment cycle that the recruitment process was counter-productive for the police as it was marred by poor vetting, corruption and non-complementarity with other post-employment requisites like training, equipment and development. A combination of these two

factors added additional impetus for the empaneling of the reform committee. It was initially an idea of IG Ehindero but it was later elevated to a Presidential Panel.

The Committee was requested to:

- review and recommend measures for the reorganization, administration, operation and control of the NPF, with a view to enhancing effectiveness and efficiency in its operations and service delivery;
- reappraise existing strategies and methods of crime prevention and control, including the intelligence and investigative capabilities of the Force and make recommendations for a modern police;
- examine force recruitment policy, equipment, scope, and standards of training and other personnel development activities and make recommendations for a modern police;
- examine ways and means of enhancing remuneration and welfare package of police personnel, including provision of adequate office and housing accommodation with a view to boosting the morale of officers and men;
- ascertain the general and specific causes of the low public opinion and confidence in the Police, particularly on corruption issues and proffer ways of restoring public trust in the institution;
- examine the provision of adequate logistic support for the Force;
- examine the issue of community policing and recommend how best it can be adopted and adapted in Nigeria and make any other recommendations for the improvement of the services of the NPF (Cited in Ehindero, 2007, xxiv-xxx).

Members of the Committee were Mr. Chris Omeben (DIG rtd), Mr. Parry Osayande (DIG rtd), Alhaji Musah Abdulkadir (DIG rtd), Alhaji Bashir Albashu (AIG rtd), Alhaji Yekini Jimoh (AIG rtd), Mr. Nuhu Ribadu, Chairman of the EFCC, Professor Etannibi Alemika, Dr. Yaro Gella, Director, Police Council Department, Mr. Cletus Imonmon, Mr. Ray Ekpu and Mr. Solomon Arase, as the Secretary. It is noteworthy that all the members of this Panel were serving police officer, save for the Chairman, who was a retired policeman.

The Committee recommended a number of reform measures, targeted at devolution of managerial and financial powers to the state Commissioners and Divisional Police

Officers (DPOs); formation of Police Associations; Civilianization of non-key operational police duties; democratization of the process of appointment and defined tenure for the IG; all of which were rejected by the government.

However, the government accepted other 'less fundamental' recommendations such as: rationalization of ranks; training of criminal and intelligence bureau personnel; review of manuals, orders, forms, books, etc. to enhance efficiency; production, provision and use of city map for effective policing and for distribution to officers in police formations; introduction of map reading in police training institutions; regular audit of personnel of the NPF to ensure efficiency and integrity; strengthening of the Public Complaint Bureau; strengthening the Public Relations Department;

Others were strengthening the Police Mobile Force for efficiency; establishing and maintaining well-equipped and properly staffed modern forensic laboratories; developing and maintaining capacity for criminal statistics management; upgrading Police Academy in Kano to a degree-awarding institution; upgrading facilities in Police Staff Colleges and Police Colleges; developing and maintaining sporting and recreational facilities in state and Divisional Commands (DCs); re-introduction of Police Day; introduction of new uniform that is more suitable to the weather and reflects international standards; improved funding for acquisition of modern transportation (road, air, and water) and communication for effective policing; and establishment of new primary and secondary schools and upgrading of existing ones (FRN, 2006).

Arase (2007) made a comprehensive analysis of the highlights of the approved reform agenda based on the recommendations of the Dan Madami Committee. They include:

**a. Re-invigoration, Equipment and Funding of the Criminal Investigation**

**Bureau:** The highlight of this was the re-organization, equipment and adequate training of Criminal Investigation Bureau (CIB) operatives, with a view to refocusing, reinvigorating and standardizing its operations.

**b. Restructuring of Police Ranks:** The old ranking structure was made up of 22 ranks. This was frustratingly lengthy and a colonially modelled rank structure which

was identified as a disincentive for motivation, effective command and efficiency. With the experience garnered by the reform committee members from other European countries, a new rank structure, made up of 12 ranks was recommended and approved by the Federal Government.

**c. Organizational Restructuring of the NPF:** The Committee recommended in this regard:

- Appointment of one Deputy Inspector General of Police to be known and deployed as the second in command to the Inspector-General of Police at Force Headquarters;
- Appointment of six Assistant Inspectors-General of Police to be deployed as Head of each of the six Departments (i.e A-F ) at the Force Headquarters;
- For the purpose of command and control, and in order to enhance effective coordination, the twelve zones of the Police will be grouped into six Force Headquarters Zones. Each headquarters zone will be headed by a Deputy Inspector General of Police, to be known as DIG, while the AIGs will assist them within the 12 Zonal Structures;
- It was proposed that the seat of the Zonal DIG would be located at state capitals not coinciding with the current state of the Zonal AIGs.

**d. Allocation of Funds:** The Committee observed that allocation of funds is lopsided to the detriment of the commands and formations, hence it recommended that the Commands and formations should prepare their own separate budget proposals and forward to headquarters for collation. Release of funds based on budgetary approvals will follow the same patterns as the proposals submitted by each command or formation.

**e. Roadblocks:** The government accepted the recommendation for the immediate dismantling of all roadblocks in the country. They were to be replaced by Observation Posts. Accordingly, the NPF embarked upon the construction of observation posts in strategic locations along the nation's highways.

**f. Resuscitation of the Anti-Vice Squads and the Police Printing Press:** Officers were to be deployed to these squads in the respective commands to check indiscipline

in the NPF. Those officers were to be thoroughly screened, trained and equipped for their duties and they are expected to cooperate with other security agencies in their operations. The Printing Press was also to be repositioned to publish relevant police stationeries, for distribution to serving personnel, formations and commands, as was the case in the past.

**g. Display of Suspects on Television:** The Government rejected the recommendation that suspects should no longer be shown on television but directed that suspects may be paraded on television without showing their identities.

**g. Establishment of a National Forensic Laboratory:** This is supposed to contribute to the modernization of investigation procedures. The Laboratory would be established in Abuja, with the following units: Mobile, Photographic, Ballistic/Tool Marks, Document Examination, Chemistry, Biology, Fingerprints, Voice Identification, and DNA. Similar facilities were to be installed in the Zonal and State Commands in the future.

**h. Training:** The recommendation that the Police Academy be upgraded into a degree-awarding institution was accepted. In addition, the Government directed the IGP to constitute Governing Councils for all Police Training Colleges.

**i. Welfare of Officers:** The Government accepted the proposal to reposition the Police Cooperatives to enable it cater more to the needs of members while it agreed that among other measures, at least four children of policemen who die on duty or active service are to enjoy scholarship to the secondary school level.

However, the fact that the Dan Madami Committee had the responsibility to recommend how community policing can be adopted and adapted in Nigeria, 3 years after it commenced in the country shows a lack of coherence, coordination and seriousness in the reform process. To be sure, the programme had been launched earlier on 27 April 2004 by former President Olusegun Obasanjo (Ikujetiyo and Rotimi, 2010: 4).

Government did not implement the reform report.. It therefore appeared that the Government merely used the constitution of the Committee as a ploy to buy time on the tensed issue of deteriorating police service. This perception gains more credence if viewed against the backdrop of massive misdemeanour by the police in the 2007 General Elections.

Indeed, fearing that the deployment of soldiers for election manipulation could be counter-productive for the ruling PDP, the government seemed to prefer a weak NPF as an instrument of intimidation of political opponents. Thus, it seemed to have traded off the recommendations of the 2 panels for the maintenance of political power. Two years after the Dan Madami report was submitted, the Government constituted yet another reform panel headed by yet another retired policeman and dominated also by retired police officers.

### **2008 M.D Yusufu Presidential Committee**

With two unimplemented reform reports, why would the government constitute yet another panel? What was new about the membership and mandate of the new panel? What politics dictated the empaneling of the Committee?

The 2007 general elections, which ushered-in the administration of Umaru Musa Yar'Adua was, by the then incumbent President's admission was, badly flawed. It was also adjudged as lacking in credibility and integrity by a wide array of local and international elections observers. The new government constituted was under pressure to legitimize its claim to power. This it did, with the adoption of the concept of 'servant leadership' as its core value and upturning a number of unpopular policies put in place by the previous government, which were perceived as 'anti-people'<sup>24</sup>.

In no time, there was a wedge between the approaches of the Obasanjo and Yar'Adua Government and even in cases where there were no fundamental difference, the new Government conducted its own researches and inquisitions and went through the Russian roulette of reformulating policies already formulated by the Obasanjo Government. It was in this context that it brought back Alhaji MD Yusufu from an

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<sup>24</sup> These include privatization of the refineries, reversal of sacking of appointees, reduction in the price of fuel, etc.

almost three decades of retirement to review the recommendations of Dan Madami, who was his junior in the police.

In the accounts of Isima and Okenyodo (2009:28-29), the Committee emanated from a visit to President Yar'Adua by some retired police chiefs, under the auspices of Association of Retired Police Officers in Nigeria (ARPON), who offered to assist him in reforming the police<sup>25</sup>.

The Committee had the mandate to:

- (a) Examine the present state of the police and review previous efforts, reports and Government White papers on the police.
- (b) Identify and recommend definitive, measurable and practical measures for the enhancement of effective police service delivery.
- (c) Examine and recommend measures for the complete transformation of the Nigeria Police into an efficient and proficient agency for the effective maintenance of law and order in the country; and
- (d) Make any other recommendation deemed necessary by the committee.

To Isima and Okenyodo, the rhetorical substance of the government's police reform cannot be missed, considering the superlatives in terms of reference, i.e.: the identification of definitive, measurable and practical measures for the enhancement of effective police service delivery and the search for the complete transformation of the NPF.

However, it appeared that to the government, reform meant 'effective maintenance of law and order in the country', which was in tandem with the goals pursued by the colonial and post-colonial police forces. Thus, the reform was described as 'stay as you were' order, connoting 'motion without movement'. (NOPRIN, cited in Isima and Okenyodo, 2010: 28).

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<sup>25</sup> The Panel eventually constituted had on board three civilians, including Prof. Femi Odekunle, foremost Professor of Criminology in Nigeria.

The Panel noted that:

The Nigeria Police currently has a total of three hundred and seventy-one thousand, eight hundred (371,800) personnel, comprising twenty-one thousand, nine hundred and five (21,905) senior officers, from the ranks of ASP [Assistant Superintendent of Police] II to the IGP, and three hundred and forty-nine thousand, eight hundred and ninety five (349,895) junior officers from constable to inspectors of police. This indicates a ratio of one officer to seventeen junior ranks (1:17). On the whole, the nation has a ratio of one policeman to three hundred and seventy seven persons (1:377), based on a total population of 140,002,542 (2006 Census estimate) (Report of the Yusuf Committee, p. 20-21).

The federal government subjected the M.D Yusufu report to a review in 2010, which led to the issuance of a White Paper (encompassing both Dan Madami and MD Yusufu Reports)<sup>26</sup>, which accepted for implementation, 129 recommendations, took note of 131 other recommendations and rejected 15 recommendations. Some of the major recommendations accepted include: the government should take the funding of the NPF seriously and provide it with the necessary working tools and welfare packages to enable them perform their functions effectively; strict enforcement of public service rules and financial regulations in order to ensure accountability; the NPF x-squad should be re-organised, empowered, and deployed to all police formations, operational commands, Government departments, other public and private sector institutions to check corruption, and bring to book perpetrators, large and small;

Others were that the IG should establish an Implementation Committee for the Dan Madami Report; streamlining of the NPF and Federal Road Safety Corps (FRSC) duties, with the latter restricted to safety and provision of emergency response in case of accidents; the PSC and IG should immediately undertake a comprehensive personnel audit of all policemen recruited during the 2000-2005 period in order to weed out undesirable characters whose particulars do not meet the extant standards of recruitment into the Force.

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<sup>26</sup> See Appendix 12 of this Thesis for the Government White Paper on the two Reforms.



Others were amendment to entry-level requirement, to enable SSCE holders to be recruit-able into the recruit Constable cadre; ensure approximation to international practices regarding badges of ranks to bring them at par with other Police Organizations, in order to endow them with confidence and recognition while on international assignments; there should be no conversion to general duties by persons who entered into the police as professional officers; the PSC should develop Scheme of Service for the different professional cadre needed by the Force; in order to ensure the operational effectiveness of the Force, 85% of its personnel should be made up of operational agents while 15% should be made up of Specialists and other supporting/ancillary staff; schedule of duties of the Zonal AIGs should include inspection and monitoring of the activities and performance of training institutions located in their respective zones.

In addition, it was recommended that every promotion should be preceded by successful completion of prescribed courses and examinations; rehabilitation of Police Staff College and Police Academy; training curricula should be reviewed and updated every three years constantly; upgrading of Police Academy to a Degree-awarding institution with affiliation to Bayero University, Kano; two new Police Colleges should be built at Lafia in Nasarawa State and at Benin City, Edo State; the Police Detective College at Enugu should be expanded, rehabilitated and re-equipped; the Police should ensure that every policeman is computer literate. To this effect, all police training institutions should have computer centres; all Constables are required to undergo refresher courses two years after basic training;

Also recommended was that qualified retired officers and academics from Nigerian Universities should be engaged to teach in the training institutions on part-time basis; additional allowances should be paid to policemen in the training institutions to motivate staff and make them more productive; the empanelling of Advisory Councils for Police Colleges; various local governments in the country should be given the responsibility of building at least 10 houses for the police for four years, based on a model to be provided by the IG, with states and federal government complementing this; all recommendations relating to change of the uniform of NPF personnel;

Finally, the panel recommended the free supply of all items of kits and uniforms to all members of the police on yearly basis; government should provide adequate fund for the renovation, proper equipping and staffing of the existing Police Children School and Police Secondary School over the next two years; a maximum of four children of officers who lost their lives on duty or active service should be guaranteed free education up to the University level; the PSC and IG should ensure the clearance of all promotion backlogs in the Force within a period of two years.

The rejected recommendations were: (a) recruitment age into the Force should be revised to 18-25 for recruit constable while 20-25 years for Cadet Inspector and 23-28 for Cadet ASPs; the abolishment of the rank of ASP; the recommendation that every state should have a police college and a refresher course school with all facilities and full curricular including detective training; formation of Police Associations; establishment of a machinery for the formation of an association for the ranks of Constables, Inspector, and Senior Police Officers; the recommendation that the Secretariat of the Police Council should be mandated to take charge for coordinating, streamlining and monitoring of the association; the recommendation that all matters relating to industrial dispute in the police force shall comply with appropriate legislation, including recourse to industrial arbitration panel.

Others were establishment of standing and binding of collective bargaining machinery with members from the government and representative of the police association; other recommendations on peaceful resolution of industrial crisis in the NPF; recommendation on a secure, non-renewable 5-Year tenure for IGs, notwithstanding the statutory years of service; on the procedural side and for the sake of orderly succession, a departing IG should recommend the most senior DIG to the President, who shall consult with the Nigeria Police Council (NPC) before making the appointment and after due consultation with the PSC; a serving IG should only be removed from office before the expiration of his tenure on the basis of incapacity or gross misconduct.

This should be clearly defined to include physical and mental disabilities, serious breach/ violation of the law and compromising the security of the nation. In the event of removal, the NPC shall consider a submission from the President on the matter and

grant the person concerned a fair hearing, after which the Council decides the removal of the IG; the liberalization of firearm ownership regime whereby license shall be granted to qualified law-abiding citizens after careful vetting, and the President and IG should delegate their powers in this regard to the CPs.

The government then announced a six-year implementation period, which was to elapse in 2015. The implementation over a six-year period was expected to prioritize issues of dilapidated infrastructure, lack of training, low morale among personnel, poor remuneration and welfare, and lack of professional dignity (Odaudu, 2012). The implementation of the reform was coordinated by the Ministry of Police Affairs, which set aside special budget head and a Project Management Unit (PMU) for its implementation.

As with the previous reforms, the majority of the accepted recommendations contained in the Government White Paper were not implemented. There were a number of reasons for this: competing prioritization between the report and Ehindero's 'policing with integrity' programme, non-appropriation of adequate funding to the NPF, non-involvement of CSOs, the National Assembly and the NPC in the design and implementation of the reforms, lack of buy-in of state governors, who had enormous resources to commit to reform implementation at state police commands, institutional instability (for example, the scraping and re-establishment of the MoPA as well as battle for superiority between the NPF and the NSCDC), as well as the damaging impact of massive recruitment of bad eggs in the NPF, a case that was becoming more complicated to be tackled.

### **2012 Parry Osayande Presidential Committee**

A number of incidents in the Nigerian political firmament accounted for a lull between 2008 and 2012. President Yar'Adua died in office and after a period of political brinkmanship, vice-president Goodluck Jonathan was sworn-in to finish the tenure, during which not wanting to ruffle feathers, he did not undertake major reforms. The deterioration in the quality of service rendered by the police continued unabated. President Jonathan got elected for a fresh tenure in the 2011 General elections.

The President constituted the fourth major reform initiative in the NPF. The Panel which was chaired by Mr. Parry Osayande, then Chairman of the PSC, had as members the following persons: Mr. Casmir Akagbosu, AIG (rtd); Major-General S. N. Chikwe (rtd), former Provost Marshal, Nigeria Army; Dr. Fabian Ajogwu (SAN); Prof. S. D. Mukoro (dismissed Colonel and one of the arrowheads of the 22 April 1990 coup d'état against the Babangida regime); Mr. Bashir Albasu; Aisha Tukur, Solicitor-General of the Federation and Permanent Secretary, Office of the SGF, Secretary of the committee.

The panel among other things was charged to identify the challenges and factors militating against the effective performance of the Police and make recommendations for addressing the challenges. It was to examine the scope and standard of training and other personnel development activities in the Police to determine their adequacy or otherwise (Vanguard, 2012). The panel was also to determine the general and specific causes of the collapse of public confidence in the Police and recommend ways of restoring public trust in the institution.

The Federal government noted that the panel's recommendation should be implemented along with those by previous committees set up by government on the reform of the Force. Osanyade recommended, among several others, a systematic and sustained purge of the police of 'undesirable' elements, and the merger of para-military bodies like the ICPC, FRSC, and NCDSC with the police.

The Federal government noted that the panel's recommendation should be implemented along with those by previous committees set up by government on the reform of the Force. However, for a lot of people, the birth of another panel is not new given that similar ones had existed in the past. This is why the pertinent question everywhere was: Does Nigeria needs another police reform panel? The question was generally predicated on the belief that the exercise appeared to be a repetition of similar efforts in the past. Though, there is a consensus on the fact that the NPF was in dire need of reformation, a corollary was the question: What happened to the reports of previous panels set up to reform the police? (Vanguard, 7 March 2012).

A former a retired Lagos State Commissioner of Police, Alhaji Abubakar Tsav, said of the constitution of the Osayande Panel: "I think the president just wants to give

jobs to his friends and party faithful, otherwise there is no need for another reform panel. Some reform panels had submitted their reports in the past and nothing has happened, so what is the guarantee that something different would happen this time. They are just giving jobs to their people.” (Ibid).

One marked recommendation of the Committee<sup>27</sup> was against the establishment of state police, which it believed, could accelerate the break-up of Nigeria. The Parry Osanyade Committee report also became controversial because of its recommendation that the Ministry of Police Affairs be scrapped. The panel considers as defective the existing arrangement under which funds budgeted for the police are domiciled in the ministry which consequently determines police projects, awards contracts and organises training programmes with no input from the end users.

This, it says, has always resulted in abuse and misapplication of limited resources because the projects so executed are not the priorities of the police (Nigerian Tribune, 2012). This led to hot verbal exchanges between the PSC Chairman and the Police Affairs Minister Capt. Caleb Olubolade (rtd).

“any issue discussed outside that (Police reorganization) can be termed to be a derailment. Whatever assignment is given, you must look at the subject matter and stay within that confines so that it does not generate unusual discussion in the public...There are budgetary provisions for the police. There is a regular budget and reform budget. Those are the two budgetary provisions for the police. The police on their own award contracts and the ministry approve payment. And in such a manner, they are all involved. The police are involved in their own budgetary dispensation. The ministry does not award contracts on behalf of the police except in capital budgets. All operational provisions are managed by the police themselves. And so, without prejudice to the report that has been submitted, the committee will look at it and bring out a white paper.” Olubolade (2012)

It is instructive that the PSC Chairman was not included as a member of the White Paper Committee set up to review the report of the Panel. The Minister, who was widely perceived as closer to the President and who had earlier expressed reservations about the contents of the Report, was made a member. It was clear that this last

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<sup>27</sup> See full Report in Appendix 11.

attempt to reform the police had been caught in a web of politics, as senior police officers generally disowned the white paper that emanated from it, <sup>28</sup> under the influence of Minister Olubolade, a retired Naval Officer whom the police hierarchy perceived as hostile to the professionalization of the NPF<sup>29</sup>.

The civil society did not participate in any way in the Osayande Panel. Unlike during previous reforms, the civil society, under the umbrella of NOPRIN decided to organize parallel Reform Committee as a counter-balance to the one created by the Government and due to dwindling public confidence in the output of government committees on reforms. The NOPRIN Committee consulted widely with civil society groups, government officials, political parties, the media, women organization, police chiefs, and held public hearing in 7 Cities, as well as in the FCT (NOPRIN, 2012: 4).

The major findings contained in its Report are: inadequate articulation of the NPFs Mission; legal framework; specialization of functions; performance appraisal systems; duplication of policing agencies; weak oversight agencies and corruption. They noted the significance of community support and participation in improving policing performance. On the institutional structure, they noted that it is over-centralized and observed that:

Despite an outward show of unity, the current DIG structure does not help stability in the NPF, as all the DIGs see themselves as IGP in waiting and spend their time plotting for a change in the leadership of the NPF, since the IGP has no security of tenure (NOPRIN, 2012: 9)

They advocated the scrapping of the 7 DIG and recommended only 1 DIG Structure. AIGs, they stated, should head Zonal Commands and Departments at headquarters. On specialisation of skills, the Committee noted that with the exception of doctors and veterinarians, all officers are made to carry out all duties and are moved around at will, from one duty post and function to another, without prior training and preparation (Ibid: 9).

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<sup>28</sup> Interview, Code 1, 30 January 2014.

<sup>29</sup> Senior Police Officers allegedly complained that it was a measure of Jonathan's lack of political will to allow the Police Affairs minister to be a part of the White Paper Committee on the Osanyande Report. See also, <http://www.vanguardngr.com/2013/01/police-minister-ig-may-clash-over-college-rot/>

They recommended the abolishing of ‘general duty-policy’ and called for the mandatory specialization of recruits within 5 years as well as for the hiring of more professionals, dedicated to their core duties. Nevertheless, there seems to be no systematic advocacy and lobbying action to ensure the implementation of the findings by the Government.

As part of measures to ensure implementation of the Osanyande Report, an Interim Implementation Committee headed by Vice-President Namadi Sambo was constituted to coordinate the implementation of the reform. In addition, the National Economic Council in June 2013 approved the deduction of 1% (as a first line charge) of monthly allocations due to the three tiers of Government to fund the police.

The required fund was also pruned from 2.8 trillion to 1.5 trillion Naira for a six-year period. Under the arrangement, the funds that would be deducted, the states and local government contributions will be domiciled in the state and will be managed and ensured that it is used in provision of the requirement within that state. In addition, 1% was approved by the State Governors to be deducted from the Excess Crude Accounts for the funding of the Reforms in the NPF, specifically to upgrade its equipment and manpower (The Guardian, December 9, 2013).

Though the Osayande Panel made a cogent point on the ownership of reform implementation, weak political will seemed to prevent the government from addressing its request on the scrapping of the MoPA. This buttresses the path dependency perspective that the government seemed to prefer what could be considered ‘non-threatening, incremental changes’ incapable of weaning the NPF from its political control.

### **5.3 OPERATIONAL REFORM INITIATIVES**

**Priority Policing-Musiliu Smith (1999-2002):** The 6-Point Agenda of Musiliu Smith as the Inspector-General of Police focused on operational efficiency, welfare of officers and men as well as adequate equipment for the police. Like the other broad and operational reforms of the NPF, there were no attempts to benchmark the success of Smith’s reform programme. Nevertheless, some noticeable improvements were

recorded on operational issues during Mr. Smith's tenure. They include: the completion of a new seven-floor Headquarters for the Police in Abuja and the release of N2.5 billion for the procurement of patrol vans and communication equipment. Other interventions include increase of 'Hero's Grant' for men who dies of is injured in active duty from 4,000 to 50,000 Naira and from 8,000 to 4 Million Naira for officers (Arase and Iwuofor, 2008: 8).

However, as noted by Ikujetiyo and Rotimi (2010: 7), the NPF suffered a major setback during this period as it recorded the first-ever police strike in which officers and men protested against accumulated years of neglect of welfare and material needs. Though the strike was quelled by a combination of stick and carrot tactics, including the arrest of over 153 junior officers and the dismissal of 3 others, the contemplation of a strike action, according to Arase and Iwuofor, was not only a serious embarrassment to the police and government, but was also an eye-opener to the deep trauma, welfare gap, indiscipline and lack of professionalism in the NPF (2008: 10). This problem, coupled with a rash of violent ethno-religious crises and political assassinations, led to the sack of Mr. Smith and the appointment of Tafa Balogun as Police IG.

**Operation Fire-for-Fire (8 Point Agenda)- Tafa Balogun (2002-2005):** This reform was based on the principle of enforcement and it was articulated at a point the new-found freedom after the advent of democracy had led to the proliferation of non-state armed groups. The core themes of the 8-Point Agenda are focused on reversing the trend of indiscipline, enhancing operational capacity for rapid response, and restoring the image of a competent police force in the mindset of the people. This agenda was set against the backdrop of internal crisis and indiscipline that pervaded the tenure of Musiliu Smith. Giving an insight into the context and rationale for the reform agenda, Mr. Balogun said:

When my appointment was announce, I had a flood gate of telephone calls...I asked myself what am I going to do in the office? It is a big task. So, how do I excel? I know that the call was God ordained, so, I came up with the eight-point strategy within thirty minutes. Though, I have always been thinking that the eight-point strategy, by now, would be subject of criticisms or amendments.



But I think it has stood the test of time and so far, it has gone into the internet...(Williams, 2003:15).

Mr. Balogun described his reform as “fool-proof” in terms of crime prevention and combating, and boasted further that “even during the last Conference of Chief of Police we held in Spain, many of the participants decided to adopt it in their own agenda and they wrote letters commending me” (Tell, 2004: 37).

The elements of the reform are:

- Massive onslaught against armed robbery, gruesome murder, assassination and other crimes of violence: the methodology for which will be “fire for fire”;
- Fast and decisive crisis/conflict management;
- Comprehensive training programme conducive for qualitative policing;
- Serious anti-corruption crusade, both within and outside the Force;
- Robust public relations, necessary for achieving the vision of a “people’s police”;
- Community partnership in policing which is the modern approach to policing all over the world;
- Inter-service/Agency cooperation at all levels down the line; and
- Improved conditions of service and enhanced welfare package for all officers, and rank and file (Arase and Iwuofor, 2008: 12).

Within the reform, the police waged a violent retributive war against criminals and ethno-religious militias. In 2002 and 2003 alone, 2,864 alleged armed robbers were arrested by the police, of which 1,226 were killed in combat. 872 firearms were recovered while 15,300 ammunitions were seized as well as 1,773 vehicles recovered, with a notable case being that of trans-border criminal Hamani Tidjani (Tell, 2004:27).

A major intervention during this period was the establishment in 2002, of a Community Policing Programme, which was launched on a pilot basis in 6 states of Nigeria. Though it did not change the substance or methodology of policing, it represented a shift in the attitude of the NPF in trying their hands on a new, promising

methodology of policing. According to a former AIG, the Community Policing Programme was borne out of the realization that the police alone do not have the necessary capacity and capability to meet the challenges of security and that multi-agency and community collaboration, through partnerships, is imperative (Onovo, cited in DFID, 2010: 1).

The articulated bedrocks of the Nigerian Community Policing Model were:

- Creating awareness and information-sharing on community policing throughout the NPF and externally;
- Introducing community policing training for NPF personnel throughout the states;
- Examining police structures and organization both locally and at the Federal level to ensure consistency with, and support for community policing;
- Reviewing the curricula and methodologies to create and develop community policing principles and values in all aspects of police training;
- Development of intelligence-led policing, new technology and science;
- Examination of laws and procedure (Chukwuma, 2004:46-47).

The major drawback of this reform initiative was the massive violation of citizen's fundamental human rights, which further alienated the people from the police and resulted in massive extra-judicial killings by the police. The Police IG was once quoted in 2002 to have instructed his men on the tactics of their operations thus: "Shoot and kill whenever they want to attack your barracks...All I want to hear is that as they were trying to burn a police station or barracks that no fewer than a certain number, say forty-five, were killed in the process" (Human Rights Watch, 2005). Operation Fire-for-Fire was hurriedly packaged and introduced without adequately educating the men of the Force who will prosecute the war against armed robbers on the field.

The bulk of the men took the name- 'fire-for-fire' literally and they believe that they have official backing to open fire at the slightest suspicion of the presence or movement of armed robbers. Indeed, unlike the impression of a comprehensive law and order strategy that Balogun portrayed fire-for-fire to be, it was indeed a poor

attempt at surface scratching and a strategy that targets the foot soldiers of crime, while neglecting the mafia of crime, (Abati, 2002:51), focusing on hurried combat without adequate training for officers. It was built on deceptive foundation as the state of weapons and logistics available to the police at the time was very poor and could not have sustained the war against criminality in an environment pervaded by acute structural dysfunction and sponsorship of some of the criminals by political godfathers (Kupoluyi and Awode, 2002:15).

In addition, the failure of the NPF to identify and bring to justice, perpetrators of high-profile killings of politicians, notably the then Attorney-General and Minister of Justice, was a major dent on the reform of the police. Also was the abduction on July 10 2013, of the then Anambra State Governor Chris Ngige in a Commando Operation by the then AIG Zone F, Raphael Ige<sup>30</sup>, at the prodding of the godfather of Anambra politics, Chris Uba (Olowolabi, 2003: 6-8; Ohunkeye, Orimolade and Bakare, 2003: 22-23). Arguably, the most significant damage to Balogun's tenure was a corruption scandal, which led to his exit and arraignment by the EFCC on charges of corruption.

The major impediments to the Community Policing Reform programme under Tafa Balogun as enumerated by Dickson, (Cited in Ikujetiyi and Rotimi: 9) included internal resistance by policemen who benefited from the traditional policing and who prefer to maintain the status quo; lack of commitment to the project by implementing officers; lack of support from members of the public; inadequate support from the government; and poor welfare package/incentives for policemen. However, one of the biggest impediments to the success of community policing in Nigeria is the hostile relationship between the police and the informal policing machinery usually made up of some factions of ethnic militia groups in the country.

**Ten-Point Agenda- Sunday Ehindero (2005-2007):** This was a counter-balance reform agenda, which was critical of the Operation Fire-for-Fire<sup>31</sup>. The 10-Point Agenda was anchored on a humane slogan, which reads: to serve and protect with integrity. It included:

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<sup>30</sup> The NPF hurriedly retired Ige with full benefits and he was never punished for the abduction of a sitting governor. He died a few months after the incident.

<sup>31</sup> Code 1, Interview, 30 January 2014.

- Effective crime prevention and control through intelligence led policing;
- Combat of violent and economic crimes;
- Conflict prevention and resolution;
- Community policing and police public partnership;
- Zero tolerance for police corruption and indiscipline;
- Improved career development, salary and welfare packages to motivate police officers and thereby promote better service delivery and discipline;
- Reorganization of the investigation outfit of the Force to ensure prompt and timely investigation of cases;
- Contribute positively to improving the quality of justice delivery in Nigeria;
- Empower field officers operationally by devolution of powers to improve the standards, reliability, consistency and responsiveness of the service; and to
- Reorient the FPRO to focus on improving public perception and image of the Force.

Ehindero's administration seek to shift the NPF "away from para-military policing to community, democratic constitutional policing with fundamental principles of security, freedom, justice, equity, and fair-play that is unparalleled in the evolution of the NPF" (Ayuba and Ajewole, 2007: 158-159). To this end, it established a public complaint bureau for the NPF as a one-stop mechanism for receiving and processing complaints from members of the public. It also strengthened the Police Community Relations Committee and embarked on retraining for personnel on use of firearms, and issuance of firearms to officers of the rank of Corporal and above.

Human Rights Desks were established at the Police Headquarters and other police formations while periodic consultations were held with human rights NGOs. In the same vein, seminars were organized to re-orientate officers on democratic policing while the X-Squad was reorganized to enhance its effectiveness in monitoring and sanctioning deviant officers (Ayuba and Ajewole, Ibid: 159-160). Ehindero's reform was an attempt to present the NPF as a civil and humane force. He abolished road - blocks (barricaded check-points) and was decisive on police brutality, though he did not make substantial achievements in relations to his reform.

**Eight-Point Agenda- Mike Okiro (2007-2009):** The major thrust of the agenda, according to Isima and Okenyodo (2009: 33), was to boost the morale of police personnel as a tool for enhancing productivity. Issues meant to be addressed include: human rights, training, crime prevention, transparency and accountability, public relations, community policing, intelligence/data collection upgrades and inter-agency cooperation against crime. He recorded achievements in the reinstatement of a number of officers who were unjustifiably forced into early retirement, and providing them with improved working conditions like better pay, housing and equipment (Weekend Newswatch, 2013). The reform was described as more of less a public-relations stunt due to the lack of diligent implementation.

**Modernization of the NPF: Ogbonna Onovo- (2009-2010):** The basic thrust of Mr. Ogbonaya Onovo's tenure was to implement the White Paper on the 2008 MD Yusufu Panel on Police Reform, in order to transform the NPF into a modern force. It was hinged on ensuring implementation of the 125 recommendations of the Yusufu Committee with special attention to boosting the welfare of the officers and men of the NPF, recruitment, training and provision of adequate logistics support. Other pillars of the reform were intelligence-led policing, implementation of administrative reforms based on the White Paper of the Yusufu Panel, respect for human rights, inter-agency partnership, and fight against criminality (Onovo, 2010:13).

In fulfillment of some of the reform measures, Special Monitoring Teams were set up to check corruption among the ranks and files in the Force, the reactivation of Training Programmes for officers (Next, 2010:4). According to his stewardship report, his administration succeeded in reducing ethnic and religious crises, stabilized the kidnapping situation in the East, recovered arms, ammunition and money from bandits and successfully secured the hosting of the Under 17 World Cup Event (Next, 2010: 15).

Mr. Onovo was retired due to the inability of the NPF to stem the tide of kidnapping in many parts of the country, particularly the South-East and South-South Regions of the country as well as the Boko Haram insurgency in the North and Central parts of Nigeria. The welfare situation in the NPF also continued to deteriorate during the period. The Researcher's interview with a serving Police Officer however indicate

that the Ministry of Police Affairs severally refused to release funding to the Police under Onovo to execute certain projects related to the implementation of the Yusufu report.

**Reform Initiatives of Hafiz Ringim- (2010-2012):** Upon his appointment as Police IG, Mr. Hafiz Ringim embarked on a 5-Point Reform Agenda focused on tackling police brutality, extrajudicial killings, extortion and bribery among members of the Police Force. The Agenda was targeted at resolving the problems of police brutality and extra-judicial killings, which did not abate under his predecessors. In specific terms, the elements of the reform were: Zero tolerance to crime and all forms of criminality; welfare of officers and men; intelligence-driven policing; training and re-training; and recruitment and robust public relations.

The Agenda though not exhaustive enough to address the multifarious problems confronting the police, focused on what Ringim's administration considered to be the most challenging issues. In addition, issues like training and retraining were emphasized during the administration based on Ringim's 'long experience as Commandant of the Police Staff College in Jos and the Police Training School in Gwarzo, Maiduguri' (Vanguard, 2010: 12).

Under Ringim's watch, Nigerians virtually lost hope in the Police Force's ability to carry out its constitutional obligation of protecting lives and property of the citizenry, following its inability to checkmate the excesses of the Boko Haram sect, which usually left in its wake, the death of several innocent and hapless Nigerians as well as the wanton destruction of property worth millions of Naira (Odiogor and Usman, 2012).

Mr. Ringim was allegedly retired for inexplicable reasons but analysts point to the inability of the NPF to arrest the growing activities of the Boko Haram terrorist organization, which carried out a daring attack in front of the Police Headquarters in Abuja. He was replaced by Mr. M.D Abubakar.

**Effective and People-Friendly Policing: M.D Abubakar (2012-2014):** On assumption of office Mr. Abubakar formulated his Vision for the NPF thus: re-positioning the Force towards ensuring safety and security in the nation, as a

stimulant for economic growth and development. The Vision was reduced to a Mission Statement with the following specifics:

- a. To partner with other security agencies as well as members of the public in gathering, collating and sharing information to ensure safety and security of the country;
- b. To participate in efforts to address the root causes of crime, while ensuring that crimes committed are investigated to a logical conclusion with a view to bringing criminals to justice in a lawful and professional manner;

Based on the foregoing Mission Statement, the Police IG identified a number of strategic objectives of his administration. They include:

- a. Training/retraining of personnel and provision of equipment;
- b. Better use of crime-fighting technology;
- c. Inspiring and purposeful leadership at various command levels;
- d. Professionalism/specialization;
- e. Devolution of powers;
- f. Periodic meetings with Officers and men;
- g. Enactment of a Code of Conduct and Professional Standards for Nigeria Police Officers;
- h. Efficient budgeting and adequate funding;
- i. Enhanced staff welfare;
- j. Functional medical services;
- k. Robust Community relations through community policing;
- l. Strict discipline/ zero tolerance on corruption, among others (Mani, 2013: 5-6)

Other features of M.D Abubakar's reform programme include: The dismantling of all intra-state and highway road blocks, especially in Lagos and Edo States as well as in the south-eastern states; disbandment of all squads, teams and other operational or investigating outfits under whatever name and a directive that such groups should collapse into the original structures recognized by police standards; the immediate release of all persons detained in police cells without lawful justification, and non-detention of persons beyond the stipulated period of 24 hours, except as otherwise permitted by law; ACPs must enforce discipline among their subordinates and cease to encourage patronage over and above merit in the conduct of official affair while

also asking the officers to begin to task Divisional Police Officers (DPOs), Divisional Crime Officers (DCOs) and Divisional Operations Officers on the need to uphold core police mandates within their respective jurisdictions.

Abubakar also announced the withdrawal of all policemen on illegal duty of protecting unauthorized individuals. (Thisday, 2012). He emphasized among other issues, the welfare of policemen, security of police installations and institutions, and prioritization of people-friendly policing strategy. He launched the Codes of Conduct for policemen to promote discipline, professionalism and adherence to due process in the discharge of their responsibilities. According to official account by Mani (Op. Cit:7-11), the tenure of Mr. Abubakar has witnessed successes in the seven critical areas as follows:

**Reorganization/restructuring of Departments and Sections:** This has witnessed the strengthening and revitalization of Special Protection and Counter-Terrorism Units respectively for effective service delivery. The Counter-Terrorism Unit was hitherto known as Anti-Terrorism Unit until recently when the unit was renamed as such, in line with International best practices in policing.

Specialized training is regularly conducted as a veritable tool for professional development in these units. On the revitalization of the near moribund dog section, the NPF procured internationally trained sniffer dogs and dog handlers underwent world class training and retraining. The section was renamed Canine (K9). The IGP also created a Bank Guard Section, based on a request by the Banker's Forum while the capacity of the Police Mobile Force (PMF) was strengthened towards attaining 13 Units in each of the 57 Squadrons nationwide.

In addition to the creation of additional duty posts, area commands and Divisional Police Headquarters, the IG also upwardly reviewed the ranks of the Commandants of Training Colleges to ACPs, to allow for strategic management and application. Also, the training institutions are to be directly staffed and they report to the DIG 'E' without recourse to state commands. In addition to these measures, the Force Intelligence Bureau was upgraded into an autonomous section with the inclusion of AIG Intelligence in the Police Senior Management Team (PSMT).



**Internal Transparency, Accountability and Enforcement of Standards:** In this respect a Code of Conduct was launched for all police officers and the Force purchasing board was revived to address the welfare needs of officers and men. The Force Order and Administrative Instructions were also reviewed to ensure strict compliance of officers while the provost section, the x-squad and the Monitoring Unit were strengthened to detect corruption in the Force.

Robust motorized patrols replaced the roadblocks while 63 vehicles were provided to resuscitate the Federal Highway Patrol Section nationwide. 40 vehicles were commissioned to strengthen border patrol units nationwide while the NPF embarked upon frequent raids of criminal hideouts/ black spots.

**Investigation and Detection of Crime and Prosecution of Offenders:** The Force acquired 7 forensic vehicles to aid crime investigation and upgraded the scientific tools to aid investigation in the forensic laboratories. 21 water cannons were acquired to aid the quelling of riots.

**Upholding the Rule of Law and Fundamental Rights of Citizens:** A major activity undertaken in this respect include the inclusion of human rights in the training syllabus of the NPF.

**Training/Retraining:** In this area, the NPF leadership embarked upon renovation and rehabilitation of police training institutions, training of 12 AIGs on leadership and strategic management, training of 47 CPs on leadership and strategic management, training of 5 DCPs on Executive and Intelligence Management Course, training of 44 CSPs on Tactical Leadership & Command Course , training of 50 CSPs for effective and efficient performance and training of 10 Officers on a specialized course, entitled “from the Scene of Crime to the Court Room, DNA Evidence”. Some of the training programmes were coordinated by the DFID. Between 2010 and December 2013, 14, 990 officers benefitted from 33 training programmes executed by the NPF, some in partnership with other institutions, stakeholders and partners (Akpoiyibo, 2013:68).

**Effective Public Relations:** The NPF established partnership and collaboration with members of the press and other stakeholders in relevant aspects of policing. To this end, an International Security Summit was held in January 2013 which sensitized media stakeholders on the challenges being faced by the country and their role in ameliorating them. There were also conscious efforts at bridging the gap between the NPF and the general public for the purpose of improving mutual trust and confidence through the establishment of Police Monitor Magazine.

**Leadership/Welfare:** The police termed as achievement, the deployment and prompt payment of stipulated allowances to personnel of the PMF and Directorate of Peacekeeping Operations; complete kitting of Units on Peacekeeping Operations; the submission of a 5-Year Budget Proposal to the Presidency; approval of synthetic neon blue uniform for Inspectors and other ranks, and the resuscitation of police games.

The tenure of Abubakar as Police IG has also witnessed reform of the Police Pension Board hitherto enmeshed in corruption scandals leading to the loss of N300 billion, to come under the control of the Police management. In addition, several policemen were disciplined, with some dismissed for corruption while 75,000 of the 110,000 officers (representing 75% of the total), due for promotion were promoted between 2012 and 2013. A Code of Conduct was also introduced to infuse attitudinal change into the NPF personnel. Issue of welfare was also prioritized as the Police accelerated the development of owner-occupier housing schemes across the country as well as the removal of several roadblocks from roads in the country.

#### **5.4 ANALYSIS OF THE OPERATIONAL REFORMS**

Nothing symptomizes the crisis of leadership in the NPF than the operational reforms. Besides the fact that they were most often not evidence-based<sup>32</sup> and inclusive, they also illustrate the damage done by overt politicization of the office of IGP. For one, they appear as political campaign gimmick to get the President to believe that the successive IGs were on top of the challenges confronting the police<sup>33</sup>.

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<sup>32</sup> Tafa Balogun for example said he was spiritually inspired to implement Operation Fire-For-Fire.

<sup>33</sup> Most often, the IGPs started out as acting before their appointments were confirmed.

One could always draw a parallel between the mood of the President and the contents of so-called operational reforms per time. After confirmation by the NPC, the IGPs usually become complacent on the implementation of such reforms. Secondly, the reforms are couched in a way that largely de-legitimizes (or is antithesis) of the previous IGPs programmes, which rendered more precarious, the succession politics within the NPF and provided disincentives for policy sustenance and consistency.

Thirdly, the operational reforms were often lacking in acceptance, ownership and commitment by the rank and file in the NPF, thus leading to blatant disregard for their tenets and provisions <sup>34</sup>. Fourthly, the contents of the reforms are on their own, seminal studies in conceptual contradictions. For example, was the combination of community policing and operation fire-for-fire under IGP Tafa Balogun seemed to be mutually exclusive in substance and form.

Overall, there is no doubt that the civilian governments from the 1999 have devoted more attention to police reform than the any of the military government since the collapse of the second Republic in 1983. This can be explained by a number of factors, chief among which is the near-collapse of the police due to their neglect by successive military administration, which perceived them as a threat to their political power.

In addition, the advent of democracy in 1999 presupposes that the Police should rightly execute its responsibility for internal security in a democratic dispensation. The second major point from the foregoing section was the penchant for initiating reform as routine activity to address operational challenges without clear sense of mission and purpose, and without the ownership of the NPF, which in turn chose to elaborate and implement parallel reforms, based on the personal vision, mission and objectives of successive IGs of Police.

The third main point, which flows from the second, is that these reforms have been lacking in implementation plans, prioritizations, monitoring and evaluation. For most parts, they were not implemented holistically, but in cases where parts of the reforms were implemented, this was not based on any logical sequencing but more on areas

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<sup>34</sup> Interviews with anonymous junior police officers.

where contracts could be awarded and money made by officials from the NPF, PSC and/or MoPA<sup>35</sup>.

The reforms therefore appear like mere palliative measures, which are framed, not based on a critical assessment of the police baseline *via-a-vis* threats confronting national security and the resources available for their prosecution but based rather on the need to secure the confidence of the President to enable the confirmation of most of the IGs, who formulated these policies prior to their confirmation. Secondly, the design of the policies tended to leverage on the failure of each IG's predecessor as well as their elaboration without consultation with the Police Management Committees.

In addition to the above factors, the reforms like the Tafa Balogun's Operation Fire for Fire and the Dan Madami Panel, reforms have been traced to panicky, reactive response to national security threats rather than a proactive step in preventing a descent into a security crisis.

## **5.5 OVERVIEW OF REFORMS' OUTPUTS**

From the foregoing, it is clear that the reforms in the NPF spanning over 16 years though recording some progress, seem not to have led to any significant improvement in the quality of police services to the people.

Most at times, the operational reform objectives by successive IGs read more like a political manifesto, containing all germane issues of the time, rather than realistic articulation of operational goals, based on projected human, material and financial resources.

They tend not to take into account the capacity of the police as well as the challenges in their formulation and design. Indeed, there is often no operational plan to ensure their implementation. In addition, they are not product of critical thinking, assessment, brainstorming and prioritization. The reforms also seem not to have any answer to the most germane manifestations of the crises of policing, including

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<sup>35</sup> As attested to by Police Officers and Researchers during fieldwork.

corruption, human rights abuses as well as the deployment of the majority of NPF officials for VIP duties.

Not the least among these gaps is the inability of the reforms to lead to enhanced security for lives and property in Nigeria, which has continued to strengthen the perception of the NPF as serving the interests of the government rather than those of the people (Hills, 2008) and the 'most visible symbol of corruption in Nigeria and a symbol of the failure of the Nigerian State' (The Guardian, June 11, 2007).

The aforementioned analysis notwithstanding, it is important to document the limited high-points of these reform measures as follows:

**Increment in Manpower:** For the mainstream and operational reforms of 2001 to around 2007, the main focus of the government was on numerical strength of the NPF. The 112,000 policemen inherited from the military government were grossly inadequate for effective internal security. This led to the recruitment of 40,000 personnel each year, an exercise that tripled the strength of the NPF to 320,000 by 2007. Though this move seemed to have contributed marginally to the availability of more manpower, it was undermined by a number of factors which include inadequate vetting for the would-be-recruits, a situation that led to the recruitment of criminals and people with questionable morals and characters into the NPF.

Other shortcoming includes poor training for the recruits, poor welfare system and lack of adequate logistics to make them perform optimally within the NPF. The police mass recruitment programme was targeted at meeting the UN requirement of having a ratio of 1 policeman per 400 citizens (Otitoju, 2007: 67). Unfortunately, this was neither achieved, nor was the NPF able to enhance its efficiency after the exercise was conducted.

**Professionalization of the NPF:** One of the important areas targeted by the M.D Yusufu reform implementation was the restoration of integrity into the recruitment process of the NPF in order to enhance professionalism. This became important against the fallout of the mass recruitment that led to the enlistment of alleged

criminals into the Force. The PSC pursued this objective through the establishment of a Police Recruitment Board comprising members of the Commission, Senior Police Officer and two representatives of the Federal Character Commission.

The Board ensures that only credible candidates duly cleared by their local governments, traditional rulers, etc. are screened by it. The Board is also charged with the transparent management of the recruitment process, including advertisement, conduct of examination and final screening into the NPF (PSC, 2013:6). In the same vein, polygraph tests were introduced for screening police recruits in order to identify and eliminate candidates with criminal records, drug users, and certificate forgers, among others, from the Force.

The professionalization of the NPF was also enhanced through the recruitment of Specialists into the Force was one of the recommendations of the M.D Yusufu Panel. The recommendation was informed by lack of forensic experts, ballisticians and works officers in the NPF. As at 2000, most officers in the branch had either died or retired from service. There was also no succession plan or any formal attempt to replace the specialists without whose services, the Force would be redundant. In light of this, the PSC embarked on the recruitment of Two Thousand and Two Specialists and Cadet Assistant Superintendents of Police into the NPF between 2008 and 2013 (PSC, 2013:7).

The reinvigorated Specialist cadre is made up of graduate Officers, with background in science, technology, medicine, veterinary medicine, engineering and works. In addition, the problem of lack of Scheme of Service for Specialists identified by MD Yusufu Panel was equally addressed. This meant that the professionals had no established mode for career progression within the service and could not determine their upper limit unlike their counterparts in the General Duties cadres.

The Yusufu Panel Report recommended that the ratio of general duty police and the Specialists should be 85% to 15%, and also recommended that the Police Service Commission draw up a scheme of service for professionals in the NPF. The design of the Scheme of Service was accordingly elaborated in 2009, clearly articulating educational qualification and career progression paths for professionals in the NPF.

**Training:** The Police syllabi was fundamentally restructured during the implementation of the MD Yusufu/MD Abubakar Panel Report to include elements of the social, behavioural and management sciences appropriately adapted to the needs of the Force. Refreshers', specialists' and promotion courses were introduced for all ranks while new core values of training were adopted. They are knowledge, integrity, professionalism and excellence.

In addition, to provide all-round skills and competence acquisition opportunities to police personnel, the Force conducts in-service training programmes, seminar and workshops through multi-agency partnership agreements with the Nigerian Army (NA), State Security Service (SSS), Nigerian Custom Service (NCS), Economic and Financial Crimes Commission (EFCC), etc.

**Incremental Improvement in Gender Relations:** Prior to the reforms, the NPF did not have a policy of gender parity and never aimed at the attainment of gender mainstreaming in its activities. Women had a quota of only 20% while policewomen lose a number of privileges, including barracks accommodation, once they are married to 'civilians'. In fact, they must seek the permission of their area commanders before getting married.

Further to the above, the police statute states that women police officers shall, as a general rule, be employed for duties that are concerned with women and children only. Married women cannot enlist in the police and when an enlisted single woman wishes to get married, she must have spent two years in the police, and then apply for permission to marry.

She must furnish the police with the particulars of the Fiancé who must be investigated and cleared before permission is granted. A married woman police officer shall not be granted any special privileges by reason of the fact that she is married and shall be subjected to posting and transfer as if she was unmarried. An unmarried woman police officer who is pregnant is to be discharged from the office.

These discriminatory practices are contrary to the provisions of the 1999 Nigerian Constitution (as amended) in Sections 17 and 42, which affirms equality of persons and which prohibits discrimination on the account of differences in sex. They are also

at variance with Sections 121 to 126 of the Labour Act. In addition, the police was seen by citizens as perennially showing insensitivity to gender crimes such as violence against women, sexual abuse, disrespect, body-shaming, etc.

As part of the reforms, the NPF and the PSC launched a Gender Policy in 2012, which seeks to ensure the eradication of discriminatory practices and entrench gender-sensitivity in the way the NPF operates. The Policy has a strategic framework for implementation, monitoring and evaluation, as well as clear guidelines for achieving policy targets and goals. The objective of the policy is to eliminate imbalances related to recruitment, welfare, transfer, training and promotion, as well as tackle sexual harassment and cases of gender violence against NPF personnel (Oyedele, 2012).

The implementation of this Policy is still at its infancy but the development of the policy represents a shift in the NPF attitude towards the issue of gender parity within the Force. Nevertheless, this has not led to a stop in cases of gender-unfriendly relations in Police Stations and has not significantly improved the way female victims are treated by the police as cases of inhuman and degrading treatment by women in police cells are commonplace, with allegation of molestation and rape by female victims replete.

**Human Rights:** One of the ways the police is structurally addressing the issue of impunity and human rights violations is through the capacitation of its intelligence infrastructure. Thus, it reorganized the organizational structure of the intelligence bureau to enhance implementation across state, zonal and national levels.

It introduced assessment tests aimed at ascertaining the professional competencies of all operatives of the Bureau<sup>36</sup>. It standardized the daily, weekly and monthly National Security and Intelligence Report, and took measures to commence the construction of Force Intelligence Training Institute while operating the Institute temporarily from the Police Detective College, Enugu. It also standardized the Call Records Data (CRD) processing and storage and partnered with the DFID to deliver trainings on Intelligence Analysis Process.

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<sup>36</sup> Interview with Code 1, 30 January 2014.



**Welfare:** Successive Police IGs have taken measures to improve the welfare of police officers, as recommended by all the reform panels and promised by each IG upon assumption of duty. Active measures were taken at different times to increase the emolument of the NPF personnel, build additional barracks, renovate existing ones, ensure the development of subsidized private accommodation for personnel, motivate hardworking and honest officers and ensure insurance benefits to families of fallen police personnel. Notwithstanding progress recorded in this area, corruption, large number of police officers to be attended as well as poor resource allocation has rendered insignificant the progress made in the area of welfare.

**Capacity:** One critical step taken for the value reorientation of the Police was the establishment in 2007 of the NPF Department of Religious Affairs, following pressure from eminent leaders and members of Christian Association of Nigeria (CAN) and Jamatu Nasril Islam (JNI). Among several other objectives, the Department is to elevate the moral tone of police operations as the Chaplains/Imams will pray with the men while undertaking such operations, reduce the level of divorce and crisis in police families, help authorities reach decisions on complex moral and psychological issues, and contribute to moral upbringing and discipline of children in the barracks (Ajewole, 2007:227).

As at 2013, the NPF had trained and commissioned 102 Pastors and Imams and its major achievement, according to the pioneer Chaplain ASP Raphael Fagbohun, had been “establishment of places of worship for officers and men and their families to easily connect spiritually with their God in all police formations and barracks throughout the country” (Iroegbu, 2013).

## **CHAPTER SIX**

### **A CRITIQUE OF THE POLICE REFORMS (1999-2014)**

The previous chapter focused on the analysis of the basic features of each of the reform that was embarked upon by the NPF and analysed in greater details, the mainstream and operational reforms implemented between 1999 and 2014. This chapter builds on that by undertaking a critique of the police reforms in the post-transition era and attempts to explain why the reforms have been unable to lead to the transformation of the NPF. In this regard, the chapter benchmarks the implementation of the reforms against a number of indicators in order to ascertain their effectiveness.

These benchmarks are classified as External and Internal Contextual Analysis; the external dealing with broader governance of the reforms by the political leaders and the effect of this on service delivery while internal contextual analysis critiques the reforms from an operational standpoint by the leadership of the NPF. The external factors are identified as: coordination; oversight and accountability; human rights and impunity; philosophy deficits; political commitment; corruption; funding; administration of justice. The internal contexts are: command and control; appointment and promotion; efficiency and effectiveness; training, synergy with the community; internal resistance; and police infrastructure.

The Chapter ends with an analytical overview of how governance deficiency, symptomized by these enumerated weaknesses, led to reform failure in the NPF. It argues that these value deficiencies shaped the design, formulation and implementation of the reforms and that due to the absence of a strong value anchor and transformational vision and strategy, what became adopted as reform measures were more or less cosmetic, palliative and at times, exploitative administrative reorganizations, that were ill-implemented or not implemented at all to perpetuate a paramilitary model of policing.

## **6.1 EXOGENOUS ELEMENTS OF REFORM**

### **6.1.1 Coordination of Reforms**

The Ministry of Police Affairs was saddled with the responsibility of implementing the reform and the budgetary allocation for implementation is domiciled in the Ministry. However, the NPF, which is the subject of reform, had no financial capacity to determine, direct and ensure implementation of activities related to the reforms. This situation led to disconnection among the critical institutions in the implementation process.

In addition, there was multiplicity of plans at concurrent periods, which led to some sort of confusion as to the contents and elements of the police reform programme. The PSC in 2007, formulated a 5-Year Strategic Plan for the period 2008 to 2013, but by that time, the police was supposed to be implementing the 2006 Dan Madami Report alongside other operational reforms by the successive IGs. The 2006 5-Year Plan in itself led to the abandonment of the earlier 2000 Strategic Plan formulated by MoPA under the leadership of General David Jemibewon (rtd).

The 5-Year Plans also have little similarities with the then existing reforms (both mainstream and operational). This also contributed to coordination dilemma and glitches in implementation<sup>37</sup>. A 2014 Strategic Plan for the NPF, which was drafted by Development Partners<sup>38</sup>, totally alienated the MoPA and PSC. It was neither adopted by the NPF nor was it mainstreamed into the larger reform agenda. Government's inconsistency in defining the Ministry's responsibility in managing the NPF added to inefficient management of the reforms.

The police was supervised between 1999 and 2007 by the MoPA, and was then put under the Ministry of the Interior before being moved back to MoPA. During the period it was in the Interior Ministry, the major issues centered more on attempts to reduce police power and influence rather than the implementation of the reforms. More so, the fiscal management of the NPF rests with the Ministers and as such, poor coordination between the Ministry and the NPF had hampered the implementation of

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<sup>37</sup> Interview, Code 1, 30 January 2014.

<sup>38</sup> Led by the J4A Project of the British DFID.

the reforms in areas of prioritization, training, oversight and professionalization of the Force<sup>39</sup>.

It is interesting to note that the PSC, the body responsible for the discipline of senior officers of the NPF was not constituted until 2001, almost 2 years after the commencement of the initial MoPA 2000 Strategic Plan for the NPF. This entailed that there were no credible and institutionalized structure to discipline most of the senior officers in a reform process in which discipline of officers featured prominently.

Secondly, the Strategic Plan developed in 2002 by the Ministry of Police Affairs was abandoned mid-way for the implementation of the Dan Madami Committee White Paper, which was later abandoned for the 5-Year Plan formulated in 2004 and then the MD Yusufu White Reform Panel Report. Whilst the Dan Madami White Paper was being implemented at snail's speed in 2007, the Federal Government sought the assistance of the British Government to have the British Police re-organize the NPF and a Committee was set up by the Minister of Interior, Godwin Abbe to advise the Government on the scope of such assistance (Bello, 2007: 78).

This was also abandoned mid-way as well as other operational reforms by successive IGs referred to in the previous Chapter. The poor coordination therefore led to multiple but needless reforms that could have been consolidated and streamlined. The result was that a lot of time and resources were dedicated to the proliferation of initiatives at the instance of proper institutional framework for managing a consolidated approach. In this regard, the perspective of Soludo (2012: 74) is relevant:

Every new Inspector-General (IG) has launched one special 'operation' or the other to signal his zero-tolerance to crime. Over the same period, the size of the police force has more than tripled, its budget ballooned, and yet the state of insecurity worsens. Nigeria is ranked the "kidnap-for-ransom capital of the World", accounting for 25% of global kidnappings. The Global Peace Index ranks Nigeria the 6<sup>th</sup> most dangerous African country to live in; KPMG ranks Nigeria the

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<sup>39</sup> Interview, Code 1, 30 January 2014.

most fraudulent country in Africa; while the Economist Intelligence Unit ranks Nigeria the ‘worst place to be born in 2013’. The US Fund for Peace has for three consecutive years, ranked Nigeria as the 14<sup>th</sup> failed state in the world (out of a total of 178 countries). Insecurity of life and property is at the heart of these worsening indices.

Flowing from the above, there were several regular policy inconsistencies (leading to reversals) on issues like promotion, death benefits, command structure (e.g Highway Patrol), designation of the Internal Unit on Corruption, welfare, etc. which at different times contributed to dampening of morale among officers of the NPF.

It is worthy of note that after the work of each Reform Committee, NPF and PSC Officials were always quick to go to the media to announce the amount of money needed for reforms, without taking time to collectively design a logical framework of operational plan for implementing the reforms.

This often led to the bandying of conflicting figures, as was evident in the case of the Osayande Committee when different government officials expressed open disagreement over the actual cost of the reform, with quotes between of 130 and 140 billion Naira (Champion, Punch, Nigerian Tribune of Nov 15 2013). The PSC Chairman Mike Okiro, acknowledged the problem of internal coordination on issue relating to the NPF, citing “poor inter-agency collaboration, absence of national policy on crime prevention and control, absence of national strategy on crime prevention and control, national criminal intelligence sharing plan, national policy on deliberately planned police and overall public partnership in crime prevention and control” as responsible factors (Saturday Newswatch, 2013). Ironically, these issues were glossed-over in the reports of all the reform panels within the period under study.

Reform implementation therefore appears to be compartmentalized, with limited coordination interface between the MoPA and NPF. The PSC was totally left in the cold and though actively involved in the discipline of the NPF within the framework of the reform reports, could not engage the MoPA on prioritization and

synchronization, as operational plans were never harmonized<sup>40</sup>. While for instance, the AIG in-charge of Intelligence outlined a number of achievements recorded in recent years, including the acquisition of tools to enhance the NPF operational efficiency and capacity development, its operations is not synched to the upgrading of Forensic capability of the Force to enhance intelligence-gathering. Indeed, the “forensic laboratory’s equipment were dilapidated, the chemistry laboratory was not capable of conducting modern investigation, the pathologists in the forensics had no facilities to work with while the morgue lacks histopathology equipment.

The documents section also lack the working tools to undertake its mandate”, (Akhiwu, 2013:204), though government continued to recruit more personnel and had embarked on plans to build a National Forensic Laboratory in Abuja. In addition, there seemed not to be enough synergy between the reform committees, PSC, NPF, MoPA as well as the National Assembly, Private Sector and other stakeholders in the reform process. For instance, an inter-agency committee empanelled by the House of Representatives in 2004 to review the Police Act of 1943 submitted a bill to the House Committee on Police Affairs, and the Bill was tabled for discussion on the floor of the House, going as far as the second reading.

The main highlight of the Bill was a policing philosophy based on democratic principles such as respect for human rights and the rule of law, accountability, efficiency and effectiveness. However, these processes, which stalled after the end of tenure of the Second National Assembly, was disjointed from the reform efforts then being coordinated by the Ministry of Police Affairs while the Mandami and Yusufu Committees never worked with the draft, in spite of having the mandate to advise the government on other issues related to policing in its Terms of Reference (ToR).

Coordination problems apart from breeding inefficiency also encouraged corruption. For instance, though the PSC recruit personnel for the Police Training Colleges, they are administered by the NPF and the Police Ministry is responsible for the release of funds to them, which perfectly allowed the management of these training institutions and the supervisory structures to engage in buck-passing than in tackling the glaring

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<sup>40</sup> Interview, Code 1, 30 January 2014.

problems of infrastructure, good corporate governance, corruption and poor teaching and accommodation facilities within the Colleges (Soriweri and Adepegba, 2013).

The confusion over the role of each of the MDAs in the implementation process also led to some delays and non-action by officials. For example, Alemika, in an interview with this researcher maintained that the NPF had a *laissez faire* attitude towards the implementation of the Dan Madami Committee Report because in the absence of express directive by the MoPA. The NPF high command was afraid they would not be protected in case something went wrong with the implementation. He stated *inter alia*:

Immediately we (the Committee) finished. I sat down with the PSO, Mr. Solo Arase and we outlined the implementation requirements, many of which were actually letter writing and do not require money. They are basically directing, restructuring, reorientation and training, human rights monitoring, etc....and we classified them according to short, medium and long-term deliverables. Ehindero left office less than a year after that but our report was handed-over to his successor and this was never implemented... (Alemika, Interview, 2014).

It is also interesting to note that the MD Yusufu Panel, which had a multi-stakeholders Implementation Committee inaugurated by the then Police Affairs Minister, Yakubu Lame was rendered ineffective by officials of MoPA who saw the Committee as a threat to their power over allocating resources earmarked for the reform<sup>41</sup>. Nevertheless, the idea of establishing an *ad hoc* committee for a function that should be appropriately carried out by a Government MDA was totally not acceptable to the bureaucrats. Government would repeat this same practice by constituting in 2013, an Interim Implementation Committee for the Osayande Committee Report and go through the cycle of paralysis in follow-up and implementation due to poor coordination with other stakeholders, occasioned by the reluctance of MoPA officials to share their powers with ‘outsiders’.

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<sup>41</sup> Interview, Odekunle, 21 March 2014.

Alemika<sup>42</sup> identified other coordination-related obstacles to the implementation of reform committee reports as follows; the interference of Government Ministries and Departments in operational scope of the NPF due to the absence of enabling power to allow the police undertake implementation; diffusion of roles in such a way that MoPA implements the reform over the police since the IG was not held accountable for the reforms but the Minister of Police Affairs<sup>43</sup>. Implementation was also undermined because of inadequate professionalism and the high turn-over of staff<sup>44</sup> and similar turnover of Permanent Secretaries and Directors in the MoPA and the PSC.

There were also coordination problems emanating from the dysfunctional practice of Federalism in Nigeria, which impacted negatively on the implementation of the NPF reforms. For example, until 2013, the component governments of the Federation (i.e. States and Local Governments) have no clearly defined role in the reform process. Indeed, their role in the implementation of the Osanyande Report was confined to financing without the definition of clear incentives for them in statutorily financing the NPF.

This situation is understandably compounded by tensions between the federal and state governments over operational control of the NPF, which on a number of occasions, deteriorated into indecent exchanges and establishment of militias by some state governments to perform policing duties. For the Osayande Report, it was initially estimated to cost N2.8 trillion for a 6-Year period but this was later cut down to N1.5 trillion by the National Economic Council (Adetayo, 2013).

To effectively fund the reform, the NEC recommended a joint funding of the revised cost of N1.5 trillion with 60% coming from the three tiers of government, while the organized private sector and international development partners were to contribute 40%, and agreed on 1% monthly deduction (on the first line charge) of revenues to

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<sup>42</sup> Interview, Alemika, 11 March 2014, Abuja.

<sup>43</sup> For example, numerous wasteful and uncoordinated training were undertaken for police officers, some of these trainings were fictitious. Though frustrated, the NPF Management could not do anything about the profligacy in the Ministry, according to Interview with CSOs activists and Scholars involved in the reforms who would like to remain anonymous.

<sup>44</sup> There are no professional staff, only Pool Staff posted from one Ministry to the other without recourse to programme continuity.



states and local governments, to be used exclusively in the respective states (Ibid). Since 2013, there seemed to be little action among the tiers of government in actualizing these commitments and with 2015 election approaching, issues of funding took the back-seat.

Indeed, AIG Code 1 expressed skepticism over the work of the Implementation Committee stating that since 2013, nothing had been heard of its functioning and that with the antagonism between the main political parties, the APC and PDP over how the latters had allegedly abused the NPF to intimidate the opposition, chances of success were slim. He also stated that months after the constitution of the Committee, nothing had happened, which he said indicated that nothing much should be expected of the implementation committee<sup>45</sup>.

On funding coordination between the tiers of government, while the contributions by states and local government seem laudable, they appeared not to be a sustainable way of funding the police as threats were at a point, issued by governors to withdraw their funding. In a specific instance, five northern governors from Jigawa, Kano, Adamawa, Sokoto and Niger so threatened in a Statement in July 2013, following a visit to River State to express solidarity to the then Governor Rotimi Amaechi over his face-off with the River State Police Commissioner. They stated *inter alia*: “with the way the police is being used and abused, and with officers like Mr. Mbu Mbu in the bus, we do not see the need for state governments to fund an antagonistic police and may be forced to reconsider our position on the financial contribution of states towards the funding of the Nigerian police” (Premium Times<sup>2</sup>, 2013).

Moreover, the Senate at its sitting at plenary on 14 November 2013 also sang a discordant tune, stating that since the N135 billion made available for the reforms between 2010 and 2013 had not been accounted for, the discourse should be on how the NPF could be decentralized. They also stated that the idea of a single police for all parts of the country was inconsistent with a federal system. Though a motion was passed calling on the Minister of Police Affairs to investigate the amount released for

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<sup>45</sup> Interview, Code 1, 30 January 2014. Governor Peter Obi later in 2014 completed his tenure of office and no mention was made about his successor as Chair of the Committee. Findings from the MoPA Officials also indicate that the Committee has not sat since the beginning of 2014.

comprehensive reform of the police between 2010 and 2013 (Aborisade, 2013), the Researcher's findings at the MoPA indicate that no action had been taken on this, meaning that officials did not take the Senate Resolution seriously. Thus, the main stakeholders within the government responsible for steering the reform process appeared to be working at cross purpose, a situation which slowed down, derailed and out-rightly prevented effective implementation.

### **6.1.2 Oversight and Accountability**

Effective oversight and accountability are key to successful police reforms the world over. For the NPF, the main oversight body, the PSC, was not established until 4 January 2001, about 2 years after the advent of democratic governance, with cardinal responsibilities in the areas of discipline and promotion of NPF personnel. After the inauguration of the initial PSC under the leadership of Chief Simeon Okeke in 2004, attempts by the PSC to enforce its oversight on police appointment and promotion was vehemently resisted by then IG Tafa Balogun, who insisted that the PSC only had power to merely ratify appointments and promotions made by him (Soniyi, 2003: 40).

Two factors accounted for this. First, the police had historically been left to, on its own, organize, control and discipline itself, with some limited oversight exercised by the courts. Secondly, Chief Simeon Okeke, the pioneer Chairman of the PSC during the 4<sup>th</sup> Republic, being a civilian and someone who was ready to enforce the PSC Act, was viewed with hostility by the NPF senior management<sup>46</sup>.

This contrasted with the situation in 2011, when the PSC under the leadership of Parry Osayande, a retired Police Officer, on the instruction of the President, reversed the dismissal of Nuhu Ribadu and several other police officers, a situation that greatly undermined the independence of the PSC and integrity of the NPF, but the directive was nonetheless implemented.

The PSC was further hampered in the performance of its oversight duties by inadequate staffing and budgeting. It has offices only in the FCT and six cities in the country and save for the pioneer Chairman, it has been led by retired police officers

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<sup>46</sup> Interview, Azimazi, February 13 2014.

that seemed ready to preserve the ‘corporate interest’ of the NPF not wanting to subject itself to holistic civilian oversight.

A UN Special Rapporteur Report on the PSC observed that:

The Police Service Commission is charged with police discipline, but has opted to refer all complaints of extrajudicial police killings back to the police for investigation. The Commission’s mandate is potentially empowering. But despite efforts by one or two excellent commissioners, its performance has been dismal and self-restraining. Its quarterly reports to the President are not published and present a dismal chronicle of rubber-stamping decisions taken by the police, coupled with inaction in relation to pressing concerns. A radical overhaul of its procedures and composition is warranted (OSJI and NOPRIN: 2007: 97).

Also, in order to further weaken oversight, the Government delayed the Osayande and Okiro-led Commissions in 2009 and 2013 respectively, during which the NPF lacked oversight institutions for senior personnel. In the case of the Osayande-led Commission, its constitution was delayed for 2 years (Omonobi, 2010). Also, since the tenure of Parry Osayande, rather than embark on a methodological approach to the performance of its oversight duties, the PSC was reactive in its approach, with numerous Public Statements but very few quantum of concrete disciplinary measures.

For example, years after the public has been deprived of quality policing due to the engagement of over 100,000 policemen in VIP duties, the PSC had not taken any measure to reverse the trend (Saturday Newswatch, Op. Cit). The PSC was also complicit in committing major blunders that further led to inefficiency in the NPF like the 2002-2004 mass recruitments, which led to the employment of people with questionable past and the abuse of promotion and disciplinary structures.

The crisis of competence of the PSC was further complicated with the appointment of Okiro as Chairman, moves that were seen in some quarters as attempts to undermine the independence of the body and politicize it. There is no gainsaying that a body like the PSC should be made up of people that are politically impartial, with utmost observance of the rule of law in their conduct. This was however not the case.

For one, Mr. Mike Okiro a former IG, whose appointment did fugitive James Onanefe Ibori reportedly influence and who took over the leadership of the PSC in 2013 had been a card-carrying member of the ruling PDP since his retirement and had served as security consultant to the party prior to his appointment. He was also alleged to have authorized human rights abuses by men of the NPF during his tenure as IG and had been in the habit of defending infractions by policemen in the past<sup>47</sup>. In addition, some other appointments to the PSC were seen as violating Chapter 3 of the PSC Establishment Act No. 1 of 2001, which reads inter-alia:

Subject to the provisions of Section 4 of this Act, a member of the Commission, other than ex-officio members shall each hold office- (a) for a term of four years and no more...(PSC Act, 2001)

In this respect, the attempted return of Ms. Comfort Obi and Dr. Otive Igbuzor who both served in the Osayande-led Commission from 2009-2012, to serve in the reconstituted Commission led by Okiro from 2013, was seen as a contravention of the Act. While the civil society, led by NOPRIN successfully fought against the confirmation of Igbuzor (who was using their slot on the PSC Board) at the Senate, Obi scaled the screening without protest from her media constituency<sup>48</sup>.

Interestingly, NOPRIN also opposed the appointment of Okiro as Chair of the oversight body due to a number of alleged human rights and corrupt practices perpetrated in office as Police IG during the period 2007- 2009, allegations for which the PSC Chair instituted litigation against NOPRIN for damages and defamation of character. These types of infractions have tended to weaken the moral power of the PSC in ensuring adherence to rules and due process of the law. All the factors enumerated above contributed to the weakening of the PSC and in this situation, its oversight on the reforms became ineffective.

Another important oversight body for the NPF is the National Human Rights Commission (NHRC) which started out in 1995 with juridical autonomy (more or less as a Department of the Ministry of Justice) but was to attain functional, institutional

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<sup>47</sup> Interview, Azimazi, February 13 2014.

<sup>48</sup> Interviews with Mr. Ayokunle Fagbemi, December 21, 2013, Chinedu Nwagu, 03 March 2014 and Saka Azimazi, February 13 2014.

and financial autonomy with powers to perform quasi-judicial responsibilities following an amendment to its enabling Law in 2012. The Commission has the mandate to monitor and investigate all alleged cases of human rights violation in Nigeria and make appropriate recommendations to the Federal Government for the prosecution and such other actions, as it may deem expedient in such circumstance, among a plethora of functions.

In 2012, the Commission was endowed with the power to act as a Court of Records on human rights violations. It has 12 Departments and has offices in the six-Geopolitical Zones across the federation. By virtue of its power and structure, it is one of the institutions that perform oversight on the NPF. The NHRC has participated in all the mainstream reform committees of the NPF and has made tremendous contribution of the elaboration of their reports. Since 1996, the NHRC has published Annual Human Rights Reports, giving a holistic analysis of human rights situations in the country. However, most of these reports have failed to document police atrocities.

The structure of its reports is such that they mostly dwell on a rehash of the mandate, power, analysis of the departments, activities in the promotion of awareness on human rights, collaboration with other organizations and financial accounts, dedicating only a chapter to the documentation of complaint management and human rights protection. The said chapter, rather than give detailed analysis of human rights infractions according to sectorial division, focuses on the summary of complaint based on the nature of such complaints. Even at that, an analysis of reported complaints show that they apply mostly to offences for which the NPF and other Security Agencies have been variously accused over the years, though no mention was made of the NPF in the Reports for a period of 5 years reviewed by this Researcher.

These sections mentioned include: degrading treatment by law enforcement agents; unlawful arrests by security agents; extra-judicial killings; and an additional section on torture, which was only captured in the 2009 Report. The fact that torture was only included for analysis in 2009 also points to the reactive nature of the NHRC's works on addressing impunity. Like the PSC, the NHRC is also present in Abuja and six

cities in the country, though it works effectively with the civil society. This has however not made its operational oversight less difficult.

The Ministry of Police Affairs (MoPA), was re-established in 1999 and has the following main functions:

- Policy design, implementation and coordination towards the maintenance of law and order in the country;
- Administer support for the NPF;
- Matters relating to the Police Council;
- Budget development and monitoring of budget implementation;
- Matters relating to the Force purchasing and tenders' board;
- Matters relating to the PSC;
- Welfare matters;
- Matters relating to the Police Pension Office;
- Training;
- Other duties assigned by the President of the Federal Republic of Nigeria and the Chairman, NPC.

The MoPA has rather busied itself with the management of reform budgetary resources and coordination of the process of award and implementation of contracts. Even in these respects, no institution performs effective oversight on the Ministry and it has little moral power to perform oversight on the NPF. Rather than uphold police discipline, the MoPA is known to have shielded officers involved in misdemeanor. For instance, at the aftermath of the failed attempt by 5 lawmakers to impeach the other members of the Rivers State House of Assembly and allegation of police complicity, the Minister of Police Affairs stated that the Ministry did not intervene, on the claim that the issue was an operational issue, not an administrative one.

Nigerian Police Council (NPC) is established by the Constitution as the body that has the responsibility for the control and management of the NPF. The NPC is has the following statutory responsibilities: the organization and administration of the NPF and 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; the general supervision of the NPF; and advising the President on the appointment of the IG (CFRN, 1999).

Though the powerful and influential state governors constitute an overwhelming majority of membership of the NPC, which is the highest organ of the NPF, the Council has however been lacking in the discharge of the critical responsibility assigned to it in the Constitution in serving as effective management, policy framework, implementation and monitoring as well as regular meetings are lacking (Alemika, 2012:26)<sup>49</sup>. Alemika (2010:14) argues that though the Council can act proactively by closely monitoring the reports on police by the public, mass media and other civil society organizations and in that light, could undertake annual evaluation of the Force with a view to dealing with structural and organizational factors that engender police abuse of power.

However, he stated that there appears to be no political will to establish strong mechanisms for accountability at this level and some responsibilities of the Council have been delegated to the Minister of Police Affairs. Though the Ministry can in theory hold the police accountable for managing funds, it seems to be lacking the moral pedestal to do this due to dissatisfaction among the police hierarchy, on the way and manner funds for the reform have been managed by officials of the MoPA<sup>50</sup>.

The National Assembly is also seen to have performed poorly in its oversight of the Police. Despite the presence of Police Affairs Committee in each Chamber of the National Assembly, members have been concerned with struggle to take part in the award and execution of contracts<sup>51</sup>. The National Assembly has also been active in the promotion of an 'envelope system of budgeting' whereby the Ministry of Finance provides a budget template, based on available allocation and not based on the priorities of the police, a system that encourages corruption.

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<sup>49</sup> Indeed, the body has not held a single meeting since 1999. The only function it has performed which is the ratification of IGs appointments, were done at the margins of the National Council of States (Interview, Alemika: 11 March 2014, Abuja). Attempt to get copies of the NPCs minute at the PSC and Police Headquarters revealed that they were not available for circulation.

<sup>50</sup> Interview, anonymous police officer & Code 1, 30 January 2014.

<sup>51</sup> Interview with Mr. Okey Nwagwuma, National Coordinator (NOPRIN), 15 March 2014.

In addition, successive National Assembly (i.e. Senate and House of Representatives) Committees on police have been adjudged ineffective and are often made up of people interested in getting contracts from the police reforms budget while some of the members of the National Assembly with criminal past could not develop the courage to effectively perform oversight on the police. One of the most damaging acts of lawlessness by the Nigerian Senate that have undermined the legitimacy of the PSC to perform oversight on the police was the confirmation of Ms. Comfort Obi as a member of the PSC, in violation of the PSC Act barring any member from being reappointed once s/he has completed a Term.

The civil society is another constituency expected to perform some sort of oversight responsibilities on the NPF. There are two major types of civil society engagement with the police reform. The first category of CSOs engages with the process from outside. They name-and-shame the police and never got involved directly in the reform process.

To this category belongs 46 mainstream human rights bodies like Network on Police Reforms in Nigeria (NOPRIN)<sup>52</sup>, CDHR, CLO, HURIWA, CISLAC and so on. They are often seen as the hostile to the NPF because of their aggressive advocacies against human rights abuses committed by officers of the Force and very often, they don't have the information from inside to enable them engage the NPF more constructively. However, they at times achieve their objective of ensuring the NPF personnel respect human rights and accountability.

In the second category are those CSOs working from within to engage with the reform process and support components of it. The CSOs in the category are respected for their constructive approach by the NPF, who at times partner with them in areas such as capacity-building and joint monitoring of human rights and accountability

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<sup>52</sup> It is made up of 46 CSOs. Working from outside has been quite difficult for NOPRIN, which could not have survived without Donors. For example, PSC Chairman Okiro dragged the organization to the court for defamation of character, while CLEEN instituted another litigation against Okiro on allegations of corruption. Okiro as PSC Chairman has also refused to work with them on any official programme aimed at supporting the reform of the NPF. The Government has as well refused to officially receive or act on the CSO Reform Panel, which was formed by NOPRIN, side-by-side with the Parry Osayande Committee.



mechanisms<sup>53</sup>. The work here is so enormous and the expectations are high. A notable group in this category is the CLEEN Foundation<sup>54</sup>.

Because of the privileged position occupied by the latter, their name-and-shame strategy is limited and they were able to partner the police in implementing parts of the reform.

Through such constructive engagement, CLEEN supported the NPF in series of activities that culminated in the formulation of Codes of Engagement for Police Officers on Election Duty, a tool that has contributed to improving police performances during elections in the country. Over the years, CLEEN had exited donor dependency and has been able to develop its own priority programmes without being subjected to either internal or external pressures. At a point, it operated for almost one year with zero grants from any Donor Agency.

The linchpin of the CSOs, which is the major coalition monitoring the implementation of the reform is known as NOPRIN. It started in Lagos, in 2000, with the objective of performing oversight on the activities of the NPF and to enhance security, safety and justice. It was set up against the backdrop of the clamour for police reform after the transition to democracy in 1999 and the need to pool resources together, coordinate better and maximize impact.

Moreover most donors prefer working with network organizations. Though it started as a Consultative Forum, it eventually became a membership organization. Its major achievements included participation in an inter-sectorial committee on the review of the Police Act<sup>55</sup>, awareness creation on human rights abuses by the police and coordination of a CSO Panel on Police Reform in 2012. The CSO Panel appears like a

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<sup>53</sup> This relationship is not always smooth as revealed by Alemika during the interview. Due to the need for CLEEN for example to maintain the integrity of some of its past Surveys indicating that the NPF was very corrupt, it has ran into conflict with police authorities, which puts a lot of stains on its work. CLEEN manage this tension at times, by proportionately focusing on 'Police-Interest Subjects' like Police Victimization, Welfare Issues, etc.

<sup>54</sup> Established with 'seed' money obtained by Innocent Chukwuma as a result of his achievements in Human Rights works as Head of Police Desk at the Civil Liberties Organization.

<sup>55</sup> This Project initiated by the National Assembly stalled at the end of the 2<sup>nd</sup> National Assembly in 2007 and there are currently 3 versions of the Committee's Report, according to Nwagwuma, 15 March 2014.

wrong strategy as the NPF did not make any input into the process, retired police officers completely boycotted the process while the Government refused to publicly receive the Report. At any rate, a government that treats its own reports with disdain could not have been expected to valorize the CSO Panel Report.

Conversely, NOPRIN has found itself enmeshed in its own crisis thus curtailing its capacity at holding the police accountable. Firstly, the body is donor-driven and as such lacks adequate resources, trust and capacity to work closely with the NPF. Secondly, the NOPRIN has been accused in many quarters of the very malaises plaguing the NPF from performing efficiently, including nepotism and corruption. Thirdly, the body is a house divided against itself, leading to its fractionalization and name-calling, which partly accounted for the rejection of Dr. Otiye Igbuzor as a member of the PSC representing the civil society, for a second term (Interview with Mr. Fagbemi, December 2013).

Government division of the ranks and files of CSO members through the handpicking for appointment into reform panels and other Government working groups without consultation with NOPRIN has also contributed to weakening not only the Network but also other component organizations and individuals associated with it. Most of the other bodies such as Centre for Law Enforcement Education (CLEEN), Committee for the Defence of Human Rights (CDHR), Civil Liberties Organization (CLO), and others too numerous to mention are doing tremendous oversight work in areas of police station visitation, human rights protection, gender rights issues, advocacy and education and so on, but the scope of their work are either too limited or unconcerned with the monitoring of the reform process.

Most of these organizations lack entry and coping strategies, coupled with inadequate capacity and knowledge on the part of most of the CSOs. Tamuno also criticized the value deficits in most of the CSOs, particularly in the areas of inclusiveness, transparency and accountability, and knowledge of the field of policing. Given these shortcomings, he described them as essentially non-transformational in character and would need to undergo a transformational process before making much impact on

policing transformation<sup>56</sup>. Finally, being donor-driven, there is little or no interest neither was there much capacity for monitoring implementation of the police reform programmes<sup>57</sup>.

Whilst describing the institutions and CSOs performing oversight on the NPF as too many for an organization of the size and expertise of the NPF and contrasting the NPF with the core civil service, AIG Code 1 stated that most of them do not have the capacity or knowledge to understand the work of the police and most often than not, some of the bodies have the powers to authorize procurements for the NPF<sup>58</sup>. Yet they control budgetary allocation, procurement, promotion, postings/transfer, human rights practices and welfare of the Force.

The inability of the police to autonomously manage its resources and take full operational responsibility for the Force due to the obstacles placed by the institutions like MoPA, National Assembly and the PSC, particularly, has to him, considerably slowed down its effectiveness and efficiency in areas like preparedness, anticipation, management and rapid reaction to security challenges. Oversight thus appears largely like competition among the MDAs and like adversarial attacks by the CSOs, thus constituting distractions in some cases to the NPF.

### **6.1.3 Human Rights and Impunity**

Analyzing how police culture breed's hostility to the community, Alemika Op Cit, (2010: 13) stated that 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 breed solidarity and occupational pathology characterized by 'perceptions of the public as uncooperative, unsupportive and antagonistic toward the police', factors that contribute to police aggression. As a result, the integrity of the

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<sup>56</sup> Tamuno, Interview, 18 March, 2014

<sup>57</sup> For example, even for the NGOs working closely with the police, there are no current records of implementation status of the reforms. Nwagwu and Nwagwuma accepted these criticisms as valid but pleaded inadequate capacity and funding, as well as hostilities by the Ministry of Police Affairs.

<sup>58</sup> Interview, AIG Code 1, 30 January 2014.

police is undermined and a culture of impunity is thereby entrenched. This reduces the consideration given to the protection and promotion of human rights by most police organizations.

The NPF is not an exception to this culture. Indeed, the tabulation of infractions show that between 2006 and 2014, the police caused deaths in 1,560 out of 2,694 violent incidents they were involved in, which represents an average of 58% of their interventions causing deaths. The majority of the fatalities caused by the police resulted from extra-judicial killings. The Legal Defence and Assistance Project of Nigeria recorded 997 and 2,987 extra-judicial killings by the police in 2003 and 2004, respectively (Afeno, 2014:14). As the primary institution responsible for law enforcement and internal security, the police often intervene in violent conflicts involving diverse groups. Most of these interventions cause fatalities.

The pattern of human rights abuses by the NPF is generally seen as institutionalized due to a plethora of reasons, notably lack of alternative means of exerting evidence except through torture, poor welfare of officers, poor training, corruption and poor oversight as well as lack of commitment of the police leadership to fight impunity and human rights abuses.

The human rights practices in the NPF further deteriorated with the five-year recruitment exercise, which led to, an influx of suspected criminals, people with physical deformities, doubtful backgrounds, over-aged and educationally unqualified entrants into the Police<sup>59</sup>. The resulting combination of compromised enlistment procedures, grossly inadequate training and orientation regimes, and poor policing traditions grossly compromised standards and grossly weakened the NPF.

The M.D Yusufu Committee Report poignantly captures the atrocities committed over the reform years, describing it as characterized by unlawful arrest and detention, extortion, torture, rape, extrajudicial killings and other forms of brutality. The negative image of the police in the eyes and minds of the public arose from the high

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<sup>59</sup> Interview, Azimazi, February 13 2014.

level of crimes in the force and its failure to carry out genuine police functions successfully.

The Committee lamented, “instead of becoming a public asset therefore, the police have become a public burden.” (OSJI and NOPRIN, 2010: 21). In most of the cases where CSO and citizens efforts have helped to identify offending police officers, the leadership of the NPF usually transfers them to other Commands. Faced with the resulting inability to locate the affected police officers in the system, the stakeholders/citizens groups often give up on complaints (Ibid: 96).

It has indeed been common for police to carry out raids on suspects without conducting diligent investigation prior to such deployment. Whilst this methodology has created fear of the police in some instances, it has led to escalation of national security challenges in several other cases<sup>60</sup>. An indication of public trust deficit in the NPF is the very dismal performance of the institution in intelligence-gathering and conflict prevention over the years. This is best illustrated by the belated, reactionary and violent reaction of the police to law and order issues. Its capacity to pre-empt conflict and gather valuable intelligence in order to prevent conflicts are also considerably weakened.

The Nigerian Research Network has indeed noted that ‘where trust is low, security agencies can only be of limited effectiveness, and publics often turn to other forms of self-provided security’ (NRN, 2013:1). At the root of lack of confidence is the perceived anti-people values and lack of accountability of the Nigeria Police. Though AIG Code 1 alluded to a Project at the FIIB named ‘Stop the Bribes’ through which citizens can capture police corruption and human rights abuses with their phones and electronic devices, policemen assaults on citizens after attempts to capture such misdemeanors have largely been ignored by the police authorities.

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<sup>60</sup> An important example was the escalation in the Boko Haram Crises due to the handling of the issue by the NPF in 2009. The leader of the sect, Mohammed Yusuf was arrested on 30 July 2009 in Maiduguri and was filmed by the military while in custody same day, before he was handed over to the police. Later in the day, the police announced that he had been killed while attempting to escape but Yusuf’s photograph and video clips suggested that he had been handcuffed at the time of his death, thus leading to allegations of extra-judicial killing, public outrage and escalation in the crisis (for more details see Amnesty International, 2012 and Abdu, 2011).

As aptly observed by Alemika (1993: 61) “The Nigerian public perceives the police as government’s police rather than agents and servants of the community”. The deployment and use of police as ‘body guards (personal servants) of the powerful in society and the institutionalized violation of human rights and indiscipline demonstrated by men of the NPF contributes to entrenching this image.

Though several Inter-Governmental Organizations have documented atrocities committed by the NPF over the years, some of the major ones need to be analysed. Following an era of impunity under the Tafa Balogun Fire-for-Fire Programme and its disastrous impact on the image of the NPF, there followed feeble attempts to document human rights abuses in Force, attempts that were not followed-through with implementation. For instance, the National Human Rights Commission (NHRC) observed the conduct of security personnel deployed for the 2007 General Elections in Nigeria and documented complicity of some security personnel during the exercise generally perceived the conduct of personnel as below the required standards set out in the Guideline for the Exercise.

It made varying recommendations to the Police High Command, including the prosecution of complicit personnel and for Police Officers who discharged their responsibilities efficiently to be commended and be allowed to assist complainants in giving evidences at the tribunals (NHRC, 2007: 151-152). However, it is noteworthy that the Police and the PSC implemented none of the recommendations of the NHRC. Rather, the police continued to take actions to suggest that it remained unfazed by outcry over human rights abuses. For instance, not on one occasion did the NPF agree with the substance of the damning reports on human rights by Amnesty International, NOPRIN, Human Rights Watch and others.

More significantly, the re-engagement of the notorious head of Abacha-era torture cops Mr. Zakari Bui, among such similar actions, was seen as evidence of lack of seriousness with which the NPF treats impunity and human rights abuses. Furthermore, the indulgences of the police high command of several misdemeanors committed by the former Commissioner of Police in River State Mbu T. Mbu, betrayed the lack of commitment to impunity and human rights abuses by the IG and PSC. In the case of Mbu, it took months of public outcry before the IG constituted an

Investigation Panel headed by Commissioner of Police Idris Farouk, without any representative of the PSC. Interestingly, the PSC with statutory power of discipline claimed it could not act on the Mbu case because the public was divided on the issue and it was also *subjudice*, since the State Government had sued Mbu and the PSC. Speaking through its media representative member, Ms. Comfort Obi, it condemned what it termed ‘the politicization of the CP’s office’ and stated the Mbu would continue to occupy the office of Commissioner, no matter the level of opposition (Adepegba, 2014). The comment by the PSC came over one year after the start of the Rivers crisis. Indeed, the lack of proactive strategy to ensure the redeployment or disciplinary measures against Mbu, who is known to have openly violated the Police Code of Conduct and professional ethics in Rivers.

Indeed, that he was perceived as an impartial and professional policeman by the PSC speaks volume about the value which the oversight body would like to see thrive in the NPF. Also, during a Press Briefing in November 2007 to mark his first 100 days in Office, Ag Inspector General of Police, Mike Okiro proudly announced the killing of 785 people by the Police as a major achievement, in an era where the mantra of the Yar’ Adua Government was respect for rule of law (OSJI and NOPRIN, 2010: 11). One week later, Okiro was confirmed as the substantive Inspector-General.

There is no case that revealed the pitfall of evidence through torture than the embarrassing Olaitan Oyerinde saga, in which the police and the Department of State Security Service (SSS) issued conflicting and contradicting accounts, and indeed two sets of self-confessed murderers of Mr. Oyerinde, an aide to Mr. Adams Oshiomhole, the Edo State Governor.

The merit of the claims of each of these two security agencies is not as important here as the fact that all the suspects were tortured to confess to the crime, rather than relying on forensic and ballistic evidences, which were not used in this particular case. The police capacity for weak intelligence has been traced to what a senior officer called the ‘missing link’, i.e. the absence for a long time, of a dedicated, specialized, well-trained, well-motivated and well-equipped criminal intelligence unit to fill the vacuum created by the excision of the then F- Branch to form the National Security Organization (NSO), a body that later metamorphosed to the SSS (Arase,

2013:1-3). Though a number of reform measures were being implemented, as earlier stated, there are not comprehensive enough to have led to the required transformation in such a way capable of better protecting and promoting human rights.

The worrying part is that the police have historically been a tool in the hands of any ruling party or class to enforce the ruler's orders and not the law. It has hardly been neutral in any struggle for space among political gladiators. This point can be illustrated by several incidents, among which are the following. Shortly after the 2003 elections, the defunct All Nigeria's Peoples Party (ANPP) organized a rally to protest its claims of rigging. But the police, citing the non-issuance of a permit, violently disrupted the rally and a party chief, Chuba Okadigbo, allegedly died from the gas fumes inhaled during the police-induced mayhem (Punch, 2014:35).

During the controversy over the ban of political rallies by CP Mbu in Rivers State, a police AIG, Tambari Muhamad Yabo that another Appeal Court judgment had invalidated an earlier judgment which ab initio invalidated the Public Order Act (CAP P42) which the police relied on to ban rallies without permit. In a show of arrogance, Mr Yabo stated, "as a police officer, I have the right to choose between the two judgments" (Punch, 2014:35). Indeed, Mbu had apparently chosen which version of the judgments to rely on in banning the rallies in Rivers State, not minding the fact that the Public Order Act violate Section 40 of the 1999 Constitution of Nigeria which states that "every person shall be entitled to assemble freely and associate with others". Conversely, section II of the obnoxious Act reads:

Any police officer of the rank of Inspector or above may stop any assembly, meeting or procession for which no license has been issued or, which violates any conditions of the license issued...and may order any such assembly, meeting or procession which has been prohibited or which violates any such conditions as aforesaid to disperse immediately (Section II, Public Order Act)

It is also pertinent to note that Section I of the Act on Procedure for Requesting Approval actually empowers the governor to direct a 'superior police officer' to grant approval "specifying the name of the licensee and defining the conditions on which



the assembly, meeting or procession is permitted to take place; and if he is not satisfied, he shall convey his refusal in like manner to the applicant”.

In spite of this, the Rivers CP subordinated the governor to himself in the application of the POA. Nevertheless, Chukwuma (2013:266-267) identifies five reasons why the POA has always been a source of friction between the public and the police. Firstly, it appears not to recognize the right to peaceful assembly and association as a human right provided for in the constitution but as a privilege, which the government grants to whomever it wishes. Secondly, the governor delegates the powers, which creates room for political interference in the works of the police.

This to us also creates complication when one takes cognizance of the fact that the CPs are also under the operational control of the IG, who is appointed by the President. Thirdly, the Act appears not to discriminate between peaceful and non-peaceful assemblies. Fourthly, it fails to take into consideration, cultural and sociological peculiarities undergirding public assemblies in different parts of Nigeria. Finally, the POA cements the belief that the NPF is an organization for the government in power and not for the people.

#### **6.1.4 Philosophy Deficits**

It has been said that we cannot point to any known core value of the Nigerian state that Nigerians have demonstrably cherished in the sense that Briton and Americans perceive themselves. Though a number of moral degeneration programmes have been formulated and implemented slogans (e.g. WAI, WAI-C, MAMSER, National Orientation Agency, etc), seemingly in recognition of the importance of values, attitudes and institutions in national development, the values preached by these programmes have been lacking in the successive leadership of the country and thus their implementation are bereft of coherent strategy and action beyond slogans, and the result is that Nigeria remains a country of disparate nationalities still in search of a national essence (Soludo, 2013).

This has been complicated by the way and manner in which the political elite has administered the country, with unbridled emphasis on wealth acquisition. Despite establishment of several agencies for value reorientation, successive Nigerian leadership has simply refused to walk the talk in the area of value reorientation.

Harping on the importance of normative foundation for institution building, an analyst observed that “where there is pervasive criminal activities, all the norms by which one determines the good from evil is wiped out and it is with the absence of norms that the society is helpless” (Onagoruwa, 2005:35). He stated that if we are to apply the Doctrine of Normlessness by Prof Duckheim to Nigeria, it means that long years of military and their arbitrariness has left the society normless, leading to the destruction of time-honored values enshrined in the body polity and disorientation of the society.

In this vein, then Commissioner of Police Young Arebamen asserted, “the NPF is one of the best in the world...we didn’t say so...the UN said so. But when we are here, you derogate us; you bastardize your police, as if they don’t have blood running in their veins (Williams and Abbah, 2003: 8). Is Police the problem or the society?” He called for societal reorientation and attitudinal change. In the same vein, Abati observed, “the problem with the police is structurally and operationally, a direct consequence of the wider, intractable dislocations in the Nigerian system and society (Abati, 2002: 51).

In the NPF, the Police perceive themselves as being above the community that they are supposed to serve, a situation, which creates a lot of problem for policing and for community relations<sup>61</sup>. AIG Code 1 corroborated this by stating that the reform were occasioned by the negative public perception of the NPF and were aimed at aligning the mandates and operations of the NPF with societal expectations. He stated further that though the reforms were meant to be broad in scope, but was largely restricted to procurements<sup>62</sup>.

The reforms were not anchored on any philosophical foundation; rather issues of morals, philosophy and values were treated as add on. In the conduct of the police

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<sup>61</sup> Interview with Mr. Saka Azimazi, February 13 2014.

<sup>62</sup> Interview, AIG Code 1, 30 January 2014.

through the reform years, weak legal and policy frameworks, coupled with poor compliance by officers significantly weakened the value elements of the reforms. For example, the lack of transparent, professional and credible documentation by police officers tend to smear the credibility of the police and hampers the development of a culture that enhance compliance with rules and regulations<sup>63</sup>.

Junior police officers interviewed by this Researcher did not demonstrate sufficient knowledge of the reform as they relate to their day-to-day work and are also ignorant of the codes and standards of behaviors for the NPF. Though Police IG Mr. MD Abubakar embarked on the reprinting, upgrading and circulation of the Police Code of Conduct in 2012, this was insufficient in raising the needed awareness. In addition, while the idea of a Code of Conduct seems useful for the Force, there are neither clear strategy nor manifest effort on its implementation, as well as disciplinary measures instituted for its contravention.

Indeed, this issue is critical because of the perception of high-level indiscipline among police officer, which continues to make the Force to be seen in negative lights. As such, reforms may remain ineffective if citizens do not see the Police as a civilized and humane institution, capable of protecting and promoting the rights of the people. This would in turn not happen if and when the police are not capable of modernizing its Codes of Conduct and/or if there are weak mechanisms for the enforcement of the Codes.

For example, the crisis between the River State Government and the Commissioner of Police between 2013 and 2014 which was not subjected to disciplinary measures by either the NPF or the PSC was perhaps the greatest indicator that the Code of Conduct adopted in 2012 was not effective. A serious reform of the police should have as its point of departure and cardinal objective, value reorientation.

In addition, utterances of senior government officials on their understanding of the implementation of reform measures betrays an understanding that the major problem

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<sup>63</sup> Many Police Stations visited in Gwarinpa and Kubwa, Abuja do not have standard Station Diaries while individual police officers do not have the Diaries for recording incidents. Log books for management of logistics could also not be found.

confronting the police is that of logistics, funding and not value reorientation. The Minister of Police Affairs Caleb Olubolade, when asked about the reform retorted that “the reform programme is used to enhance professionalism of the Police by providing logistics, equipment, training, capacity building, community policing and welfare” (Oditia, 2014).

Another important aspect that could have been dealt with by a value-focused reform was the issue of utilizing policemen for guard duties. During the military era, the country experienced a paradigm shift in national security towards regime security rather than public law enforcement. According to Arthur-Worrey, the main function of the police is law enforcement, which does not include escorting VIPs. It is not an aspect of policing.

Rather it is guarding. The Nigeria Police was not established for this purpose, though it is expected to secure a selected but small group public officers. This lack of clarity on the NPF’s mandate has led to distortion in the country’s police force (Akinsanmi, 2013).

Interviews conducted with Police Officers indicate that the multiplicity of Visions and Missions by the successive Inspectors-General of Police and the Ministry creates confusion as to what the NPF really want to achieve and which institution provides the strategic direction for the police. In addition, these visions and missions have not been translated into a strategic concept as well as operational roadmap for the NPF. Indeed, the sets of values espoused by the Nigeria Police Code of Conduct include partnership with people, building lasting trust with members of the public, protecting and upholding the rights of persons, continuous evaluation and improvement of police services, provision of equal opportunities for career development, cooperation with relevant government agencies and liaison with the Ministry and PSC in implementing policies (NPF<sup>2</sup>, 2012).

However, there are very weakly defined or no operational plans for the attainment of these objectives, as well as enabler departments/infrastructures for the attainment of

these values, which are in themselves, seen as tokenism by members of the public<sup>64</sup>. One of the major problems, however, was lack of enforceability of the Police Code of Conduct by either the NPF or the PSC. Mr. Mbu Joseph Mbu, a Police Commissioner in River State was severally in breach of the last rule of Principle 6, which read thus:

Police officers shall maintain a neutral position with regard to the merits of any labour dispute, political protest, or other public demonstration while acting in an official capacity; nor make endorsements of political candidates, while on duty, or in official uniform ((NPF<sup>2</sup>, 2012:4)

In terms of institutional capacity for moral regeneration within the NPF, the Department of Religious Affairs of the NPF, which is modeled after that of the Nigerian Army, has the primary responsibility. Interestingly, a Superintendent of Police (SP) as against the Brigadier-General in the army, was proposed to head the Department of Religious Affairs at the Force Headquarters, but an ASP was eventually approved to head the Department.

It seems therefore that the police was averse to having a strategic-level officer administering the Department, which should ordinarily be seen as critical to the objective of the Force. In addition, the objective of the Department does not include, or make mention of the issue of corruption, which ought to be seen by such Department as an emergency of sort, thus demonstrating the poor commitment to institutional capacity in the area of imbuing the much-needed civil philosophy. In addition, examples were also not often set in decorum and integrity by senior and retired police officers.

For example, the former PSC Chairman Osayande while stating the reason for the abolishment of Special Promotion, has sarcastically addressed senior police personnel thus "...don't expect promotion based on special promotion. If you like, you go and say you 've succeeded in murdering your mother and father that you should be promoted then, we'll send you back" (Adepegba, 2012). Also, junior police officers' perception of their senior officers (serving and retired) shows that the leadership is often seen as corrupt and undisciplined, reluctant to lead by example. More

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<sup>64</sup> Interview, Azimazi, February 13 2014.

worrisome is the finding of this researcher, coupled with comments from interviewees like Tamuno, Alemika, Aremu and Azimazi, which indicate that many police officers at the operational and tactical levels were not aware of on-going reforms in the NPF and how it particularly affects them in the discharge of their responsibilities.

### **6.1.5 Political Commitment**

The reforms, haven been executed within a highly charged political atmosphere in which the NPF is seen primarily as an instrument of power projection. This factor affects the design of the NPF reforms in such a manner that it became focused mainly on operational reforms and ensured that the implementation of the reforms are done with considerations for the interest of the Government and the ruling class.

Thus, the reforms were seen as tools of legitimizing the Government rather than avenues for transforming the NPF. The major indicator of this has been the penchant for pretence by the Government in purportedly addressing problems for which recommendations have been made by previous reforms. Highlighting this point, Chukwuma, expatiates on this point as follows:

“The Parry Osayende led committee, for me, is a waste of time, because Osayende had been a member of most of the reforms we have had in the past. And he is also the Chairman of Police Service Commission, PSC, which on paper has all the powers in the world to reform the Police, which he has not been able to do. So for me, it’s a waste of time and amounts to giving job to the boys. People should not take it serious. The last police reform was set up by President Yar’Adua and was headed by M.D Yusuf. President Jonathan, who was then the Vice President, also chaired it. There was a white paper on that reform and it was handed over to the ministry of police affairs to act on. But what they focused on was procurement, they never focused on the aspect of attitudinal change, which is a very serious challenge in the Force.” (Cited in Vanguard Online, 2012).

Lack of political commitment is also evidence in the reluctance of the Government to spend quality resources on the NPF in general and the reform process in particular, As such, “while the country spends an average of N1.6 million per soldier, N9.8 million per sailor and N7.1 million per airman and woman, we spend about N0.87 million per police personnel – about half of what we spend on our soldier.

The running cost of each naval staff is equal to that of twelve policemen, and each airman is nine times as important as a policeman. This spending priority suggests that we are more worried about non-existent external threats than the domestic insecurity challenges we face every day – something which not many Nigerians will agree with” (El-Rufai, 2012). Recounting his experience as Minister of Federal Capital Territory, Nasir El-Rufai maintained that monthly allowances were paid to the NPF to ensure the security of lives and property in the country due largely to poor resourcing and motivation of the NPF and that this gives the politicians undue leverage over deployment of personnel and the promotion or otherwise of the effected senior officers (El-Rufai, 2013: 220-222).

Beyond funding, poor political commitment is also evident in the reluctance of the country’s leadership to accept that a threat to the citizens is a threat to national security but whenever the interest of the ruling class is threatened, they easily plead national interest to act. This lack of enlightened self-interest has largely portrayed the NPF as an anti-people institution.

Giving an insight into expectation of reform deliverables, Soludo (2011) recalled an instance where this played out during the Obasanjo administration as follows:

the emergency security meeting about November 2006 and chaired by former Vice-President Atiku Abubakar in his office. All service chiefs were in attendance and most people took turns to berate the IG over the ‘increasing insecurity’ especially the threat to Abuja. I reckoned that the emergency meeting was called ostensibly because Abuja was threatened. Poor Ehindero: no one wanted to listen to his explanations.

Indeed, it has been argued that the major Presidential Reforms were responses to certain political pressures confronting the government, rather than genuine attempts at transforming the police. In this regard, Alice Hills (2012:739-755) noted that the Dan Madami Committee was a response to the Junior Police Officers uprising in 2006 while the M.D Yusufu Committee was a ploy for the government to manage the legitimacy crisis of the Yar’Adua Presidency occasioned by the flawed 2007 General Elections, in which the police were also implicated.

In other instances, political officials are known to have obstructed the police from the performance of their duties. In a particular instance, following violence in the Oyo state PDP primaries in 2010, Chief Teslim Folarin then Senate Leader of the PDP was released from police custody and had charges of murder against him withdrawn by the NPF in compliance with ‘orders from above’, contrary to the position of the Oyo State Department of Public Prosecution, which has statutory power to take such decisions. In 2011, President Goodluck Jonathan also unilaterally disbanded the *Famou Tangbei*, the Bayelsa State internal security outfit, in what appeared to be a decision based on political calculations.

The problem of VIP Policing is an important example of how government has contributed to the failure of previous reforms. As at 2008, the Police Service Commission revealed that 100,000 of the 377,000 men of the NPF were deployed to personal protection of VIPs and guard duties, thus denying the majority of Nigerians police protection and exposing the officers to undue political influence and corruption (PSC, 2008: 10), while also creating a class stratification problem and lethargy on the part of those officers doing core police functions without the monetary advantages accruable to those on VIP duties<sup>65</sup>.

This is in disregard of Police Order NO 281, which stipulates the public officials, entitled to police protection and extant IGP and Presidential Directives on the subject. Femi Odekunle points out that deployment of almost 150,000 of NPF personnel on VIP duties erodes professionalism and focus of the Force (Interview, 2014). He cited the case of Efon Alaaye in Colonial Western Nigeria where an officer of the NPF spent 3 years to do undercover work as a Palace Servant before unraveling the mysteries behind a ritual murder perpetrated by the then Traditional Ruler, Oba Adeniran and wondered if the present-day NPF officials, who are more interested in extra allowances as VIP Guards, have the focus and professionalism to repeat this feat. He therefore concluded that what the NPF engage in these days are not policing but Guard duties.

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<sup>65</sup> For example, 2,406 policemen were servicing the Central Bank of Nigeria. These personnel were paid a daily lunch and transport allowances, which amounted to N675.02 million in 2012. For details see (Onuba, 2014:3-5).



This turns the police into an impotent force because when the police is distant from the community, it is both a tool and victim of the government because the Government would demean them as Guard or household staff and the public having the highest opprobrium of hatred for them<sup>66</sup>. To Alemika, there is nowhere in the world where the police officer is so treated with such disrespect and contempt and they are expected to reciprocate with professionalism and civility.

Political interference in the operational aspects of police work was constantly a factor that undermined the reforms. An example was the partisanship of the police in the River State crisis of 2012 to 2014. Governor Amaechi of River State claimed in an interview with PM News that Mbu was posted to Rivers State at the behest of the President's wife, Mrs. Patience Jonathan, though this was denied by the CP, who claimed he had never met any PDP member prior to his posting to Rivers State (Edozie, 2014).

Mrs. Jonathan and Amaechi have not been best of friends since the 2010 incident during which the President's wife snatched the microphone from Amaechi at Okrika, her hometown. This was after the governor had informed Mrs. Jonathan of his plans to demolish some buildings surrounding a local school to make the environment more conducive for learning.

What was not controvertible in the Mbu case however, is that the CP projected himself to the public almost like a politician, who was more pliant to the request of the state PDP and GDI while openly disrespecting, undermining and berating the governor at different times. Indeed, at a point the Governor claimed that he could no longer hold the State Security Council meetings, as decisions made in such meetings were leaked by the CP to unauthorized persons, including criminals and opposition politicians (Akasike, 2013). During the River State political crisis in 2013, the Commissioner of Police Mbu Joseph Mbu accused the state governor of not convening the Internal Security Committee Meetings in the State because he was opposed to the Commissioner permanently chairing the body, contrary to a letter to

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<sup>66</sup> Alemika, Interview, 11 March 2014, Abuja.

that effect from the Office of the National Security Adviser. The governor he said preferred rotational chairmanship (The Nation, 21 June 2013).

In the same vein, allegations have been made of powerful members of the ruling class influencing the appointment of senior police officers for reasons other than altruism. There are no known criteria or benchmarks for appointing IG by the President. In an NTA News event monitored in Abuja on 11 December 2013, Governor Emmanuel Uduaghan, while launching a book written by IG Abubakar referred to the criteria for appointing him to include the fact that “he (Abubakar) looked like a Policeman in physical appearance, unlike his predecessor” (NTA Network News, 11 December 2013).

The former Chairman of the Economic and Financial Crimes Commission (EFCC), Malam Nuhu Ribadu stated under oath that a then fugitive of the law and former Delta State Governor James Ibori, “was responsible for the appointment of Sir Mike Okiro as the Inspector-General of Police”. As a senior member of the Government at the time, he claimed he was privy to the way and manner the appointment was made, with the sole consideration of protecting Ibori from prosecution and conviction for corruption and money laundering (Punch, 24 September, 2013).

Indeed, Okiro denied, claiming that Ribadu was rather telling people that he had been positioned to become the IGP after Mr. Sunday Ehindero and was disappointed and frustrated when he (Okiro) was appointed. The point to note here is that the politicization of the appointment of the IG has further undermined discipline, unity, and professionalism in the higher echelon of the police, a major culture and design-based issue that was not robustly addressed by the successive police reforms.

In addition, the appointment of successive IGs of Police has not followed the due process of the law. According to constitutional Lawyer, Mr. Femi Falana, “before appointing the Inspector General of Police, the National Police Council should meet and advise the president,” he explained. “But since 1999, the power of the council has been usurped by the sole power of Presidents (Olusegun) Obasanjo, late (Umar) Yar’Adua and (Goodluck) Jonathan, who have all appointed the IGP without consulting the police council as stipulated by the Constitution.

Therefore the quality of the appointment of the Inspector General of Police is in question.” (Premium Times, 2013). Indeed, the fact that the President appointed former IG Mike Okiro, a leader of the ruling Peoples’ Democratic Party (PDP) as the Chairman of the Police Service Commission has further given credence to the allegation of partisanship by the NPF. Curiously, the Governors have not demonstrated keen interest in pressuring the President in resuscitating the NPC.

Other instances of political interference included the influencing of recruitment into the NPF by politicians. In one case, Senator Ibrahim Gobir from Borno State boasted that among his achievements in the Senate is the facilitation of the recruitment of 71 indigenes from his senatorial district into the *police*, Customs and federal ministries and departments (ThisDay, 2013).

Also, the APC had stated during its launch that it would resolve the Boko Haram menace in the North-Eastern part of Nigeria in 100 days. Also, during the Zonal Campaign of the ruling PDP in Minna on Saturday, 8 February 2014, President Jonathan stated that when the PDP was ruling Nasarrawa State, there was no major security challenge but with the CPC Government came security challenges, in apparent reference to the Ombatse ethno-cultural crisis of 2012-2013. He promised that the security crises in Nasarrawa state would be over when a PDP government takes over in 2015 (Alechenu, 2014).

These two incidents reflect the attitude of the Nigerian political leaders to security issue. Other instances include the ‘coup’ against the administration of Chris Ngige in Anambra State which featured disobedience to the judgment of the Federal Court of Appeal by the Assistant-Inspector General Raphael Ige on the ground that the Attorney-General of the Federation had not directed the judgment to be obeyed. Other examples include the role of the police in the intimidating parliamentarians to impeach the Governors of Plateau, Ekiti, Oyo and Bayelsa on the unproven allegation of corruption.

Finally, for the implementation of the Osayande Report, the Government in 2013, set up an Interim Committee on the Implementation of the Reform of the Nigeria Police

headed by the Vice President, Namadi Sambo. The Committee stated that the reform being planned by the Federal Government for the Nigeria Police Force would cost N1.5 trillion and that the Federal Government would provide 32 per cent of the total amount, while state and local governments would contribute 28 per cent and the balance would be provided by the private sector.

Though the Vice President stated that the FG had already provided its own share of the sum (Punch, 2012), interview with the Public Relations Officer of the PSC revealed otherwise, a situation which demonstrates lack of political will to implement even the operational recommendations of the Panel, seen in many circles as tokens, compared to the transformation needed in the NPF.

#### **6.1.6 Corruption**

The issue of corruption is examined in two critical perspectives. One, improving police performance and preventing corrupt practices through the strengthening of accountability mechanisms identified in the reform process. Second, is the performance of the police in curbing corruption through retributive measures, within the framework of the reforms?

The ICPC chronicles corrupt behaviour in the NPF to include (i) pay-offs to the police by essentially law abiding citizens for infringement of statutes such as traffic laws, (ii) pay-offs to the police by organised crime or individuals who habitually break the law to make money such as drug dealers or prostitutes, (iii) the receipt of money, favours or discounts for services rendered, (iv) pocketing recovered money from the proceeds of crime, (v) giving false testimony to ensure dismissal of cases in court and (vi) the actual perpetration of criminal acts (ICPC, 2008: 4).

A major issue in this regard is the lack of capacity by the NPF to detect cases of corruption within the Force as there are no efficient mechanism to document the misconduct by junior officers while poor record keeping and frequent loss of hand-written files of police officers, which means that the capacity to sanction corrupt practices and reward honesty is significantly weakened. The same situation applies to senior officers as the PSC lacks the capacity to apply discipline.

The inability to automate the records of police officers by the NPF has also led to poor insights on the trends and pattern of corruption in the NPF and the need to design preventive strategies in this regard. Since reliable and efficient internal control is lacking, establishing external controls would not be yielding much result. The hostile attitude of the leadership of the PSC on police discipline has also weakened accountability mechanism<sup>67</sup>.

The issue of police corruption has become so endemic that it appears to have become institutionalized. Right from the Police Training Colleges, where supervisors make new recruits to part with about N25,000 and N30,000 which is like an investment, to be recouped with interest, after passing –out from the Colleges (Agbo, 2005: 17), to the road-blocks where the NPF personnel extort money from citizens and police stations where citizens are made to pay for illegal bail charges, the NPF reeks of corruption, which was not sufficiently addressed in the reforms.

Human Rights Watch identified three human rights abuses identified with police extortion and bribery, namely: extortion of money at police checkpoints, arbitrary arrest and detention, and extortion using threats and acts of physical abuse. The latter include torture, sexual assaults and outright killing.

According to the report, the impact of police corruption on the rule of law include undermining criminal investigation, requiring victims to fund criminal investigation, unequal protection under the law as a result of ‘sale’ of police services, as well as lack of adequate security which leads to abuses by vigilante groups. Police cannot but rely on torture as a tactic of exerting confession from suspects due to the lack of infrastructure for evidence-based policing. These include functional and effective forensic facilities, effective intelligence-gathering capacity, skills to preserve crime scenes, facilities for storing and/or transporting evidence, poor basic interrogation and recording skills, and hostility from the members of the public. Due to its weak anti-corruption mechanisms, the NPF is utilized in a variety of corrupt activities.

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<sup>67</sup> Parry Osayande and Okiro are known members of this School of Thought, which states, “Why should civilians discipline police? The police can discipline themselves”. Alemika Interview (11 March 2014, Abuja).

A veritable example was the account by former Cross-River state governor Donald Duke explained how institutional dysfunction has created alliance between incumbent State Governors, the Independent National Electoral Commission (INEC), the party leadership and the NPF in rigging elections. This entail in most part, the recruitment of party fanatics as Electoral Officers and inducement of policemen to aid abet and in some instances, perpetrate election malpractices (Duke, 2010). In addition, the PSC Election Observation Mission to the 2003 General Election noted that the police “colluded with politicians to scare opponents from polling centres, colluded with political parties agents and thugs to stuff ballot boxes and received bribes from politicians so they can stuff boxes (Issa-Onilu (2003:15).

Other cases of corruption investigated but not successfully prosecuted in the NPF were the misappropriation of N43 million meant for the purchase of arms, ammunition and equipment for the police in Bayelsa State in 2006, seizure of N21,650,000 from the Commissioner in charge of budgeting at Force Headquarters in 2007 (Ibid: 70-71). Police Pension scam have also become a recurring issue in the police. Late release of funds is also a means of embezzling money.

Institutionalized corruption has hampered efficiency within the NPF, deprived a substantial number of policemen of their self-esteem, and has increased impunity. The systematic institutionalization of corruption is better illustrated by high-level embezzlement of police funds by senior officers. A case in point was the arrest of former IGP Tafa Balogun for stealing more than \$98 Million from the police treasury during his tenure. In addition, eight of his front companies were also found guilty of money laundering and the court ordered the seizure of his assets reportedly worth in excess of \$150 million.

The 2008 Police Reform Committee Report aptly observed that this staggering theft of police funds and resources that could have gone toward legitimate police expenditures would have been enough to fund the total budgeted operating costs of the police force- apart from personnel costs and capital projects- for nearly two and a half years (cited in HRW, 2010: 69).

Effort to raise funding for the NPF through the private sector was likewise marred by corruption. A Presidential Committee on Police Equipment Fund Chaired by Kenny Martins, a brother-in-law to then President Obasanjo reportedly raised about N50 billion, out of which Martins and the funds Administrators were accused of siphoning off N1 billion for their personal use, and transferring to various individuals and companies, at least N1.3 billion for purposes other than police matters, according to a House of Representatives Report (HRW Ibid).

Though Martins was charged to court in 2008 and discharged in 2009, the appeal by the EFCC is pending before a Court of Appeal (Ogbodo, 2008: 69). However, the significant point here is that resource mobilization for security being a primary duty of government, ought not to have been outsourced to a Non-Governmental Organization without strict and effective framework for reporting, ensuring transparency and accountability through the NPF, Ministry of Police Affairs and/or the PSC.

Corruption, coupled with inadequate funding has combined to deprive the NPF of the much-needed resources and leading to self- funding in many instances. A sergeant working at an administrative post in a Police Station says:

We get none of what we need to do our job; we have to buy everything. We don't get pens; complaint sheets, we buy; bail bond sheets, we buy; fuel, we buy it. Bonuses for Christmas or Ramadan, forget it. When you get sick we treat ourselves; police officers who are wounded on duty die unless you have family to treat you (Ibid: 72).

A major indictment on the integrity of the reform of the NPF which commended since the advent of democracy in 1999 was the comment made by President Goodluck Jonathan on 12 June 2013 during the inauguration of the PSC that:

people who have no merit to certain ranks are being (and had been) promoted to those (senior) ranks. One of your responsibilities is to handle promotion. I believe with you, only those who merit or deserve promotion should be promoted. Those who deserve to be disciplined or even dismissed must be disciplined” (Punch, 13 January 2013).

Ironically, the man being given the task to reform, Mr. Mike Okiro, had some of the most controversial promotions and demotions in the NPF perpetrated under his administration as the Police IG.

Soon after the Police Equipment Fund (PEF), which was registered as a Non-Governmental Organization, was established, 774 local councils across the federation were made by the Presidency to contribute 7.8 million each to the Fund and the money was deducted at source from the Federation Account, a completely illegal seizure of council funds. State governments, companies and other institutions also contributed generously to the Fund.

In 2007, the Fund also took a loan of about \$100 million from the US Exim-Bank and another N50 million from First Inland Bank in Nigeria. There were also donations from the Chinese Government, which made the PEF to have at its disposal then, a capital base of about N50 billion (Abati, 2008:45). The Fund distributed money and gifts to several senior police officers, as well as the Yar'Adua Campaign Organization as part of its 'Corporate Social Responsibility' (Abati, 2008:45).

After a protracted litigation, the Court freed the promoters of the PEF on charges of criminal fraud brought against them by the Economic and Financial Crimes Commission (EFCC). Hinging the court's decision on lack of diligent prosecution by the EFCC, the presiding Judge held that 'from the evidence supplied, the federal government, the Inspector General of Police and the Association of Local Government in Nigeria (ALGON) who were stakeholders in the PEF, did not complain of any fraudulent act or were even contacted by the EFCC during the investigation' (Archibong, 2011:1-3).

Internal accountability is enforced based on the legal framework provided by the Police Act and Police Regulations, including extant Administrative Instructions. In 2012, a new Code of Conduct was adopted to enhance discipline in the Force. The Code was integrated into all NPFs training curriculum and IG and Police Monitoring Teams monitors compliance and the Human Rights Desks in the Police Stations also



ensure compliance<sup>68</sup>. Observations in police stations visited in Abuja, Lagos and Ibadan nevertheless shows that these functions are often not working effectively. However, “a...proof that discipline has low placement in the NPF can be seen from the fact that none of the disciplinary mechanisms in the Force has an annual budget for its operations.

The personnel are equally not provided with the logistics to investigate citizens’ complaints against the police” (Chukwuma, cited in Otteh, 2013: 307). In addition, political interference in promotion and discipline, weak enforcement of these mechanisms due to corruption in the NPF leadership, and cynicism on the part of the general public have contributed to the continued perpetuation of corrupt practices by personnel of the NPF.

Moreover, members of the public have little oversight in the ability of the police to creditably and dispassionately deal with issues of indiscipline and harassment of innocent people by the police through non-transparent internal oversight mechanisms like the Orderly Room trials. An indicator of this is that very few people would want to lodge complaints with the police because of the pre-conceived notion that nothing will come out of the complaints. In addition, lack of feedback to complainants has also weakened the Orderly Room methodology. This deepens the problem of lack of trust and confidence between the police and the people and hampers the effectiveness of police work.

Interviews conducted indicated that the NPF has not got value-for-money in the procurement of needed materials for the implementation of police reforms. An official of the PSC who spoke anonymously claimed that the Reform Account Department in the Ministry is like a Secret Cult, which superintends the process of awarding contracts without following due process<sup>69</sup>.

Indeed, the former Central Bank of Nigeria (CBN) Governor Lamido Sanusi had claimed that the CBN was forced by President Jonathan to spend N19.7 billion for the

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<sup>68</sup> Interview, Iwar, 18 January 2014.

<sup>69</sup> Interview, PSC-PRO, 03 March 2014

purchase hardware, including Helicopters<sup>70</sup>, for the police under the reform programme, and in violation of extant CBN rule on Corporate Social Responsibility (CSR) (Ekott, 2014). The appropriation of the money did not also follow the financial regulations guiding government spending. Indeed, the whole transaction lacked transparency<sup>71</sup> and integrity as both the NPF and the Police Affairs Ministry later denied knowledge of either the transfer of the sum or the purchase of helicopters and other hardware through a CBN Funding (Abuh, 2014:3).

Despite the denials an expose by Premium Times Newspaper reveals that the ministry of police affairs initiated a memo in 2010 asking for the CBN intervention, followed through with an application for contract award clearance from the Bureau of Public Procurement, BPP, and eventually awarded the contract for the purchases, having received approval from President Jonathan. The ministry claimed it sought the intervention of the CBN because of the “enormous” cost of the contract and that it relied on three sources of the funding, namely, the 2010 budget; the CBN and the Nigerian National Petroleum Corporation, NNPC; and contributions from the police reforms fund.

It is not clear what role the NNPC played and how much it paid to the ministry, as only contributions from the CBN were reflected in the communication between the ministry and the president (See Appendices 7 to 10). In the first letter dated September 17, 2010 and signed by the then minister, Adamu Waziri, the Ministry of Police Affairs explained to President Jonathan how the police needed more equipment to prepare for the 2011 elections and secure financial institutions, and how the CBN was in a good stead to help out. The equipment requested by the ministry were four Bell 412 armoured helicopters, 60 armoured patrol vans, 40,000 Motorola communication radios (walkie talkies), at a total cost of N19.66 billion.

According to the Memo by Alhaji Waziri, “the procurement of these critical equipment would greatly enhance the surveillance of the NPF on the financial

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<sup>70</sup> Mr. Sanusi said that the Police Project, which also involved buying other security equipment, cost N19.7billion and that it was carried out upon the instruction of Mr. President. This is in tandem with comments by the then Minister of Police Affairs that the President directly approved special funding to procure weapons and materials for the NPF. See Appendices 7-10 for details.

<sup>71</sup> See Correspondences from the Presidency and CBN, with questionable fund transfers to the NPF in Appendix VII-X.

institutions in addition to augmenting the requirements of the NPF for the conduct of the 2011 general elections,” The letter was received in the State House on September 21, 2010. President Jonathan later requested a meeting with the minister over the plan, and on October 6, the president approved the funds. In a handwritten assent, Mr. Jonathan drew the attention of the CBN governor, Mr. Sanusi, to his approval. The ministry of police affairs later contacted the BPP for a “certificate of no objection” for the contract, to allow it award the supply job to its preferred firms.

The bureau responded on October 12, 2010, acknowledging that while the ministry’s request was lawful, it needed to show formally the CBN’s capacity to provide N19.7 billion. The Bureau observed that “there is need for the ministry to provide documentation to show that the CBN has actually provided funds for the procurement,”<sup>72</sup> the bureau said. The CBN’s board of directors met October 22, and approved that the funding request be made part of its 2010 and 2011 budgets. It would take several months for the contract to pull through.

On June 10, the Ministry of Police Affairs officially awarded the contract for the supply of the helicopters to Messrs Pauliza Ltd at N4.9 billion. In the letter, the ministry advised the company to liaise with one of the CBN deputy governors, for payment and delivery of the items. The first contract, at N4.9 billion, was for two helicopters. For the four choppers listed by the ministry in its letter to the president, the total cost was N9.9 billion-an amount the BPP said was “rather high”. Other contracts for security equipment awarded by the ministry were 20,000 units of Motorola communication radios to Messrs Hades Meridian group at N3.4 billion; another 20,000 units of the same radios to Messrs Reliance Telecommunication Limited at the same cost; 60 units of armoured patrol vans to Messrs Hadassa Investment Security Limited at N1.5 billion; and anti-riot equipment by Messrs Armcom Limited at N1.5 billion.

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<sup>72</sup> For comprehensive details, see Ekott, Ini (2014<sup>2</sup>) “Exclusive: Police Affairs Ministry Lied Over CBNs N19.7 billion for Helicopters, Equipment” Premium Times (Online Version) 27 March 2014, <http://www.premiumtimesng.com/news/157510-exclusive-police-affairs-ministry-lied-cbns-n19-7-billion-police-helicopter-equipment.html>.

The poor management of the resources of the NPF is further illustrated by the controversy and conflicting information over the alleged missing N24 billion which Mr. Salau Suberu, a Director in the Accountant-General's office said was mopped up in 31 December 2012 from the account of the Police Pension Fund, following a directive that all unspent funds should be returned to the treasury.

This account contradicted the one offered by Minister of Finance Ngozi Okonjo-Iweala that the Police Pension Account was frozen when it was discovered that it was in excess and was later paid into the Federation Account as unspent money (Abuh and Daka, 2014: 3). The point to note, however, is that the Internal Auditor of the Pensions Office at the time, Mr. Adeyemo Adebolu confirmed that the amount was received for the payment of the 2010 Pensioners and advised that the money be put in a First Bank Account, after which he was kept in the dark about the disbursement (Daily Trust, 2014:57).

The whole affairs makes the pension fund to appear like a slush funds used in transacting secret business and asides, the lack of transparency in the Finance Minister's order to freeze the account is indicated by the lack of knowledge about such far-reaching decision by the Administrators of the Fund. The information lag between the Minister's Office and the Police Pension Fund is symptomatic of the high-handedness and pre-eminence of the Executive over financial related issues in the NPF.

It is interesting that the NPF operates an 'envelope system of budgeting' whereby the Ministry of Finance provides a budget template, based on available allocation and not based on the priorities of the police. In addition, the fiscal and financial responsibilities as well as accountability of the resources of the NPF are not vested in the IGP, who serves as the operational head of the organization.

Interviews also revealed that Police Reform Budgets have been a conduit for corruption, with allegation that some of the reforms funds were utilized for the 2007

and 2011 General Elections<sup>73</sup>. Financial and manpower resources of the PSC were also described as grossly inadequate to enable it perform its constitutionally assigned roles. Alemika stated further that the PSC has zero capacity for screening potential officers of the NPF, a situation which not only allowed criminals to join the Force but leads to very high cost in terms of damage to the image of the NPF. PSC also lack the capacity to continuously monitor Police officers for consistency in terms of integrity and honesty.

Several research and policy reports have identified the NPF as the most corrupt public institution in Nigeria. Police Chiefs live in denial of this fact<sup>74</sup>. For most part, successive IGs have been identified with corrupt practices while in office<sup>75</sup>. Whist corruption in the NPF appear to have been institutionalized from the top, it is the ‘petty’ corruption perpetrated by junior officers that is most visible to the public and media. Previous survey have indicated that most Nigerians have been forced or blackmailed to pay bribe to the police either at Checkpoints or in Police Stations.

The police are quite resourceful in finding a violation or in manipulating rules to ensure that victims part with their money. This problem is further compounded by the fact that there are no clearly defined, credible and responsive mechanisms to which victims of police extortion can complain.

Corruption is also often visited with suspension and dismissal mainly among junior officers, while it is rarely mentioned or sanctioned among senior officers in the NPF. Indeed, in cases where sanctions were meted out at all, perpetrators rarely face criminal prosecution. It is apposite however to mention that the issue of corruption in

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<sup>73</sup> CSO Interlocutors alleged that some of the funds were used to mobilize support for Alhaji Yakubu Lame, a perennial gubernatorial contestant in Yobe State during both elections.

<sup>74</sup> Police has consistently disputed credible researches on corruption. Interview conducted with Professor Alemika and Mr Nwagwu revealed that when CLEEN Foundation released a survey report portraying the police as corrupt, the IG threatened to sever relationship with the body, arrest and arraign the CEO Innocent Chukwuma on phantom charges to ‘teach him a lesson’ as he sought to also do to Folu Olamiti, the Resident PR Consultant of the ICPC for conducting an Opinion Poll which revealed that the NPF was the most corrupt institution in Nigeria. The NPF ‘s own statistics on corruption as contained in the Annual Report are alleged to be heavily doctored to de-emphasize the issue of corruption and past efforts by NGOs aimed at enhancing transparency in the process of data gathering had been rebuffed by the NPF (see, Interview, Alemika, 11 March, 2014, Abuja; Oluokun, 2006: 22).

<sup>75</sup> Tafa Balogun was convicted for corruption and his successor, Mr. Sunday Ehindero is currently facing trial for corruption.

the NPF is aggravated by the value decadence in the society, which has made many members of the public to expose policemen to temptation through the offering of bribes and make other requests aimed at circumventing the law.

Indeed, Sherman (Cited in Aremu, 2009:65-66) has rightly observed that the epidemic of could be situated within the context of an array of aggravating factors such as low managerial ability, particularly for the junior officers, low public visibility/ oversight, high degree of peer secrecy and internal solidarity, managerial secrecy occasioned by the esprit de corps shared during beat assignments, and poverty, all of which are prevalent in the NPF.

It is indeed ironical that the NPF is widely perceived as the most corrupt public institution in Nigeria. In fact, it emerged as the 4<sup>th</sup> most corrupt police in the world in terms of citizen's perception of police corruption, according to the 2013 Corruption Perception Index of Transparency International. It is incomprehensible therefore, to start talking about the success of the reforms without fighting corruption vigorously and visibly. If corruption is successfully curtailed within the NPF, the police as the enforcer of the law and regulations of the country are in a pivotal role to ensure that the society is rid of the malaise.

### **6.1.7 Funding**

Generally, between 1984 and 2007, the highest the police had from the national budget was 7.7% of the total, of which over 60% was regularly devoted to payment of the emoluments of police personnel and leaving less than 40% for overhead cost and capital expenditure (PSC, 2008:8). For instance in 2006, the police budget was N85 billion. If that is divided by the total number of policemen i.e. 355,000 then it will amount to N253,73 per police.

If that is further divided by 12 months, then it will be N21,144, the ridiculous amount that is supposed to kit, train and provide salaries and allowances to each policeman in the year (Iwendi, cited in Orilade and Utomwen, 2007: 37). In the same vein, in 2013, the NPF had a total vote of N300 billion out of which N293 billion was for recurrent expenditure like salaries for more than 400,000 personnel.

It is from the balance of around N8 billion that 1,115 police division, 5, 515 police stations and 5,000 police posts were run. According to Senator Pwajok (Plateau North) who disclosed that a situation where military personnel were deployed in 34 states was unhealthy further revealed that “from the 2013 budget, the nation spends an average of N1.6 million annually on a soldier, N9.8 million on a sailor and N7.1 million on an air force man or woman, but spends N0.078 million per police personnel” (African Defence Online, 2013).

The Nigerian government has made significant strides in improving salaries over the past few years. In 2007, the starting monthly salary for a police constable, the lowest rank in the force, was approximately ₦8,000 (\$62). By 2008, it had been increased to ₦26,158 (\$217).<sup>264</sup> (HRW: 75). However, the NPF is still poorly remunerated by both local and international standard. Former PSC Chair Osayande said this much when he stated that “I carried out my own personal research; the NPF is the least paid.

It is inexplicable; even Togo, Ghana, Cote D’Ivoire, countries that are poorer than Nigeria, pay their police better than us. In the UK, the Head of Metropolitan Police earns more than the Prime Minister. The highest paid police in the entire world are the Canadian Police. I am not envious of them. If you want to work there you go to them if you are qualified” (Omonoobi, 2010).

According to Olubolade in an interview with The Guardian Newspaper “the reform budget is used to boost professionalism in the Police, while the Inspector General of Police and the Police Management Team mainly manage the regular budget for capital and recurrent expenditures of the Police”(Oditia, 2014). In addition, the President directly approved special funding to procure weapons and materials for the NPF. However, these funding are grossly inadequate, necessitating the proposal for the joint federal-state-local – funding of the police.

In the absence of money to conduct investigation, police routinely use torture to extract evidence from suspects. Aspiring recruits into the NPF are requested to part with between N20,000 and N100,000 to be accepted into the Training College in Lagos as a Police Trainee, which sets a precedent for the officer to engage in corrupt practices, upon joining the NPF.

Human Rights Watch interviewed nine police officers, including two in senior posts, as well as a former senior police official who investigated cases of police corruption and intelligence operative in the State Security Service, who either personally paid returns or confirmed the existence of the system of returns in the Nigeria Police Force. They characterized the problem as widespread, pervasive, and deeply embedded into the practices of the force. An assistant commissioner of police referred to this practice as “institutional corruption” that “drives the lower ranks to extort money from the public.” Similarly, the former senior police official who had investigated cases of high-level police corruption characterized the problem as follows: “The corruption, the returns, this whole thing, it is so pervasive, so deep, it is what is running the force. It is what is keeping the entire police force going because that determines every posting. Every officer who is posted has to make money for him to remain in that post, or if you are not in a good posting, you must struggle to get a good posting” (HRW: 76-77)

Nevertheless, funding issues does not say everything about police efficiency because as long as there is bad leadership, no matter the amount of funds earmarked, the police will fall short in its assignment.

A former Police Officer told HRW:

You buy the posting. For example, you know which roadblocks give money. If you want to be posted there where you can make more money, you must give the person doing the posting money ... for you to get to that roadblock you must pay your way to enter. And for you to remain there you must continue to pay (;79)

Reuben Abati stated:

One lesson that we have learnt is that when government talks about police reform or when every new Inspector General waves the banner of reform, they do so merely as an attention-grabbing gesture and as an opportunity to spend more money and award contracts. The police rank and file also does not believe in the idea of reform. And yet there is no doubt that the Nigerian Police Force truly needs to be transformed. Nigerians want a police that is responsive and accountable, a police that is able to deal with high level crime and deliver on its constitutional mandate as spelled in Section 214 of the 1999 Constitution



(Much Ado About Police Reform, The Guardian Online, January 11 2008).

According to Mr. MD Abubakar, personnel budget in the police continued to dwindle, in spite of marginal increase in the number of policemen over the reform years. He stated for instance, that the over-head cost for 2009 was N10.8bn, N15.5bn for 2010, N5.5bn for 2011, N8.1bn in 2012, and N7.6bn for 2013 (The Nation, 2014<sup>2</sup>:19). The IG also stated that the projected N6bn for overhead cost in the 2014 Estimate “could not cover the cost of fuelling the 10,232 police vehicles scattered all over the country” (Ibid).

Drawing a nexus between effective funding of the police and internal security, Arthur-Worrey advocated the direct control of budget by the NPF. He retorted that “we gave the Independent National Electoral Commission (INEC) N87 billion to conduct the 2011 elections alone. Why can we not give the police such fund? We need to understand that if we do not have an effective police, we cannot have a good electoral reform” (Akinsanmi, 2013).

A revelation by the IG indicated that 94% of the police budget for 2013 was expected to be spent on recurrent expenditure/ personnel cost. According to BusinessDay’s analysis of the proposed 2013 budget, the Police Formation and Commands has an allocation of N311 billion (\$1.997 billion), but has the second highest overall personnel cost of N293 billion (\$1.88 billion). When personnel cost is expressed as a proportion of total budget to show which ministries are spending most of their budget allocation just to service their personnel, the Police Formation and Commands tops the list (BusinessDay, 2013).

Poor funding of the police has resulted in delay in the payment of allowances and salaries of officials and in inadequate supply of operational tools for the efficient functioning of the police, a factor that has contributed to low morale and corruption among policemen. It has also led to extortion of citizens<sup>76</sup>. Policemen in many cases,

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<sup>76</sup> A Corporal once said that bribery as roadblocks are like Internally Generated Revenues (IGR) of a state government as ‘from it, dem ogas go buy fuel, stationery, other office needs, and share the rest. All na from our returns during stop and search’ (Fasua, 2006:25).

therefore have to embark on harassment of citizens, enforcement of bail charges for suspects against the provisions of the law, arbitrary raid of public places and targeted arrest of innocent citizens in order to raise funds needed for the procurement of operational tools like fuel, log books, electricity and other essentials for the Police Stations (Falayi, 2014: 18).

It would also appear that the establishment of an *ad hoc* Special Fund for police reform was an afterthought due to inability to remit revenue to the Ministry of Police Affairs for the same function: Said the Ministry of Police Affairs on the funding:

When it became clear that the releases to the Ministry was dwindling as a result of the illegal bunkering and pipeline vandalism, Mr. President gave a clear directive to the Vice President (Alhaji Namadi Sambo), who is the Chairman of the Interim Implementation Committee on Police Reform Programme, to find an alternative way of funding the reform programme...Governors keyed into the contribution of one per cent of monthly federal allocation to the programme (Oditia, Ibid).

The Minister also explained that other *ad hoc* approvals were given by the President to fund various projects and programmes of the police, including approvals for the payment of acquired helicopters, Armoured Personnel Carriers (APC), utility vehicles, arms and ammunition, including training of helicopter pilots and Special Forces.

When asked what the government was doing to reorganize the police, the Minister seemed to be exposing the weak coordination in implementation by revealing that smaller *ad hoc* committees for the implementation of other parts of the reform have been constituted, including (a) A Committee for the Up-Grading of Training Institutions; (b) a Presidential Committee to re-organise the Nigeria Police Force; (c) A Committee for the establishment of a forensic and DNA facility for the Nigeria Police; (d) An inter-agency committee for the National Security Public Communication System (NSPCS) (Oditia:Ibid).

Questions have also been asked on why an Interim Committee, rather than the Police Management, PSC and the Ministry, is coordinating the implementation of the Reform. This seems to validate the points made by interviewees that the reform is

mainly about awarding contracts and sharing of money<sup>77</sup>. For the Osayande Report, which was adopted in 2012, and for which a White Paper had not been produced, the Minister said it would kick-off in January 2014 (Oditia, 2014), but as at March, the PSC revealed that it was still awaiting Presidential directive on the commencement of implementation.

A mistake that has been consistently made in the reform process is the mobilization of resources from private sources. This is rampant at the operational level in most police stations and was almost institutionalized with the Police Equipment Fund, which ended up in a national scandal. This highly corrupt method of funding though laudable is problematic and has had adverse effect on police image and performance.

Most of the times, it compromises the integrity of the police. In the case of PEF, the police did not have the courage to investigate or prosecute the leadership of the Fund, due largely to conflict of interest. Perhaps, any private fund-raising for security should be institutionalized through an enabling law, representative of a wide array of stakeholders, transparent in its operation, accountable to the public and should be subjected to governmental accounting audits and parliamentary oversight.

None of the fund-raisers by the NPF met any of these criteria. In an attempt to unravel the value deficit, Okiro pointed out that the NPF was notorious for atrocities largely due to the Nigerian society as the Police have a good image at the UN Peacekeeping Missions to which they have been deployed, to the point that an Officer of the NPF was appointed to coordinate the UN Police Force, due to the conduct and behavior of the men abroad (Mumuni and Aiyetan, 2001: 30-31).

### **6.1.8 Administration of Justice**

This research has illustrated that police reform in isolation from other institutions responsible for justice administration is a recipe for disaster. Yet the reforms in the NPF is not coordinated with the so-called justice administration reforms which were implemented within 2003 till 2014. The number of problems in this regard are: poor-coordination, narrow scope of the justice administration reform, which dwells largely

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<sup>77</sup> All the Interviewees alluded to this point of view.

on prison decongestion and lack of synergy between the designs of both reforms and the reality of Nigeria's criminogeneity.

In the view of Alemika (2010:10), the reforms in the NPF has not been able to respond to the challenges of policing due to challenges such as poor economic climate, widespread corruption and contingent disastrous consequences on economic and political and human security generally, economic insecurity and instability with diminishing opportunities for gainful employment and declining standard of living, deteriorating infrastructure, culture of impunity, weak capacity of law enforcement institutions, lack of social justice, proliferation of ethnic and religious militias and proliferation of small arms and light weapons. Joining the list in recent years is the problem of terrorism. Yet, the justice administration reforms are also being implemented in isolation of the NPF reforms.

To illustrate how weak justice administration system at times undermine the effectiveness and efficiency of the NPF, AIG Code 1 recounted that while he was DCP of the Lagos State CID, Panti, Lagos, he was committed to speedy dispensation of justice and worked to minimize pre-trial detention period. In this context, between 1 January 2008 and 5 July 2010, a total of 1,639 case files were investigated, duplicated and forwarded to the DPPs Office in Lagos State for legal advice. Of this figure, legal advice was received in a total of 721 (44%) cases, while 918 (56%) were pending at the time he was posted out of station (Arase, 2010:11). Whilst most analysts tended to look at delayed justice from the perspective of the police, many at times, due to the volume of such cases referred to the DPP, relative to the manpower in the office, delays are often experienced in the receipt of the DPPs advice, which translate into delayed prosecution and lengthy pre-trial detention period for suspects.

## **6.2 ENDOGENOUS ELEMENTS OF REFORM**

### **6.2.1 Command and Control**

This is a fundamental issue that the reform did not adequately address. The hierarchical structure of the police is too top-down, leading to an over-centralization of authority. Just like the military, there is a little room for any police officer to use his initiative in dealing with certain situation.

There is hardly any up flow of ideas into management and the policeman on the street is hardly considered when critical decisions are taken. Explaining how centralization of authority poses a problem to the police, Arthur-Worrey stated that:

This centralized hierarchical system always impose one side fit all solution to policing issues. For example, the strategy that would work effectively in Lagos may not be applicable to Adamawa. Lagos is densely populated, while Adamawa is not. And the policing strategy one adopts in a densely populated area must be different from states not heavily populated. There is an urgent need to design strategy that would suit each situation. When you keep moving police commissioners frequently, how much local knowledge do they have before they are moved to another state? When another person assumes office, he will have to learn the entire process and environment again before he can really perform (cited in Akinsanmi, 2013).

In the previous chapter, mention were made of recommendations of the Dan Madami and Yusufu Panels relating to the need to allow for the devolution of authorities to the AIGs, CPs and below. However, it seems that due to the interest of powerful individuals at the federal level, this was made difficult, as more decentralization would result in reduced influence by powerful officials over ‘important’ cases and take away the disproportionate advantage of politicians at the centre.

An important case, which illustrates this point, was the matter of Senator Teslim Folarin, then Senate Majority leader, who was arrested by the police for the murder of one Mr. Lateef Salako (also known as ‘Eleweomo’). Mr. Folarin by virtue of being the ruling party’s leader in Nigeria’s Upper Chamber was powerful and connected. He

also nursed a gubernatorial ambition in the run-down to the 2011 elections. However, the governor of the state was opposed to his ambition, and the Director of Public Prosecution (DPP) who has the responsibility to prosecute, works under the Commissioner of Justice of Oyo State, an appointee of Mr. Teslim's rival, then Governor Adebayo Alao-Akala.

However, in a curious twist, the Attorney-General of the Federation wrote a legal opinion absolving Mr. Folarin of murder and ordered the then IG Hafiz Ringim to direct the Oyo CP to release him from custody (Omipidan, 2011:3). The federal Attorney-General recommended further investigation to enable the NPF arrest and prosecute the culprits but there is no record of such by the police.

Another case was the Olaitan Oyerinde murder issue, earlier mentioned, which witnessed open disagreement between the Edo State Attorney-General and the Commissioner of Police, on police complicity in manipulating investigation into the murder. This was to lead to a greater drama in which the Edo State Governor referred to the AIG for the zone as incompetent and called for his redeployment for conducting a shoddy job on an ordinarily straightforward murder case.

Indeed, the police did not take seriously the opinion of the Chief Security Officer of the state in the matter, as the AIG in a no-hold-barrel interview berated the Governor and insisted that he was not answerable to him. This type of unhealthy relationship is capable of straining the synergy between the central and state governments in ensuring effective security.

In the case of Olaitan Oyerinde, Governor Adams Oshiomhole called for the setting up of a Judicial Panel of Inquiry, an advice that was ignored by the Federal Government. However, after one year investigating the crime, the Police could not come up with credible investigation, which made the Governor to express his lack of confidence in the police by putting holes in the claim of the Force on the investigation as follows:

“The weapon that was (claimed to have been) used for the murder was used for armed robbery earlier, recovered by the police and under police custody at the time my secretary was murdered. “So, the man who murdered my secretary was in police custody, the gun used was in police custody and these are the findings of the police. “The only conclusion that can be reached is that the police ordered the murder of my private secretary. The officer wrote this in black and white. “I ask you (IG) to read it. He wrote that he has done a thorough job under a very skillful DIG in charge of Force CID and the sky is their limit. I am asking the Vice President to report to the President that if they do not find the killers of Olaitan, he cannot expect the people of Edo State and all those who know Olaitan, to have confidence in the security agencies. I feel terrible that as a governor, I can’t get justice. If I can’t get justice, then an average Nigerian cannot expect justice and we can’t have justice if we can’t tell the truth” (Amaize, 2013).

In Rivers State, the Governor had almost no cordial official relationship with CP Mbu Joseph Mbu. Among other actions, the CP banned all rallies in the state, citing ‘political tensions’. He also severally either prevented or curtailed the Governor’s movement, grounded his jet at the airport, and at a point, allegedly shot rubber bullet at a Senator of the Federal Republic for daring to organize a rally of the Save Rivers Movement (SRM) a political pressure group connected to the opposition All Progressives Congress (APC), at the same time that police protection was being generally given to the rival Grassroots Democratic Initiatives (GDI) affiliated to the ruling party at the centre, the PDP.

On this issue, only a 72 hour notification to the police is required in most Western and Asian countries, a situation apparently predicated on the fact that democracy derives its energy from freedom of expression that comes with rallies, disagreements and protests. Therefore, the enforcement of any anti-rally regime by the police is an expression of their opposition to the values of freedom and open society.

These types of situation are not peculiar to states being controlled by the opposition: they also affect states being governed by loyalists of the President. Governor Jonah Jang, widely perceived as close to the federal government as a factional Chairman of the Nigerian Governors Forum (NGF) once lamented:

Nobody should blame a governor for crisis that he has no control over...I was a military governor and there was an incident in Gongola, I commanded the Brigade Commander to move-in before I reported to President Babangida...we brought the crisis down and the President congratulated me; he didn't quarrel with me that the military was not under you, why did you use them? But here I cannot even command a fly as an elected governor and also Chief Security Officer of the state (Jang, 2013:65-70).

In Ekiti State, the Police Commissioner and OC MOPOL were reported to have assaulted the State Governor, Kayode Fayemi in June 2014, and when the Governor complained about their action, the OC MOPOL was reported to have stated "who is a Governor when the VP is in town?" referring to the presence of the Vice President Namadi Sambo in the State and claiming that this was a justification for the assault on the Governor. None of the police officers involved in the incident was queried or sanctioned.

The situation in the police is that no matter how brilliant you are or how innovative you want to be, the Command structure in the Police would not allow you to take action without the authorization of your boss, nobody could remind the IGP of any issue (Odiogor and Usman, 2012).

### **6.2.2 Appointment and Promotion**

The reform has also largely shied from critical issues about appointment and promotion starting from the Inspector-General of Police, to ensure that professionalism, openness and competitiveness are respected in his/her appointment. Other issues relating to appointment include open procedure for shortlisting candidates for the positions, clarification on the qualification required for senior positions, and how performance should be measured and consequences for non-performance/failure.

Having these measures would help form the bedrock of accountability by the NPF and it would as well improve professionalism, rigorous career development and the systematic development of leadership competences in the Force. This will also lead to specific managerial/leadership paths in areas like field, command and general



management capacities, unlike the linear general duty career path that all officers are currently made to follow (Alemika, cited in Okenyodo, Op.Cit).

There are currently no provision for public inputs into the appointment of the IGP, while motives including ethnic, loyalty, friendship and political have been imputed as motives for high-level appointments into the police in recent past. The IG, who is operational head of the Force is statutorily answerable to the President and as observed by a former Police DIG, “only a fool-hardy IG will go against the directive of the President whether such order is in the overall interest of the nation or to serve the narrow interest of a group of people at the expense of the larger society” (Sheidu, 2008:73). For instance, all Inspectors-General of Police since 1999 were appointed in acting capacity for some few months before the confirmation of their appointment, with revelations that had the service records of some of these appointees been scrutinized, their corrupt antecedents would have been discovered<sup>78</sup>.

This is believed to be a deliberate ploy to test their level of subservience and make them beholden to the President. In a similar manner, there are no clearly defined performance indicators for the IGs and other senior officers in the NPF and removal from office is so unpredictable and subjected to the whims and caprices of the President. Former IG Sunday Ehindero had his ‘tenure’ extended, twice having passed the retirement age from the Force. Conversely, Musiliu Smith and Hafiz Ringim were retired prematurely.

Giving an insight into what informed the extended tenure of Ehindero, then Police PRO Haz Iwendi stated that it was a reward from Mr. President for Ehindero’s loyalty. He stated that “officially, CP rank is the highest in the police” (Orilade and Utomwen, 2007:36-37), which means that any other rank outside CP, that is AIG, DIG or IG is subjected to the vagaries of politics. It is not surprising therefore to see these categories of officials behave like politicians and thus being unable to provide the firm and focused leadership for the NPF.

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<sup>78</sup> For instance, Abubakar Tsav, retired Police Officer alleged that Mr. Tafa Balogun was found guilty of corrupt practices while he was DCP and CP and was recommended for compulsory retirement, but was protected by former IG Gambo and then IG Coomasie, and even rewarded with a promotion as AIG (See Agbo, 2005:15)

The researcher was told how successive DIGs have been perceived as potentials saboteurs by the IGs and have been actively sidelined in the decision-making process<sup>79</sup>. Indeed, many senior officers, including CPs, are said to be closer to powerful power-brokers of the ruling party than the police IG, and indeed owe their appointments to these power brokers. Thus it is difficult for the IG to subject them to discipline<sup>80</sup>. Interestingly, the Office of the IG has also been openly politicized.

According to Hills (2007: 411), “the more usual pattern is for commissioners (IG) to be retained while useful, and dismissed after offending their presidents in some way. Thus Ehindero should have retired on reaching the mandatory age of 60, but Obasanjo evidently found him useful and twice extended his tenure”. The politicization of the highest echelon of the service has also weakened the capacity of the leadership to effect discipline, even when carried out by junior officers before their very eyes<sup>81</sup>.

The indiscipline of NPF officers would later be visited on Ehindero through the willful refusal of many police formation to support the implementation of his reform programme. In an angry outburst to his CPs on this phenomenon and his incapacity to deal with it, he lamented thus:

I said no roadblocks, but you go to our highways today, everywhere is full of roadblocks. I asked you people to get rid of scrap cars in your stations and commands; they are still there. I gave directive on the use of siren, yet individuals still blare siren at will in your states...I need more powers to discipline incorrigible Constables and DSPs who found their way into the Force because of improper screening...” (Kolade-Otitoju, 2006: 26).

Indeed, the lack of public scrutiny of appointees into what is considered as one of the most sensitive public offices in the country has contributed to the erosion of accountability within the organization.

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<sup>79</sup> Interview, AIG Code 1, 30 January 2014.

<sup>80</sup> A notable example was the disregard for Ehindero’s Memo to Ade Ajakaiye, an AIG-Zone 2, Lagos, to carry out a Court Order. This was a clear case of insubordination (Kolade-Otitoju, 2006:28).

<sup>81</sup> For example, a riotous assembly of junior officers massed in the Police headquarters to welcome IG Ehindero after the sack of his predecessor, Mr. Tafa Balogun. The officers sang songs in derision of Balogun...some Christians in the singing party prayed and spoke in tongues, as they made a show of driving out a supposed evil spirit represented by Balogun (see Kolade-Otitoju, 2006:20-21).

Another challenge in this respect is what has been termed lack of functional competencies in intelligence, investigation, prosecution, forensics, internal control, etc. Alemika stated that unlike other countries where the Police Constable who is the real person who does the job, is given more prominence, the only appointment procedure in the NPF mentioned in the 1999 Constitution via section 215 relates to the position of the IGP, appointed by the President on the advice of the NPC from among serving members of the NPF, and Commissioners of Police for each state of the Federation appointed by the PSC (Okenyodo, 2011:5).

This shows clearly that the focus is on those categories of policemen having some sorts of executive mandates, a situation that contrast the practices in systems where the police is seen as public services. Furthermore, the absence of a specialist model career path for officers have therefore ensured that “all police officers follow a linear ‘general duty’ career path; the consequence of which is some individuals, from a pool of officers, are appointed based on “nepotism, political patronage, regime interests and preferences” to perform managerial duties (Okenyodo, 2011:6), El Rufai tacitly took advantage of these types of fluidity in getting successive FCT Commissioners of Police to do his wills, as contained in his biography.

On recruitment, the PSC in 2012 put in place measures to restore sanity into the recruitment of policemen such as a minimum of Senior School Certificate to become a Constable and introduction of polygraph tests to detect drug users, alcoholics and liars all in a bid to promote discipline in the Force but the effort to stamp out corruption at the most important senior levels appear to be disproportionate.

This is amplified by the account of a Corporal working on surveillance team in Lagos described his experience with the system of returns:

There are five of us in the team: two constables, one corporal, one sergeant, and one inspector. At the end of the week there is usually a return that we give to our superiors. At the end of each day we count the money on the way back as someone is driving. We give it to the inspector. At the end of the week the inspector then gives to the DSP [deputy superintendent of police]. The DSP then pays to the DPO [divisional police officer]. My boss, the inspector,

tells me that the DSP says he has to pay to his boss. We all put in a donation and give ₦5,000 (\$33) a week to our superior. If we don't do that, they will change us (Ibid: 80).

In a scathing criticism of the NPF then President Goodluck Jonathan lamented the infiltration of the leadership of the Force by corrupt officers and confessed that he was tempted to sack officers from the rank of Commissioner of Police upward after the attack on the Force Headquarters on 11 July 2011 by the Boko Haram terrorist group. He stated, “people who are promoted to Assistant Police Commissioner and above must merit the rank. If you don't merit the rank you should be retired from the service because it is better for you not to have enough manpower than for you to have viruses and all kinds of characters in the police force” (Agu, 2013).

Mr. Emmanuel Ayeni, an Officer who spent 32 years in the Force and retired as a Commissioner of Police of Plateau State, during his Pull-Out Parade from the Police, described the reforms as “extremely cosmetic”<sup>82</sup> and said further:

Frankly speaking, the White papers on various committees' reports are not being properly implemented. We should embark on wholesome reforms that are properly implemented. There are rules governing promotion in the police. However in the name of police reforms, promotion is done with the colouration of heavy contract. The known criteria for promotion in Nigeria, particularly seniority and merit have been consigned to the dustbin of history. Promotion now is a reward for parochial loyalty to IGP and Chairman of PSC (Punch, December 11, 2012).

For his comment, was queried even in retirement by the IGP for “acts of misconduct, ranging from breach of confidence/ unauthorized disclosure of official information, falsehood/prevarication to insubordination”. For having the effrontery to criticize the reforms, the IG withheld his retirement letter, as well as his Pension and Gratuity earned for serving the NPF for 32 years (The Nation, 2014: 9).

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<sup>82</sup> See full versions of the Valedictory Speech by Ayeni, Police Query and Response as Appendices III to V. The documents are instructive because they reveal the systemic flaws in the so-called 'reforming' police from an insider's Perspective.

More than a year after the incident, the Police had not undertaken any Enquiry into the incident; a situation that betrayed the NPF as an institution not committed to upholding its rules, arbitrary and high-handed. The incident seemed to also confirm Ayeni's claim that the reforms were deceptive. There were speculations that the officer could be dismissed if found guilty of the charges (Nigerian Tribune, 2012). Ironically, his comment was in tandem with President Jonathan criticism that 'indiscipline and irregularities in staff promotion exercises has been the order of the day' and that 'undesirable elements in the system who aid corruption and sleaze are the main cause of under-performance' (Agba, 2013).

It is also in sync with the personal experience of Abubakar Tsav, which was recounted as follows "when I was posted to Abia as Commissioner of Police and after my arrival, a signal came the following day, transferring me to Operations in Police HQTR. I later found out that another police Commissioner in Operations wanted Abia State by all means because they regard Abia as a money-spinning state...the godfather cancelled my transfer" (Agbo, 2005: 19).

Mr. Osayande alluded to the problematic nature of special promotion when he stated that "it disorganizes the promotion mechanism put in place to sustain the force" (Adepegba, 2012). However, the problem seems not to be the use of special promotion but the abuse by police chiefs and the PSC. The disproportionate award of such special promotion to those on VIP duties to the detriment of those that showed gallantry, honesty and made sacrifices for the NPF have been the crux of the problem. The directive for special promotions to be stopped was therefore a disincentive to the achievement of the objectives of the reform.

It is important to observe that a major challenge for the NPF is the undue emphasis on paper certificates for all categories of appointments at the point of recruitment, with additional emphasis on physical, mental and medical fitness. Good as these requirements are, the prospecting Policemen are never properly investigated to detect those with criminal background.

The system of recruitment into the NPF indeed has little capacity to undertake the comprehensive integrity check for the character and authenticity of certificates

presented to ensure quality control at the point of recruitment. In terms of incentives, the absence of a remuneration system tied to performance and experience seem to have contributed to low morale among officers and men of the NPF. This is further compounded by complaints that promotions are not based on merit but on social connections and patronage.

For the junior officers, promotion are not based on predictable, transparent, and performance-based appraisal system, while infractions are not properly documented to ensure that erring police officers are punished and therefore serve as deterrent to others and according to Alemika<sup>83</sup>, promotion of senior officers is often not based on performance while command-and-control lines are often blurred by interferences by senior officers in how colleagues undertake the execution of their job. Citizens' perception of police effectiveness is also not factored-into police personnel promotion.

The unpredictability of the appointment and promotion system in the NPF has been unsparing of even the highest offices in the Force. Indeed, whilst the NPF is reforming, it was also battling series of crisis caused by repeated and incessant usurpation of the promotion system as well as ambiguity over the modus operandi for promoting officers of the Force. The uncertainties and inconsistencies in the promotion system thus affect the esprit de corps, loyalty, succession planning and thus the efficiency and effectiveness of the leadership of the Force. For instance, in 2002, Mr. Tafa Balogun was appointed the IG from the rank of AIG, a situation that led to the abrupt retirement of all the DIGs and AIGs and the accelerated promotion of officers to fill-in their positions from the rank of Commissioners of Police.

Also, in 2007 Mr. Ogbonnaya Onovo, who was the most senior officer then, was named as acting IG. But 24 hours later, he was asked to step down for Mike Mbama Okiro, who was next in rank to him. Onovo accepted and served under Okiro, and he emerged as the IG, when Okiro retired. Interestingly, a fugitive former governor of Delta State, who was later convicted for corruption, Chief James Ibori, was responsible for lobbying President Yar'Adua to appoint Okiro as the Police IG in the first instance, (Soniya, 2013), ostensibly to ensure that Ribadu was not appointed IG.

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<sup>83</sup> Interview, 11 March 2014.

In 2010, Ringim was appointed IG, from the rank of DIG with concurrent appointment of new DIGs but without the retirement of the DIGs that worked with his predecessors, thus creating a crisis in the NPF (Nnadozie, 2010). Ringim was likewise appointed as IG in September 2010, from the AIG rank without retiring his seniors, the DIGs, who were six in number.

As a result of Ringim's appointment, his superiors, all Deputy Inspector-General, had to be retired compulsorily. Indeed, it was generally believed that Ringim owed his appointment to the friendship stuck with President Goodluck Jonathan when the former was the Bayelsa State Governor. His performance prior to becoming the Police IG was also said to have been uninspiring. According to Odivwri,

As an AIG in charge of Zone 9 Umuahia, Ringim presided over the unofficial gazettement of Aba as the headquarters of kidnapping. A certain Osi ka Nkwu, a kidnapping kingpin, ruled and reigned unchallenged by Ringim and his men. That was when the same gang in the state kidnapped some seven journalists. It took days before they were released. It took the intervention of a squad outside Ringim's command for Osi ka Nkwu to be killed. A feat that largely freed the area from the kidnappers' siege (Odivwri, 2012)

The most damaging effect of politicization of appointment and promotion has been that the IGPs have been IGPs of the Presidential Villa rather than Nigeria's, thus putting a big question mark on the sincerity of purpose of the Government on the reform of the NPF.

### **6.2.3 Efficiency and Effectiveness**

The MoPA and PSC have severally acknowledged that performance and results are not yet institutionalized yardsticks for reward and promotion in the NPF. Osayande stated that "when you want to post an officer to a place, you don't just post him because you don't like him. You post him by assessing the demands of the job and the capability and competence of the officer you want post to a particular place. We have been advocating posting based on merit and then promotion based on vacancy and efficiency. Every organization is conical in shape and structure" (Omonobi, 2010).

Commenting further on how the lack of performance-based incentives compromises the efficiency and effectiveness of the NPF, Alemika stated the lack of specialization in the Force make it difficult to develop a performance-based system. He stated inter alia:

we ... found out that there are many supporting services, which the Police are supposed to be working with which if they are not there, the Police will never be efficient. For instance, the Forensic Scientists, Ballisticians, Physicists, Chemists, and others. There is no Scene of Crime Officer in the NPF today. If you watch what happens abroad and there is a crime, such officers will cordon off the place and they will tell you if there is any foreign body or not. ...there is nowhere in our operational mandate where we are supposed to carry out joint operation with the Military. They are set out for two different things: one is trained to kill, we are trained to maim. If you merge the two of them, the influence of one will rub off on the other.

The is also the issue of promotion has been one of the factors hampering rather than enhancing the efficiency of the NPF. In fact, by 2010, 140 officers earlier granted Special Promotion were demoted by the PSC. Indeed, during the tenure of former Police IG Sunday Ehindero, a large number of policemen dismissed from the system for alleged corruption. However, in 2010, the PSC described the action as illegal because he had no such powers. They stated that the officers were co-workers with the IG and one cannot dismiss his or her co-worker. It is only the commission that can do that. 10,000 of them were flushed out but over 1, 000 were reinstated after re-screening.

Part of the reasons for the explosion in the number of private security groups, particularly vigilantes and ethno-religious militants is the privatization of the NPF by the elite, thus leaving the poor people to create and support informal security arrangements.

According to Marenin and Okenyodo, it is almost a tradition that once a citizen becomes a public figure, his/her first official correspondence on assuming office is to write to the Inspector-General of Police to ask for an orderly or policemen to guard



his/her house. Some even engage officers and men of the NPF in undertaking domestic chores for relations of public officials. Whilst there may be security justification for this practice, but the impact on public perception and the officers themselves is that they are treated like servants by the elite. Indeed, contingents from different police formations are known to have attacked one another in defence of their political masters and contrary to the codes of conduct guiding their work<sup>84</sup>. About 150,000 of the 377,000 officers of the NPF are engaged in VIP duties as at 2007, with most of them working for politicians and their families, banks, oil companies, communication companies, private corporation construction firms and individuals who can afford their services (Saraki, 2007:3).

Previous analysis of the NPF shows that there are no meaningful performance indicators, which means that planning and policy development have little empirical basis and that evaluation of how well officers or the organization perform is impossible in any systematic way. When challenges of poor resources and tools, low salaries, poor living standard and corruption is added to this problem, it can be argued that very little of what would be considered conventional police work actually gets done (Marenin and Okenyodo, Op.Cit).

Obsolete equipment, corruption, lack of adequate welfare package and absence of a proactive, community-focused policing strategy has all contributed to undermine the efficiency and effectiveness of the police. This results in police not having the wherewithal to discipline erring officers, inability to prevent crimes and solve numerous cases of infractions against the law, extra-judicial killings occasioned by 'accidental discharges' due to poor training of policemen, and weak framework for community partnership.

Though the Reports of the reform committees have harped on the need for the specialization of the NPF but the Government has never approved this measure. Modern policing is professionalized and specialized. For an officer to effectively investigate cybercrime, he/she must be computer literate. An investigator of financial

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<sup>84</sup> An example was the duel between the Police during the invasion of the residence of the then Senate President Chuba Okadigbo. Another example was the free-for-all fight involving policemen on the floor of the River State House of Assembly in 2013. It is commonplace to read such reports in Nigerian Newspapers.

crimes must be conversant with accounting. Some highly technical and complex crimes are better unraveled by lawyers while forensic experts are needed to be ceased of their areas of specialization consistently to be able to be at the cutting edge of their policing.

In this manner, the police will not only be in a position to prevent and deter, but also to quickly resolve cases of crime. Implementing this policy would not be easy as many of the junior police officers who paid their way through Police Colleges might not even have the minimum requirement to understand and function as professionals in the Force<sup>85</sup>. Nevertheless, with a phased approach based on needs assessment of police officers, and reorientation to enable them to become trainable in identified departments, specialization is capable of contributing to transformation in the Force.

In the absence of data from the NPF on effectiveness, the researcher utilized credible data available from the CLEEN Foundation, though with variation in the issues surveyed and the units of such surveys, based on changing patterns of crime and national security dynamics over the years. However, though the issues surveyed shifted from time to time in terms of thematic focus, they however border on confidence of the public on the police, satisfaction with services provided by the NPF and perception of corruption within the Force. In 2005 and 2006, 70.1% and 56.0% of respondent to CLEEN Foundation National Crime and Safety Survey did not report crime incidents to the police.

Of the respondents that reported crimes to the police, only 29.2 and 34.8% of respondents for the two years were satisfied with the quality of services delivered by the NPF. According to the 2011 National Crime and Safety Survey by CLEEN Foundation, 48% of respondents were not satisfied with the police handling of reported crime cases. In addition, 71% of respondents attributed the reasons for disaffection with the handling of reported cases to police ineffectiveness, with 18% attributing this to corruption.

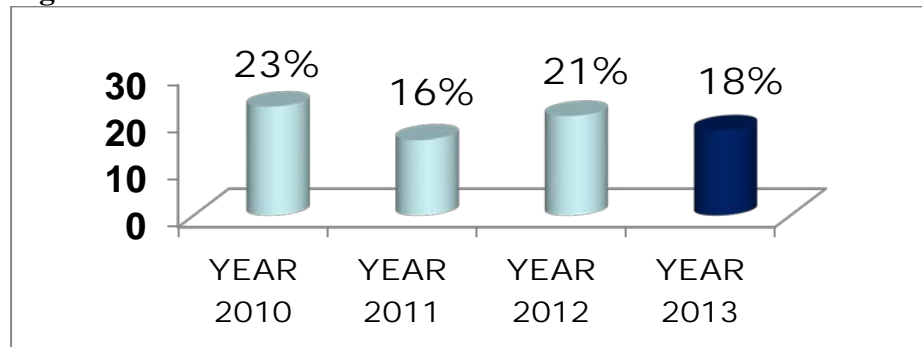
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<sup>85</sup> Nwagwu Interview, 03 March 2014.

In terms of the performance of the police in crime control, 53% believed that the police performed poorly while 78% of respondents stated that they were likely to pay bribe to the police, the highest among law enforcement agencies in the country (CLEEN, 2011). In the 2012 Survey, 39% of respondents were not satisfied with police handling of reported crime, 66% of these respondents attributed police ineffectiveness as the main reason for disaffection with handling of reported cases while 76% expressed a likelihood of paying bribes to the police, higher than any other law enforcement agency surveyed (CLEEN, 2012).

In the 2013 Report, 39% of respondents were not satisfied with police handling of crime cases, of which 76% of respondents attributed their non-satisfaction to police ineffectiveness, while a majority 33% identified the NPF as the highest in demand for bribes (CLEEN, 2013). Between 2010 and 2013, the rate of crime report to the police declined from 23% to 18%. A further analysis of the statistics for this period indicate that

**Figure 6.1: TRENDS IN CRIME REPORTING TO THE POLICE**



**Source:** CLEEN Foundation (2013) **National Crime and Victimization Survey**, Lagos: CLEEN Foundation

Lack of operational plans, with indicators for measuring success and ensuring disciplined approach to implementing the reforms have allowed rooms for ambiguity. For example, a staff of the PSC attributed the overtly ‘unrealistic’ expectations from the people to impatience, stating that Nigerians expect immediate results without consideration for the fact that for a comprehensive programme such as this which is expected to address the plethora of problems that accumulated over a long period, the

benefits must take some time to manifest (Odaudu, 2012). In addition, the lack of guidelines for police stations and absence of guidelines for crime prevention hampers efficiency and effectiveness of the force in documentation of crimes (profiling), and in preventive actions<sup>86</sup>.

Prevention to him, is alien to the NPF's statute books. The major normative framework being used by the police, according to him, is the legendary Force Order 391, which provides instructions for crime fighting and enforcement. He called for the review of the Order to empower the police to take more preventive actions.

#### **6.2.4 Lack of Synergy with the Community**

In the case of Community Policing, Dickson, cited in Ikujetiyo and Rotimi (2010: 9) mentioned factors such as internal resistance by officers who benefitted from the status quo and would not want to lose their advantages. In addition, the Police Community Relations Committees (PCRC) are elitist in its composition and non-institutionalized within any legal framework in Nigeria, therefore, it cannot in itself, be an embodiment of community policing, as erroneously assumed by Iwar (Interview, 18 January 2014).

In addition, some of the factors that have kept the PCRC going are the fact that the Police use them for extortion, funds mobilization while members enjoy privileges through their ID Cards<sup>87</sup>. Though Iwar claimed that consultation is mandatory, but there exist no institutionalized *modus operandi* for such consultations. He claimed further that the PCRC leadership is selected by the 'people', this Researcher's fieldwork indicate that in most cases, the selections are done by those within the in-group of the DPOs or through imposition by police officers.

Iwar confirmed that there were cases of people who joined PCRC for less than altruistic reasons (power, influence-peddling, etc) but stated that the members often remove erring members<sup>88</sup>. The PCRCs are also alleged to be non-participatory, non-democratic and not credible. The NPF though has been implementing a community-

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<sup>86</sup> Interview, Etop, 30 June 2014

<sup>87</sup> Nwagwuma Interview, 15 March, 2014.

<sup>88</sup> Interview, Iwar, 18 January 2014.

policing programme since 2004; it is still seen as hostile to the people. Alemika faulted the practical operationalization of the NPF community policing programme, which he described as 'state indigenes policing' because of their lack of true community representativeness<sup>89</sup>.

He stated further that the NPF, acting according to their history only understood community policing in public relations/image management terms in order to get the support and assistance of the public through the PCRC. He lamented that the reform has not transformed police stations into truly community structures where citizens walk-in and see how police are working. They have not evolved into facilities that bring community stakeholders together to formulate preventive activities based on early-warning information provided by members of the community. Iwar also stated that the police have no tool to monitor the outcomes or effectiveness of the community-policing programme it has been implementing for a period of 10 years.

Etop<sup>90</sup> complemented this by stating that current community-policing initiatives were not institutionalized as they were built around individual DPOs and Commissioners. He added that when these officers are transferred or retired, reversals and/or termination of the initiatives occur.

Moreover, a combination of unequal social order; weak police internal control system and the largely involuntary nature of police-community interactions in Nigeria have made police community relations in the country one of the most antagonistic and hostile in the world (Chukwuma, 2005:2). The fact that NPF personnel are still made to reside in barracks raises more fundamental question as to whether the Government is sincere about its 'civilianization' of the NPF.

To Odekunle, it is only the MOPOL that should be 'cantoned' in barracks because of their training as riot police and the need to deploy them at short notice. The other police officers should live among the community as this would help foster better police-community relations.

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<sup>89</sup> Citing a practical example, he said if Lagos were to have a Community Policing System, a significant number of stakeholders would naturally be Igbos, who are residents but not necessarily indigenes of Lagos.

<sup>90</sup> Etop, Interview, 30 June 2014.

### **6.2.5 Training**

In an analysis of the type of training in the NPF, the AIG in charge of training stated that ‘current police syllabi gear heavily towards academic and outdoors activities emphasizing drills, games, and weapons training’ (Gana, 2013:65)<sup>91</sup>, though the reform has largely corrected this, it would take close to a decade before the impact is seen (Researcher’s Interview with Mr. Iwar). In addition, the poor, dilapidated infrastructure in most of the Police Training Colleges points to the contempt that the successive management have for manpower development.

For instance, at the Oji River Police College in Enugu, no new structure has been added to the institution since its establishment in the early 70s, despite geometrical increment in the number of trainees. A former Trainee observed that all the internal roads are in deplorable condition while only the office buildings including the office of the Commandant, Police Commissioner Dorothy Gimba, who assumed duty in the college a few months ago, was inhabitable the dormitories for the trainees or recruits are usually overcrowded whenever they are in session while many of them who could not secure the primitive steel double-decker beds sleep on blocks, which they arrange as an alternative to beds.

Besides, those who are lucky to get bed sleep on flattened and smelly six spring mattresses said to have been bought at the inception of the college. At the Police Detectives College in the same Enugu City, with a former trainee confessing that “It was like living in hell during the rainy season because most of the dormitories had leaking roofs. The hostels were covered with asbestos roofing sheets many years ago and they have now expired, including those used for the offices and quarters for police officers. Whenever it rains at night, the rooms would be waterlogged and we will be forced to keep vigil till morning” (Vanguard, 2013).

A former Director of Legal Services in the National Human Rights Commission who had been on several inspection teams to Police Colleges in the country described his

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<sup>91</sup> Junior officers of several ranks, who had gone to Ila-Orangun, Osun State and Oji Rivers, Enugu, corroborated this during the researcher’s fieldwork.

experience as ‘mind boggling’ and stated that despite numerous reports submitted to the authorities, on his observation ‘they remain places where if you are sent, it is seen as punishment’ (Okenyodo, 2011:9).

Analysing further the frustrating training ecology of the NPF, the former Director stated that the issues of values and attitudinal change, rather than amendment to the Police Act was paramount. He lamented the grossly inadequate training of police personnel because both the trainers and trainees are disgruntled. He narrated an instance where an ultimatum was given to the trainees by their superiors to pay N5,000 or forfeit their training; the direct effect of such, he said, is seen when they get out of the police colleges, because they have not imbibed accountability (Ibid).

Several police officers also told this researcher that the practice of posting officers to Police Colleges as ‘punishment posting’ has not abated, thus adversely affecting the commitment and integrity of most of the instructors. Further on corruption in Police Training Colleges, investigation by The Punch newspaper revealed that though each recruit was entitled to N25,000 as their allowances but they were paid a paltry N3,000 per month as allowance because N22,000 was deducted from each of the trainees on the ground that they were not supposed to cook in the hostels and as such the police authorities were said to have organized an illegal central cooking arrangement to feed them (Soriweri and Adepegba, 2013).

This dehumanizing situation has further hardened the successive trainees in police facilities nationwide. Perhaps, the greatest damage to the Police Colleges was that they were not under the control of the Headquarters for a long time, thus depriving them of the much-required resources to enhance their operations. In addition, many products of Police Training Colleges are said to lack basic knowledge to perform their duties. In 2004 the Zamfara State CP revealed that a number of police recruits under his command “couldn’t write their names, say how many months make a year, or even recall the name of the Police Commissioner, their boss”, while also acknowledging that armed robbers and other criminals have found their way into the NPF (Anyim-Ude, 2004:75).

From the foregoing, it becomes apparent that the change of training curriculum to incorporate human rights and rule of law-related subjects are token. There might be need to rethink the syllabi in tandem with the restructuring of the organogram to enhance professionalism. Omnibus training for the police seem to be outdated. Training is still centrally controlled despite recent attempts to appoint Governing Boards for some of the Police Colleges.

On-going reforms are not based on any scientific study of the contents and impact of the previous training methodology and seem therefore to be based on the individual judgment of senior police officers. Visits by the Researcher to two Police Colleges in **Lagos and Enugu** indicate that training for junior officers still focus on physical drills and basic skills, with little on-the-job training to further enhance the emotional intelligence needed for the junior officers to perform their job effectively and efficiently. Within the framework of the reform, ‘majority of the training are for senior officers, thus conveniently depriving the officers from the ranks of Constable to Inspectors who constitute over 80% of the Force and who carry out most of the policing duties’ (Interview, Odekunle, 21 March 2014).

Most of the trainers in the Police Colleges were “sent there as punishment and deprived of their promotion, and ...the Colleges gets little or nothing in terms of allocation” (Okeke, 2002:63). In the College in Maiduguri, there was only one-block functional building, which is utilized for lectures during the day and converted to hostel at night” (Ibid) . During fieldwork, several police officers also stated that their training allowances were never paid at all and in some cases, they were kept in the dark over whether they were entitled to any payment at all. In addition, they were never fed nor housed during the training while training officers extorted them through illegal charges<sup>92</sup>.

### **6.2.6 Resistance**

There were two categories of opponents of the reform who worked against its success: police officers and political leaders benefiting from the *status quo*. Indeed, when a Lagos-based Television Station publicised the rot at the Police College in Ikeja,

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<sup>92</sup> A notable example was a Counter-Terrorism Training for officers at the Police College, Ila-Orangun in June 2014.



President Goodluck Jonathan's first instinct was to blame the opposition and saboteurs for the adverse publicity, without addressing whether these groups were responsible for siphoning allocations due to Police Colleges nationwide, whether they prevented police authorities from spending their funds responsibly and whether the revelation was outside the role of the media as the third estate of the realm. He however later realised that the Ikeja situation fairly represented the state of play in most police colleges and that it was due more to the handiwork of the saboteurs with the NPF.

Despite the avowed determination of the Government to reform the police, non-performance have only been met with retirement and at times, rewards, thus prompting President Goodluck Jonathan to state in 2013 that the promotion of mediocre and undisciplined officers has weakened the NPF (Punch, 2013). Ironically, the same President Jonathan rewarded former IGP Ringim, reputed to have been at sea with the problem of policing, particularly the issue of kidnapping in the East, with a National Honour in July 2009 (Next, 2010:4). This portends poor decision-making, a factor accentuated by the fact that Mr. Ringim who succeeded Onovo, was the AIG in the Abia Zone, which was the hotbed of kidnaping. Thus, several analysts pointed to the fact that the logic of his appointment could only be his closeness to the President, having served as Police Commissioner in Bayelsa state when the President was the state Governor.

Though Police IGPs since Musiliu Smith had lamented the harm caused the Institution by VIP duties, however the fact that most policemen consider the postings lucrative and pay "returns" to their superiors makes it difficult to stem this tide, which has deepened the problems of corruption and inefficiency in the police. This is in real terms, security to the highest bidder.

HRW investigations revealed that:

Police officers assigned to work as guards for private individuals or companies are generally required to pay "returns" to their superiors. A police constable assigned to a bank in Lagos told Human Rights Watch that he receives an extra ₦10,000 (\$66) weekly allowance from the bank but has to pay ₦2,000 (\$13) a week to his posting

officer.<sup>209</sup> Similarly, in Anambra State, a police constable told Human Rights Watch that police officers assigned to banks in the state receive a ₦10,000 weekly allowance from the bank but were “crying” because they have to pay ₦6,000 in returns each week to their superior officers (HRW: 63).

In an apparent demonstration of divisions and confusion within the Government, former ranking members of the Obasanjo Administration who later became newspaper columnists in *ThisDay*, wrote series of article critical of the reforms of the police, some of the points, which they claimed to have made while still in government. In addition, the Senate in 2013 canvassed preference for the decentralization of the NPF as a prelude to the establishment of a State Police, a position at variance with that of the Goodluck Jonathan-led Executive.

The Senators also queried the N135 billion allocated to the police, with the Deputy President Ike Ekwerenmadu saying “About N140bn had been made available for the reforms between 2010 and 2013 but unfortunately with this huge funds we are not going to achieve anything with the police” (Aborisade, 2013), thus raising questions about whether the Senate provided the necessary oversight in ensuring transparency and accountability in the implementation of previous reforms.

The senate further directed its Committee on Police Affairs to investigate the N135bn released by the Federal Government to carry out a comprehensive reform in the Nigerian Police Force between 2010 and 2013. This Researcher was privy to the constitution of an *ad hoc* Think-Tank by the Minister of Police Affairs upon assumption of office to give him a Position Paper on urgent areas of reform, as he did not have enough trust in the intellectual output of the police to do this for him.

The Osayande Committee relying on the sixth item on its term of reference which states that the Committee could ‘make other recommendations for the improvement of the police’, recommended the scrapping of the Ministry of Police Affairs a move which generated bitter public exchanges between the Minister of Police Affairs Caleb Olubolade and the Chairman of PSC Parry Osayande, over the former’s claim that the Committee over-stepped its boundaries.

When Mr. Osayande submitted his Committee's Report on 14 August 2012, he called for the scrapping of the Ministry of Police Affairs because it has no particular assigned role in the 1999 Constitution. It said that the Ministry is neither in charge of police administration, which is assigned to the Police Council, nor in charge of operations, which are assigned to the IGP or appointment, discipline and promotion, which are assigned to the PSC. It stated further that police budgeted fund "is unjustifiably domiciled with the Ministry...which determines police projects and awards contracts, including organizing and running training programmes involving billions of naira with no input from the police who are the end users" (Usigbe, 2012). This naturally results in non-execution and abandonment of projects, wrong prioritization in the selection of projects to be executed, abuses, misapplication and hemorrhage of the limited resources made available to the police.

To Osayande, the issue was that "the Inspector General of Police should be granted financial autonomy and as the head of the operations of the force, he knows what he wants and how to go about them. You cannot superimpose an extraneous body on that large organization that has 350,000 stock and you ask them to buy vehicles as if the IGP does not know where to buy vehicles or buy boats. It's not a personal issue, the Ministry has no place in law" (Fabiya, 2012).

The committee stated that the Police Service Commission was "neither in charge of Police administration, which is assigned to the Police Council, nor in charge of operations, which is assigned to the Inspector-General of Police, nor in charge of appointment, discipline and promotion, which is assigned to the Police Service Commission. However, as far as Olubolade was concerned, the recommendation was a move to undermine him as Minister and as such, he expressed both public and private dismay at the recommendation, which he said was unacceptable and whose implementation he would frustrate.

Ironically, a Government White Paper Committee headed by the Minister of Justice submitted its report in September 2012 but the Government is yet to commence implementation of the Report, 17 months after its submission (as at February 2014), a tacit way of 'dumping' it (Adepegba, 2014<sup>2</sup>, Researcher's Interview with Mr. Ekpe, PSC). Finally, there was also passive resistance to reform within the NPF. According to Etop, the idea of community policing, which was emphasized by the strategic and

operational reform was not implemented with the required administrative will. According to him, colleagues regularly refer derisively to the initiative as “that your community policing” making it look more like an ‘Etop Project’.<sup>93</sup>

### **6.2.7 Police Infrastructure**

Nothing drives home the weakness of the reforms more than the increasing infrastructural decay in the NPF, despite the claim in Government quarters that this area has been a major focus of the reforms. From the Police Posts to Police Stations and other specialised police formation like the Ports, Airports and other such commands. In the specific case of the Police Mobile Force, Abang (2007) noted that a Unit of the Force is supposed to have full complement of equipment, that is, a minimum of four operational troop carrier vehicles, water cannon, a mobile kitchen for catering needs, arms and riot gun carriers, which ensured their independence and fluidity during operations.

However, due to the infrastructural decay in the NPF, the situation has gone to a level whereby “most squadrons do not have a serviceable troop carrier and may resort to renting of Lorries for commercial operators to move their men to locations for special duty (Abang, 2007: 342). Nwagwu said the issue of police infrastructure and dignity have been raised with different reform committees but that “to those that are saddled with the responsibilities for the reforms, giving the Nigerian policeman dignity means that s/he won’t carry their wives’ bags when they go to the market but they (the reformers) don’t want that. And then, there are no contracts in giving dignity to the police. There are contracts in buying vans, guns and in changing uniforms”<sup>94</sup>.

A major challenge with the reforms is the lack of holistic approach towards the transformation of the NPF. Whilst salaries and allowances have been increased a number of times within the last 8 years, other aspects of the police welfare like kitting, accommodation and logistics have been grossly inadequate.

The police lack modern intelligence gathering tool and forensic laboratories with adequate number of professionals to man them. Though state governments stepped in

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<sup>93</sup> CP, Interview, 30 June 2014.

<sup>94</sup> Interview, Nwagwu, 03 March 2014.

to support the equipping of the police, maintenance becomes problematic due to lack of sustainable funding.

According to numerous accounts, the armoury of most police stations is stocked with obsolete ammunition like Mark IV, which were produced for the Second World War by the British. Communication wise, efficient gadgets like telephones, including GSM, laptop and desktop computers, ipads, walkie-talkie, radio, etc. are exclusively reserved only for the top echelon of the Force (Agbo, 2002:53). This makes the work of policemen difficult.

Apart from the complete dearth of amenities in the barracks, families are cramped together in studio flats within dilapidated accommodation facilities lacking power, water supply and access roads. The scenario at the police barracks negates the Ministry of Police Affairs Charter which says its Vision is “to provide the Nigerian nation with a well-trained, disciplined, dedicated, effective, highly motivated and efficient Police Force that is the best in Africa and comparable to any police force in the developed world” (Nkechi, 2013).

After another wave of criminal activities like terrorism in the North, kidnapping in the East and vicious and daring armed robbery operations in the Western part, the IG Mohammed Abubakar lamented in a meeting with DCPs in charge of criminal squads the corruption, dysfunction, and incompetence that have become the defining features of the NPF:

“Our men are deployed to rich individuals and corporate entities such that we lack manpower to provide security for the common man; our investigation departments cannot equitably handle matters unless those involved have money to part with it. Our police stations state CIDs and operation offices have become business centres and collection points for rendering returns from all kinds of squads and teams set up for the benefit of superior officers. Our respect is gone and the Nigerian public has lost even the slightest confidence in the ability of police to do any good thing.” (ThisDay, 2012)

### **6.3 REFORM GOVERNANCE AND THE FAILURE OF REFORM**

The NPF has been trapped and lost in reforms largely because the value that have shaped the design and implementation of the reforms is not focused on transforming the Force into a service-oriented organization, with emphasis on service to the people, respect for human rights and democratic institutions, culture of civility and collective engagement towards resolving the security challenges facing the country, and a holistic and integrated approach to the protection and promotion of the human security of Nigerians.

Indeed, the 1999 Nigerian Constitution envisions a Police Force for the country, to be deployed against the citizens. The foundational deficiencies make the formulators and implementers of the reform pay less attention to important abstracts such as the question of inclusiveness and representativeness in the design process, as well as developing the reforms agenda along an integrated approach to justice sector administration. With the government unwilling to change the model of policing (which would have entailed changing the culture that shaped the model), the failure of the reforms became guaranteed. In order to find an ‘escape’, the Government reforms then dwelled on the symptoms, rather than the causes of the institutional weaknesses of the NPF.

Dwelling on the symptoms rather than the causes complicated implementation. AIG Code 1 alluded to the poor implementation of the reforms, mentioning in particular, the flawed recruitments between 2002 and 2006, lack of sufficient focus on internal oversight and the protection of citizens’ human rights and lack of political will to address the problem of over-centralization in the implementation process, succession management and leadership as well as effective training<sup>95</sup>. This fixation with symptoms is further elaborated –on in the following paragraphs.

First, Tamuno pointed out that the ecology of security management, ditto policing, has been shaped by value deficiencies. In particular, he identified 3 broad frames of stakeholders dominant in the politics and governance of Nigeria whose value

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<sup>95</sup> Interview, AIG Code 1, 30 January 2014.

deficiencies have increased insecurity in the country<sup>96</sup>, namely, Self, Society and the State. To him, the self is the individual, who shapes and contribute to development within the society. Society is a larger form of group formation which embraces basic units such as trade unions, students organizations, NGOs, cultural etc. The state to him, is the sum total of structures and apparatus of the government, as operated by individuals and the society. The crux of the matter was the failure of stakeholders to subordinate the self and society interests to the state interest, defined as the collective interest of all.

The police as a state apparatus meant to protect societies already committed to the promotion of collective security in the pre-colonial era, turned out as protectors of the interests of the colonialists, which perceived itself as a force for a civilising mission. This value continued to shape the unified post-1966 NPF, which has been serving as the buttress of the governments (which economic, social and political policies seem to be anti-people), doing the biddings of Government officials who could not distinguish their individual interests from society and state interests and in the process, it failed to transform to a people-oriented police<sup>97</sup>.

Fagbemi, whose view was that the pressure on the Nigerian political leadership arose from the failure of the NPF to fill-in the spaces vacated by the Nigerian Army due to the advent of democracy in 1999, was a major impetus for the hasty reform measures, corroborated this point<sup>98</sup>. This is particularly so due to the misleading perception of security by the government. Fagbemi put this succinctly when he stated, “when there is a threat in any part of the country that has not constituted a direct threat to those in government, it is not taken as a serious matter and that was why the patterns of insecurity and breaches in the country have not been properly investigated”<sup>99</sup>. This he said also accounted for the initial focus on increase in number of policemen and deployment to public office holders and business elite.

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<sup>96</sup> See Tamuno, Tekena (2012) Stakeholders at War in Nigeria: From Lord Lugard to President Goodluck Jonathan, Vol 2. Ibadan: Strling-Horden Publishers Ltd.

<sup>97</sup> Interview, Tamuno, 18 March, 2014

<sup>98</sup> Interview, Fagbemi, December 21, 2013

<sup>99</sup> Fagbemi, Interview, December 21 2013.

A corollary, as stated by Tamuno is that since ‘bad people’ cannot be expected to produce a good police, the failure to link policing reform to a larger societal value cleansing and transformation has contributed to the failure of policing reforms. He described the reforms between 1999 and 2014 as focusing only on operational issues to enhance the efficiency of the police but stated that what was required is a larger transformational and strategic reform of the society, with inclusive and institutionalized approach, which would then provide a base for result-oriented operational reform of the NPF.

Second, is the methodology of the reforms. The use of *ad hoc* committees seems to be a demonstration of government’s casual attitude towards reform. Alemika and Tamuno<sup>100</sup> mentioned the fact that what a Reform Committee does is a function of its Terms of Reference (ToR). They stated further that no matter what members of the Committee know, their ToR, the ad-hoc nature of such committees and constraint of time limits them. As a member of the Dan-Madami Committee, Alemika raised what were perceived as sensitive issues but were shouted down immediately by other members, largely retired police officers<sup>101</sup> and in a few cases where they managed to sail through, were not allowed by the Government White Paper Committee and a few that were accepted by the White paper Committee were never implemented.

It appears therefore as the main objective of the Government Reforms has been to boost the ‘Force capacity’ of the NPF to ensure enhanced regime protection, they (the Government) therefore took for granted, value-related issues such as structural and horizontal accountability, respect for human rights, command and control process capable of ensuring police-community partnership in the protection of human security, protection and promotion of the Fundamental Objectives and Directive Principles of State as enshrined in Chapter 2 of the Nigerian 1999 Constitution, as well as the protection of the weak and vulnerable in the society.

The Chapter has revealed the disproportionate attention and activities devoted to these transformational issues in the reform process and a bias for a ‘strong’ NPF to respond to threats mostly directed at the political elite like armed robbery, assassination,

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<sup>100</sup> Interview, Tamuno, 18 March, 2014 & Alemika, 11 March 2014, Abuja.

<sup>101</sup> Only Ray Ekpu, a journalist and Prof. Alemika were non-police members.



assaults against highly placed officials and other such physical threats. But because the NPF did not sufficiently address value issues that could restore the confidence of the public in their work, they were not successful with the use of 'Force' strategy lacking in robust intelligence-gathering capability.

Third, when the police reforms were formulated has had a profound impact on how they have been implemented. Since 1999, civilian governance in Nigeria has struggled for a transformation into democratic governance, capable of ensuring the efficient and effective management of the society. The journey to functional democracy has been slow and tortuous, shaped by steady improvements but largely by drawbacks in the areas of respect for the rule of law, widespread corruption, lack of accountability and transparency, institutional weaknesses, etc.

These drawbacks have at different times made the Government paranoid about the prospect of systemic breakdown, particularly in the security sector. Yet, the political powerbrokers who have been the main beneficiaries of a dysfunctional police force were unwilling to ensure a transformation of the body, lest they lose out on their privileges. The reforms measures were then formulated to keep a perennially cacophonous and restless populace quiet through the empanelling of series of 'government committees' and these Committees were reinvented severally to keep Nigerians busy and get job for the boys (i.e. Government-nominated members). Tekena describes the committee methodology as an administrative device to buy time by the government so as not to address the core of the problems of policing<sup>102</sup>. Within this context, the Government resorted to incremental reforms as confidence-building measures and left the NPF to continue its decadent culture, thus leading to a *cul de sac* situation for the Government and the NPF, which having not recorded the desired results, became trapped in reforms.

Fourth, the value deficit ensured that for a long time, the Federal Government did not take sufficient advantage of the resources at the sub-national (state and local government) levels in addressing the crisis of policing. This is further complicated by

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<sup>102</sup> Interview, Tekena, 2014. To demonstrate Government's un-seriousness, he referred to the Okigbo Report on Oil Windfall which Report had 'disappeared' from all Government Ministry and has not been found till date.

the fact that involving sub-national Governments comes at a cost-restructuring the police in such a way that stakeholders beyond the Federal Government would have more say in how they are policed. Since the Federal Government was not prepared for this, it robbed itself of the resources of the people, who would mostly contribute robustly through vigilante and other non-state groups. Since the Federal Government has demonstrated time and again, its inability to single-handedly fund and resource the NPF, the implementation of the reforms (lacking wholehearted support from the sub-national units and the people) has naturally been incoherent and wobbly.

Fifth, since the Government was only interested in regime security, policing reforms was prioritized than reforms in the other sectors of justice administration. But Fayemi and Olonisakin have observed that the problem of policing cannot be seen in isolation of the criminal justice system since the police are an implementing agent of the criminal justice system. Yet the criminal justice reform has been slower than police reform and is lacking in comprehensive approach. Alemika<sup>103</sup> stated that if the police were reformed without complementary effort in other sectors, the justice administration sector, particularly the courts and prisons, would crash. This is more so that the so-called justice sector reform in Nigeria has been much about prisons decongestion, which has only succeeded in funneling money to the pockets of a handful of lawyers.

Moreover, the enhanced capacity of the police in investigation, intelligence gathering, prosecution would entail that pressure would be put on the judiciary, with an outdated case management system, as well as an over-saturated prisons. A comprehensive approach, to them, will necessarily involve addressing existing gaps in accountability, oversight, access, due process, effectiveness, efficiency, and representation at the level of the judicial, prosecutorial and policing institutions and ensuring the necessary linkages in the justice and security sector community (the police, correctional services, the judiciary and prosecution services etc.) (Fayemi and Olonisakin, 2008: 260-261).

Sixth is the issue of success criteria. Odekunle, the leading authority in criminology in Nigeria noted that policing quality can be rated according to the following indicators:

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<sup>103</sup> Interview, 11 March, 2014.

Effectiveness: (e.g fewer or reduced criminal victimization; higher proportion of crimes known to the police cleared by arrests; increased recovery of stolen property; higher rates of arrests which results in conviction; lower traffic accident rates; faster response time to reports/complaints; Responsiveness: (e.g higher citizens perception of safety from crime; higher citizens ratings of police performance in general; higher citizen ratings of specific police activities; higher rating of police conducts in terms of honesty, integrity, courtesy and fairness); Equity: (i.e. with reference to egalitarian distribution of “protection” to all sections of the population); Efficiency: (i.e. with reference to cost-and-benefit analysis. Fagbemi in his own prognosis describes efficiency and effectiveness as the goals of police reforms.

The attainment of these in Nigeria, he stated, is constrained by the legal framework, especially the Police Act. He stated that under the current legal frameworks, rules and regulations, it is difficult to attain efficiency and effectiveness due to lack of focus of these frameworks on service delivery to the people<sup>104</sup>. The actual performance of the reforms was not disaggregated into measurable dimensions. Rather the police have been involved in statistics doctoring<sup>105</sup>.

By the 1990s the police stopped publishing statistical report only to resuscitate it in 1999 but in inaccurate forms. Since 2004, the NPF resumed the publication of the Reports but their statistics were still perceived as grossly incorrect and at times, lacking in integrity<sup>106</sup>. It is noteworthy that most of the reported misdemeanor against NPF personnel during these periods included abuse of office, brutality and assault, burglary/stealing, corruption, criminal force, extortion, extra-judicial killing, harassment/ intimidation, homicide/murder, rapes, shooting/maiming, threat to life, torture, benefit withheld, wrongful detention, and other cases. Most of reported cases apply to officers from the ranks of DIG to ASP, giving the impression that offences committed by the rank and files, which have been substantially documented by Human Rights Monitoring Groups have gone largely unreported to the Police Service Commission.

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<sup>104</sup> Interview, Fagbemi, December 21 2013

<sup>105</sup> Interview, Alemika (11 March 2014, Abuja). For instance, the Table on Complaints Against NPF personnel is at variance with public accounts from other sources during the period.

<sup>106</sup> The statistics are so unreliable that Prof. Alemika does not use beyond 2-3 items for his research, according to his comment during the research interview.

Statistics for 2008 and 2011 also shows that the PSC applied disciplinary measures to 127 of the reported cases for 2008 and 69 disciplinary measures meted out to erring officers in 2011. These are issues the NPC could have put in perspective and revitalize to ensure that the reforms are effective.

**Table 6.1: Public Complaints Against Members of the NPF**

Year	Number of Complaints
2008	129
2009	106
2011	192

Source: Police Service Commission Annual Reports, 2008, 2009 and 2011, Abuja: Police Service Commission

However, in all of these, the achievements recorded by the NPF are still galloping, indicating rapid success reversals and lack of sustainability. This is indicated by the Crime Statistics of the Nigerian Police during the period of this research, and it points to the fact that the reforms have not achieved much in terms of transforming the NPF and enhancing the security of lives and property. Though the NPF has not hesitated to score itself high in terms of impact of its reform, with claims of successes in public perception and rating; increased public confidence and trust in the Force; increased cooperation, support and collaboration from the public and private sector; and gradual reduction in crime level across the country (Mani, 2013:11), this however contrast

Reports of independent analysts and observers during the period which documents extensively human rights abuses, operational blunders, cases of corruption, indiscipline, politicization of the Force as well as legion of other shortcomings in the NPF since the advent of democracy in 1999<sup>107</sup>. It is also interesting that the NPF could be analyzing ‘impact’ (Mani, Op.Cit), an exhaustive and comprehensive terminology in programme management lexicon, often used for programmes and activities whose implementation have been concluded within 7 to 10 years. That is one of the reasons this thesis did not seek to measure the impact, but it rather focuses on the outcome of reforms.

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<sup>107</sup> See Human Rights Watch Reports on the NPF, 1999- 2014

Seventh, the attempts to reform the NPF have never been based on a holistic, transformative approach. Whilst statements from Government officials indicate a desire to transform the police, the design of the reform as well as the scope indicate only a desire to attain operational success.

Beyond these factors, Odekunle<sup>108</sup> mentioned other factors like the leadership and membership of the reform committees who were largely people trained and regimented in conventional and colonial policing mechanisms and as such lack the type of 'new thinking' necessary for the transformation of the police. In addition, he identified lack of political will on the part of successive civilian administrations since 1999 to undertake a fundamental reform.

Furthermore, he stated that the Government had more confidence in foreign aid/support in drawing the conceptual design/template upon which it based the reforms. He stated that there was nothing new on the problem of policing and in previous engagements with the Government over a period of 4 decades, all the issues had been highlighted by Nigerian scholars but ignored by the Government only to bring experts from the DFID, USAID and others, who do not have deep knowledge of the issues and ecology of policing in Nigeria.

He stated that a transformative approach to reforming the police would necessarily focus on (a) police independence and autonomy; (b) the need for the police to live and interact with other members of the community rather than within the barracks; (c) the need for the police to ensure horizontal remuneration for the rank-and-file in such a way that pay should be based on years of experience and outputs rather than on ranks, in such a way that would not jeopardize seniority and discipline; (d) fundamental review of the training curriculum in such a way that trainees would not be treated in such a way to institutionalize impunity and degrade citizens. Rather than focus on

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<sup>108</sup> Interview, 2014.

these, he stated that a lot of energy had gone into the revision of Force Order<sup>109</sup>, change of uniforms, how to undertake drills etc.

Eight, there seem to be a corporate interest of a wide array of stakeholders to keep the NPF in reform for their own benefits. Odekunle<sup>110</sup> alluded to this by stating that deliberate omission by the Government not to tackle the issue of justice administration holistically could only produce a type of policy outcome, which would keep the NPF perpetually in reforms. He stated that huge money have been expended on projects such as prison decongestion in such a way that lawyers have made a kill through the facilitation of the release of a few petty criminals for millions of naira, which in the view of the Government, was tantamount to justice sector reform.

Piecemeal reforms have also led to compartmentalization in which there is no shared vision and objectives, and indeed little programmatic linkages between police reforms and reforms in prisons, courts, and justice management. The inextricable links between these institutions indicate that even if one of the component reforms were successfully undertaken, it would lead to too much institutional load on the others, and a possible collapse.

In the same vein, many of the members of the Government Committees for the police reforms were alleged to own companies, which were, involved in procurements for the NPF under the implementation of the reforms<sup>111</sup>. Thus, many of the members of the Panel did not rise above their selfish interests in order to make more profound recommendations. The reforms therefore appear like attempts to keep a section of the security elite relevant and provide for their material needs through access to Government officials, drawing of allowances and execution of government contracts.

This also accounts for the rapid abandonment of previous reforms on the police and lackadaisical approach to the non-procurement aspects of the reforms during the

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<sup>109</sup> A Committee on this was as at March 2014 meeting at Force Headquarters to repeal and replace the Force Order in face of uncertainties over the implementation of the MD Yusufu and Parry Osanyande Reforms Reports.

<sup>110</sup> Interview, 21 March 2014

<sup>111</sup> Interview, Alemika , 11 March 2014 & Nwagwuma, 15 March, 2014

implementation phase. Indeed, Iwar <sup>112</sup> acknowledge that overt emphasis on procurement and building physical structure without adequate development of new value-based doctrines would be counter-productive. To him, the current practice is like putting the cart before the horse.

Finally, for the recommendations that were made, the MoPA, PSC and NPF do not have a coordinated approach to their implementation. Officials from each of these MDAs complain of poor information-sharing, coordination of implementation, identification of priority programmes and activities as well as usurpation of each other's roles and responsibilities in the reform process.

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<sup>112</sup> Iwar, Interview, 18 January 2014

## CHAPTER SEVEN

### CONCLUSION & RECOMMENDATIONS: TOWARDS A TRANSFORMATIVE GOVERNANCE OF REFORMS IN THE NPF

#### 7.1 Overview

The main concern of the study has been to investigate the governance of the NPF reforms. The study reviewed all the reforms embarked upon by the NPF since the Unification Reform of 1967 and through the 80s and 90s, which revealed that they have never been aimed at transforming the Force.

With respect to the scope of the research, the thesis reviewed in-depth, four mainstream reforms formulated between 1999 and 2014 through Ministerial and Presidential Committees (with only 2 releasing their White Papers) as well as seven operational reforms by successive IGs of Police in the country. For us to therefore understand and unravel why reforms failed to induce the transformation of the NPF, the study reviewed the value and philosophy shaping the formulation and implementation (governance) of the reforms.

#### 7.2 Summary of the Study

The first preoccupation of the study was to investigate whether Nigeria has a model of policing and to determine the model and how it has shaped the reforms of the NPF. Specifically, Chapter Two of the study reveals that the Nigerian policing model is shaped by the paramilitary policing design of the NPF, with the following elements: the use of the police as an 'instrument' of conquest and not of public service by the political class; the impact of military rule on the marginalization and near-destruction of the police; the uneasy vertical and horizontal inter-governmental relations among the arms and levels of government, and their impact on the police; the centralization of policing without sufficiently tapping into the resources available from other informal groups performing policing duties; the intense push-and-pull factor, whereby a criminogenic society subjects the police to intense pressure than it can cope with; and the tension and antagonism between the formal and informal policing structures (CLEEN, 2008).

A Historical-Institutionalism (HI) Framework of Analysis was combined with Sociological Institutionalism (SI) to situate the discourse on the governance of police



reforms. The HI/SI Approach guided the study in identifying major issues in the functioning of the NPF and to put in sharper perspective, the challenges confronting the governance of the police reforms between 1999 and 2014.

It also enabled the analysis of how the historical legacies of the NPF have constrained the Force to act in ways in which it became more difficult to achieve the objectives of effective and efficient national security for Nigerians. Since expectations are moulded by the past, the HI Approach looked at patterns of happenings in the past for an understanding of why the stakeholders have reacted to gross crisis of policing through the institution of legions of reform measures.

It helped in finding out whether the reform measures were to keep a perennially cacophonous and restless populace quiet through the empanelling of series of 'government committees' or whether they represent genuine efforts to transform the NPF, or whether indeed, the perceived "successes" of the 'Gobir', "MD Yusufu" and "Murtala Nyako" Committees were enough motivation to re-live the past. This analytical framework also helps to highlight the inconsistencies and irregularities in the governance of reforms in the NPF.

The analysis of the history of the NPF, established, among others, that though communal policing in Nigeria predated the advent of the colonialists, colonialism radically changed the aims and objectives of policing and heralded a period of repressive policing. In addition, the colonial era also witnessed the involvement of the police in human rights violations and numerous atrocious acts.

The lack of civic value focus for the newly established colonial police forces represented a major challenge that would haunt the country for over five decades of its post-independence history. In the post-independence era, the NPF co-existed alongside local policing organizations in the Western and Northern Region, a development which though enhanced local inputs into policing, came with enormous political baggage as the local police institutions were accused of partisanship, arbitrariness and human rights violations.

The NPF itself was complicit in intimidating political opponents of the then ruling NPC Government, and the poor management of the political crisis that ensued was one of the remote causes of the collapse of the First Republic. The advent of military rule in 1966 provided the opportunity for the unification and centralization of the police, with the sustenance of its paramilitary essence. The rest of the history of the post-independence NPF has been marked by the perpetuation of the value inherited from the colonialists, thus making the Force vulnerable to the manipulation of the country's successive leadership. Attempts to deal with the symptoms of the crisis of the NPF have not led to qualitative improvement in the performance of its mandate to protect and promote the security of Nigerians.

The analysis of the contexts, objectives and outputs of the reforms of the NPF from 1966 to 2014 were the preoccupation of Chapters Four and Five of the study. Whilst the analysis of the pre-1999 reforms provided insights into the path dependency elements in policing reforms, the post-1999 analysis, which was more detailed, indicated that the essence of policing reforms remained the same for over a period of five decades.

In the post-1999 reforms, additional pressure on the country's social and political milieu by ecological factors such as porous borders, growing poverty, inequalities and economic deprivation, political instability, corruption and the growing culture of impunity made reforms to become attractive 'escape routes' for the Government. The Chapter undertook a review of each of the reforms, outlining the main achievements recorded in the implementation, which indicated that the achievements were just tokenism and not transformative in essence. The Chapter concluded that none of the reforms of the NPF has historically been aimed at changing the model of policing but they have rather focused on the operational efficiency and effectiveness of the Force.

Chapter Six undertook a critique of the governance of the reforms between 1999 and 2014. The Chapter developed a number of indicators to empirically analyse the weakness of the reforms and submitted that reforms have failed due to the lack of a strategic and transformative approach to change in the NPF. A strategic and transformative approach would necessarily take value reorientation as a point of departure and since this has been lacking in the design of the reforms, targeted mainly

at the symptoms of police crises, the government became trapped in a ‘motion without movement’ situation. In specific terms, the Chapter divides the indicators of failure into two categories; external and internal.

The external factors which illustrates how the governance of the reforms undermined its design and implementation included: poor coordination; weak oversight and accountability; Lack of robust strategy to address human rights and impunity; philosophy deficits in the design and implementation of the reforms; weak political commitment; corruption; poor funding; and poor integration of reforms with administration of justice. The internal factors analyses the impact of governance on the effectiveness of the reforms and they were identified as: poor command and control; weakness in appointment and promotion; weakened efficiency and effectiveness; poor training, lack of synergy with the community; internal resistance; and poor police infrastructure.

### **7.3 Summary of Key Findings**

Holistic and value-focused reforms remain critical to the development of an efficient and effective Police in Nigeria. Consequently, efficient policing remains at the heart of national stability, peace and development. As the study has shown, the NPF has the potential to become a people-friendly, effective Police organization.

To maximise its operational potentials, the Government has introduced a number of reform measures targeted at operational efficiency. These reform measures which remain the major theory of change in the NPF dealt largely with organizational right-sizing, procurement of hardware and other facilities, development of training and manpower development facilities, establishment of new departments to meet up to the security needs of the country, experimentation of new concepts and ideals, etc. The study has clearly shown that these operational reforms have not achieved the goal of enhancing the efficiency and effectiveness of the NPF in the protection and promotion of citizens’ security.

Using the reforms from 1999 to 2014 as the case study, the defective conceptualization, formulation and development processes of the reforms would later lead to disarticulation in the implementation and management of the reforms, leading

to further deterioration in the performance of the NPF. The study concludes that for the NPF to attain the much needed efficiency and effectiveness, it has to undergo a holistic transformation. The findings of the research work are classified along the lines enumerated below:

### **7.3.1: Failure of the Self, Society and State in setting Positive Value Barometer for the NPF Reforms**

The research draws a strong link between the NPF reforms and their external environment. The environment in which Police reforms have been formulated has been characterised by widespread moral decadence. Building on the works of Odekunle and Tamuno, this study further reinforces the links between Nigerians' big appetite for criminality and the failure of the law enforcement institutions, albeit, the NPF.

It argues that the stakeholders in the Nigerian project, earlier defined by Tamuno as the "supporters, defenders and protectors with a stake", have unwittingly contributed through their moral decadence and attendance protection of selfish interests to the detriment of the collective interests, to the destruction of the institutions of the state in which they claimed that they have a stake. The Nigerian stakeholders, made up of the self, society and state have over the reform years, largely contributed to undermining stability, peace and security in Nigeria over the choices made at family levels, in associational lives, in community engagements, policies made in the area of national security and in the exhibition of lack of commitment in the implementation of the NPF reforms.

For Ekwowusi, the project of changing the NPF is similar to that of changing Nigeria. He observed that the police is a reflection of the ills of the Nigerian society, and that the police is just one of the tools/weapons being used by interest groups in the scramble for Nigerian resources (Ekwowusi, 2002:10). The society has also demonstrated pervasive criminogenic attitudes and character, thus providing an environment not conducive to the transformation of the NPF. Since the self and society made up the state, it was not surprising that the conception and implementation of police reforms were not transformative. The processes of conception, formulation and implementation of the reforms would later reveal how

lethargy from the individual, society and state combined to produce a cocktail of poor coordination, inefficiency and failure in the reform process.

Thus, the stakeholders largely undermined the holistic conception and implementation of the reforms as players in the security sector through their individual actions, collective attitude to security, and through half-hearted and compromising implementation of the reforms. As shown in the study, the inability of the stakeholders to identify value reorientation as the bedrock of reforms in the NPF guaranteed fitful and lacklustre conception and implementation.

Secondly, value decadence in the society during the reform years further strengthened the culture of impunity in the NPF. Alice Hills had stated that:

Culture—which is widely understood to mean ‘the transmission of knowledge, values, and other factors that influence behaviour from one generation to the next’ is transferable, is learned through experience and participation, and comprises a set of rules or guidelines that generate specific forms of conduct. (Hills, 2012: 741-742)

Hills stated that even though this insight is yet to be applied systematically to the subject-matter of security sector reform, the debate nevertheless remains uneven and partial. In this perspective, the norms and culture prevalent in the society further embolden officers and men of the NPF to continue with the atrocious acts which have been the defining feature of the institutions such as human rights violations, corruption, poor intelligence gathering, police-community relations, etc. Thus, the NPF became resistant to measures aimed at isolating them for culture change in an environment pervaded by crime-inducing factors, personalities and institutions.

### **7.3.2: The Lack of Strategic and Transformative Approach to Reforms**

The design and implementation of reforms on an *ad hoc* basis has been one of the major disincentives for ownership of reforms by the Police and for lack of systematic and holistic implementation. It has been the convention for reform measures to be formulated by Committees set up by the President or relevant Minister, whose ToR

are restrictive to operational issues in the police and membership are not representatives of the wide array of stakeholders in policing in the country.

The methodology of work also entail minimal contact with stakeholders and the Reports of the Committees are further reviewed by politicians and Bureaucrats, who choose and pick what is considered priority activities. In addition, the reforms by successive IGs have been poorly coordinated and implemented and at time, is mere duplication of aspects of the mainstream reforms formulated by a Government Panel. At times, the operational reforms are formulated without any consultation within and without the Police hierarchy, at times, they are emotional responses to problems of the moment and at other times, they are a rehash of old and abandoned reform measures.

In addition, the successive IGs also formulate their reforms due to their marginalization in the implementation of the mainstream reforms and/or their view that the mainstream reforms, which have been focused on operational aspects of policing, are incapable of responding to the urgent operational crisis within the Force. This therefore leads to incoherence in implementation.

It also prevents the development of collective implementation mechanisms like operational plans and inter-departmental milestones, with clear outputs, indicators and outcomes. It encouraged the mushrooming of reforms because in the absence of reliable benchmarks, each poorly designed reform measures are abandoned and replaced by new ones, which end up not improving either the substance or structure of policing in the country.

In addition, it prevents the development of coherent instruments for monitoring performance and for feedbacks on efficiency and effectiveness. In the absence of a result-based strategic framework for managing the reforms, each IG, Minister of Police Affairs and Chairperson of the PSC have defined achievements according to their own perceptions, most often in terms of how many arms, uniforms, vehicles, helicopters and training materials procured for the NPF. These clearly are not the most important needs or the major reform items for the NPF.

The resultant effect of the above has been the non-implementation or poor implementation of reform reports. In this perspective, Odekunle<sup>113</sup> stated that one of the most important cause of security crisis and ineffectiveness of law enforcement agencies is the failure to implement the recommendations of various Committees, Commissions and Panels that had taken place in the country since 1999. The failure, he stated, worsened the widespread trend of impunity in the culprits and perpetrators of crimes and violence, and suggests that the government lack the political will, honesty and sincerity of purpose to transform state institutions.

### **7.3.3: The NPF and Ownership of the Reforms**

The Study reveals that the NPF as an organization was not saddled with the management of the reforms. It was rather a recipient of the antidotes prescribed by the various committees and administered by MoPA and the PSC. This alienated the officers and men of the NPF from the reforms as indicated during the researcher's fieldwork, when responses of NPF personnel to questions demonstrated insufficient knowledge about the implementation, with an AIG confirming that the NPF was not up-to-date as per which of the reforms was being implemented and what the status of implementation was. In addition, the operational reforms by the Police IGs suffer from the same fate.

The process of formulating such reforms were also not consensual and non-participatory, there were also at times arbitrary or inimical to the implementation of the mainstream reforms and/or the growth and development of a people-friendly, civil and professional police organization. In this case too, the IGs also meet with the Press upon assumption of office, read out the Agenda for his administration, inform officers to start parroting them and find a few scapegoats among junior officers not conforming to the reforms and brief the Press periodically on the number of robbers killed in combat to demonstrate success.

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<sup>113113</sup> Interview, Odekunle, 21 March, 2014.

In all of these, there are no strategies for enhancing ownership by the personnel of the NPF thus creating disconnect between the reformers and those being reformed. This problem is further complicated by the low operational autonomy of the NPF which is controlled by the Executive and whose officers are micro-managed from the Headquarters.

The fallout is that the reforms are seldom factored into the annual planning of the police across board, poor commitment to implementation of those initiated by the MoPA or the Police Headquarters and poor records of milestones recorded in the implementation of the reforms from the tactical to the strategic level.

#### **7.3.4: Inter-Agency Coordination and Non-Integration of Critical Stakeholders**

The problem of coordination occurred as a result of the design of the reform as operational, procurement-inducing exercise. In this regard, the MoPA, which plays the role of lead Ministry, has neither the expertise nor robust structure to manage the reforms and coordinate other stakeholders. Its officials were interested more in executing contracts for police hardware.

In the same vein, the NPF and other stakeholders in the process occupies a marginal position. In particular, the National Assembly did not provide any oversight role targeted at the efficient and effective implementation of the reforms. The states, local governments and non-state actors were virtually left out of the coordination framework thus making it difficult for the reform to benefit from the resources that could have been derived from these sources for implementation.

A factor that complicated coordination was the formulation of parallel reform measures by the Federal Government and NPF IGs. Poor coordination also led to regular policy inconsistencies (leading to reversals) on issues like promotion, death benefits, command structure (e.g Highway Patrol), designation of the Internal Unit on Corruption, welfare, etc, which at different times contributed to dampening of morale among officers of the NPF. Coordination crisis also contributed to tardiness, inefficiency, corruption, waste, misplacement of priorities, and loss of human,



material and financial resources that could have been committed to the reforms by sub-national governments and other non-state actors.

#### **7.3.5: Corporate Interest of the Elite Contributed to the Prevention of the NPF's Transformation**

The reforms have been formulated implemented in a politically-charged atmosphere and as such, the value underpinning politics have defined the conceptualization and implementation. Indeed, each time the NPF underwent a major problem; the government feared a legitimate crisis and empanel a reform committee as a stop-gap, confidence-building measure in the absence of a holistic approach.

As revealed during fieldwork, the main motivation for this was the protection of the interest of the political, business and traditional elite groups/structures to continue the perpetration of their dominance on the decadent but profitable political, economic and social system in the country. In this regard, a value-based, transformative reform of the society and the NPF would not be in the interest of the elite, who would like to maintain their power.

The consequences were reluctance of the government to address questions relating to the philosophy and strategic governance of the NPF, reluctance of the Federal and State Governments to dedicate quality funds for the implementation of the reforms, reluctance of the government to allow for operational autonomy and predictable leadership succession as recommended by the Dan Madami Committee, increasing cases of abuses and corruption in spite of the reform and the failure of the reform to frontally address the non-availability of about 1/3<sup>rd</sup> of NPF personnel for public protection (as they are deployed to VIP duties).

#### **7.3.6: Disconnect between the NPF Reform and Justice Administration**

The criminogenic nature of the Nigerian state as well as the inter-connectedness between the justice administration institutions (juvenile corrective facilities, prisons, police and the judiciary) necessitates those reforms in any of the sub-sector is linked to the rest. For the justice sector to perform efficiently and effectively, all these aforementioned institutions have to coordinate their work. However, the reality is that

implementation of reforms in this sector is compartmentalized and characterised by the following: in the prisons, it has always been about spending huge amounts of money on government-friendly lawyers in the name of prisons de-congestion; in the judiciary it has been about building more court-rooms, engaging more paralegals and modernising equipment while the police has been about enhancing the combative capacity of the policemen.

There are no conscious efforts to integrate the reforms, which indicate that success in one would lead to overload and collapse on the other. Worse still, government does not have an integrated safety and security policy for the nation that can serve as a point of departure for eventual coordinated formulation and implementation of reform measures. Lack of effective linkages also betray the minimalist, indeed shallow scope of each of the reforms and reinforces the need for an integrated approach.

#### **7.3.7: Public Frustration and Helplessness with the Failed Police Reforms**

The collateral impact of all the previous findings is the colossal failure of each reform measure and the urge for the government to address these failures with the conduct of more reforms. These vicious circles of under-achieving reforms have led to growing frustration in the reforms. This feeling of frustration is further exacerbated by the alienation of the public in policing, the lack of qualitative result in crime prevention and prosecution, continued violation of human rights by the NPF, corruption and indiscipline exhibited by NPF officials as well as manifest inefficiency in the management of the internal affairs of the Force. Public frustration has been expressed through reluctance to partner the NPF either in its PCRC or through intelligence-sharing.

Indeed, the empaneling by NOPRIN of a separate reform panel in 2012, parallel to the Osayande Committee indicated impatience with the government approach. In addition, numerous demonstrations and picketing were also organized to register displeasure of the civil society on the reforms. Ironically, the CSOs and CBOs are insufficiently equipped to add value to the process, are donor-driven in terms of agenda and finances, are lacking in cohesiveness and patriotism involved and are themselves bogged down by the value crises affecting the rest of the society. In this

context, they do not have the Social Capital needed to make meaningful contributions to the transformation of the NPF.

#### **7.4 Conclusion**

Abdu (2013:172-173) has noted that while the reforms may have some utilitarian value, the police have yet to imbibe or develop the required service culture for responsible, accountable and effective policing. The problem of policing are rooted in value deficiency, only given expression in operational lapses.

By targeting value reorientation for the police, an efficient model will emerge, which would contribute to enhancing the operational autonomy, community friendliness, and effectiveness of the organization. The lack of defined value-reorientation goal, which resulted into the police fighting bush fires rather than being proactive, led to ad hoc responses to problems, which in itself further complicates the challenges confronting the NPF.

The main highlights of our findings were first, operational reforms not targeted at value-reorientation within the NPF is incapable of transforming the Force into a civil, citizen-friendly organization capable of enhancing human security of Nigerians. It argues further that a non-transformed NPF, no matter how hard it tries, might not be able to attain efficiency and effectiveness in protection of citizens' security. Second, we found out that the citizens, society and Nigerian State failed in providing an environment conducive to the conception, development and implementation of such transformative reform within the NPF.

Subsequent design and implementation of 4 mainstream and 7 operational reforms did not address value reorientation as the major problem confronting the NPF. In the absence of a 'value compass and contents', the capacity of the state to rise up to the challenge of effective implementation of the reforms has remained doubtful. The study concludes that policy action that emanated from the reforms did not address the root cause of policing crisis in Nigeria, seen as the anti-people, paramilitary and repressive values. Poorly implemented operational reforms therefore bolstered regime

stability and patronage for the ruling elite and their supporters while the NPF did not record significant improvement in its operational capability through the reform years.

The research elaborated additional factors that accounted for the gaps between the formulation and implementation of Nigeria's 14 years of policing reforms as: absence of nationally acknowledged and accepted value to guide the reforms; absence of transformative and strategic approach to pilot the reforms; lack of ownership of reforms by the NPF; poor inter-agency and stakeholders coordination; lack of enlightened self-interest by the political elite; inability to link the police reforms with justice administration reform; and lethargic reaction by a wide array of non-state actors to the formulation and implementation of the reforms.

## **7.5 Recommendations**

### **7.5.1: Nationwide & Integrated Value Reorientation**

There is need for the individuals, societal structures and the government to strengthen value reorientation programmes in order to enhance national stability. This has got to start with the re-vitalization, re-sensitization and re-activation of the Agents of Socialization (schools, traditional institutions, religious institutions, etc.) by change agents within the family, society and state institutions, to enable them work towards the moral reconstruction of the society.

In this regard, a reformed social milieu could provide an environment conducive for the emergence of selfless and credible leadership which would then set the momentum for the articulation of a set of core values capable of enhancing the stability and development of the nation.

As one of the ways of transforming society, the Government would then have to partner with a wide array of stakeholders to develop people-centred programmes and strengthening existing ones, through the formulation and implementation of holistic political, economic and social regeneration programmes. In this regard, the reform of the Justice Administration sector would be a component of the larger societal reform

and the police reforms would only further the objective of the national reforms within the important law enforcement organization.

Since a broader social reorientation is key to the provision of an environment conducive to the demilitarization of the police and the achievement of intelligence-led and civil approaches to policing, the transformation agenda for the NPF would then leverage on the gains to institute supplementary projects targeting welfare, capacity, structural decentralization, and community partnership. In addition, the government and society would then have the moral high-ground to advocate and support the NPF leadership in the implementation of a value-focused transformation agenda.

#### **7.5.2: Integration of National Safety and Security Policy**

It is trite for the country to adopt an integrated approach to managing national security challenges as disproportionate success in the sub-components parts of justice administration is capable of leading to the erosion of the gains of reforms, outright failure due to lopsided results and/or waste of time and resources. The pertinent question in this regard however, is ‘what do we want our police to be able to do and how can this be operationalized within a Transformative Mechanism?’

The answer to this question would be tied to the objective of the justice administration in the country. In essence, the police should be designed, empowered and managed in such a way that would contribute to the delivery of the goals identified for the justice administration sector.

A holistic approach can be adopted for the police, correctional, ombudsman, prosecutorial and societal reforms to replace the current compartmentalized and disjointed approach. This should also be tied to the development of the capacities and structures within the judiciary that are capable of supporting the police in achieving the objective of crime prevention and the type of correctional services that truly rehabilitate and transform inmates, as well as strong community partnership in strengthening peace and security, ditto for other structures and institutions engaged in safety and security. Therefore, it is important for the government and non-state

stakeholders to engage in deep consultations and reflections on a common vision for safety, crime prevention, and management of national security.

The Vision would help in formulating a common mission statement which would then guide the joint development of sectorial goals, strategic objective, operational projects and programmes, activities, realistic time-frames and means of verifying success, including resource mobilization, monitoring and evaluation, oversight and other programmatic structures. In each sub-sector, the strategic objectives would then be broken down into operational and tactical goals, with clearly identifiable milestones for Departments, Directorates and individuals, including stakeholders outside each of the Institution.

The process should be managed through in an inclusive, consultative and consensual manner in which provisions would be made for open and independent verification of progress by a National Council on National Safety and Security coordinated from the Office of the President but made up of representatives of the academia, professional groups, traditional and religious institutions, labour, students groups, the civil society, development partners and other users of police services.

The nationally-designed structures should also be replicated in the state and local governments, and in the case of the NPF, through the State Police Commands and Area Commands. Though further work would have to be done on the details involved in the harmonization of justice administration reforms, the development of such would inevitably contribute to the efficiency of the police in investigation, intelligence-gathering and prosecution.

In line with the harmonised reforms, MoPA which is currently duplicating some of the functions of the PSC, NHRC, etc., if it would survive in a harmonized structure, would be made to act in a more as the Secretariat of the NPC and less as the ‘overseer’ of the NPF reforms, thus providing opportunity for enhanced cooperation, collaboration and coordination among stakeholders involved in the formulation and implementation of the reforms.

### 7.5.3: Institutionalization of the NPC

The NPC is an important institution which in the absence of a fundamental reform, can be utilised by other stakeholders, particularly state and local government as well as the civil society, to reduce Executive control on the NPF and subject the Force to values capable of protecting citizens' human rights, democratic governance, respect for the rule of law and enhanced partnership with the community in crime prevention.

During the research fieldwork, Alemika<sup>114</sup> alleged that the NPC has rarely been used as an instrument of change due to the docility of the state governors to demand the operationalization of the body as enshrined in the 1999 Constitutions. He maintained that the NPC's roles particularly on appointment of the IGP and setting policy direction for the NPF, have been appropriated by the President to the detriment of other stakeholders and as such, it is important for members to take measures to reverse the situation by playing their constitutionally-assigned roles.

It is recommended that rather than operate as an ad hoc body, the NPC should have a Secretariat domiciled within the MoPA or any other relevant Ministry as would be deemed appropriate, to within the framework of a Justice Administration Reforms paradigm, develop a citizens-based approach to policing and put in place programme management structures for guiding the NPF in implementing such from the national to the local levels.

Such policy initiatives should also respond to local needs and enhance community participation in the policing process and progress should be reported at the regular meeting of the NPC, which should not be lumped together with the meeting of the National Council of State. There might also be need for the review of existing legislation and/or development of new legislations, supplementary to the 1999 Constitution and NPC Act, to make the MoPA the Secretariat of the NPC to set performance criteria for the NPF and monitor such performances, in close cooperation with the PSC.

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<sup>114</sup> Interview, 11 March 2014.

#### **7.5.4: Organic Formulation of Reform Strategies and Frameworks**

The reforms need not be based on ad hoc arrangements whereby the government-appointed panels would formulate operational recommendations incapable of transforming the police. Rather, based on a comprehensive justice sector reform, the police component should be anchored by the NPC, with the NPF being the main driving force. Based on a design by the NPC, a multi-stakeholders consultative process should elaborate on the needed areas of reform, which should be discussed by senior officials of the NPF, PSC, MoPA and adopted. Based on this, the IG of Police should supervise a process of breaking the elements of the Strategic Plan down into Operational and Tactical Plans for the NPF personnel in a manner that is in consonance with the planning and priorities of the NPPF departments and units.

Plans should also be developed in the state and area commands, based on the broader operational and tactical plans. The IG should also be given all the resources required to perform, including financial and operational autonomy, and be held responsible for the overall implementation. He/she should in turn hold the relevant DIGs, AIGs, Commissioners, ACs and DPOs responsible for the sub-component parts. Finally, the practice whereby each IG would formulate his own Vision and Reform Programme, including ideas and priorities, which would entail discarding the initiatives of the predecessors, should be discontinued and change theory in the new approach should be set on a continuous track.

#### **7.5.5: Decentralization of Policing**

In realisation of the growing clamour for the people to have enhanced contribution to how they are secured, the National Conference of 2014 recommended that states that are ready to establish their own police should be allowed by the Federal Government to do so. It also recommended that policing should be put on the concurrent list of the Constitution. Whilst there has been so much passion about the debates on state police in Nigeria, the issue should not be state police per se but the need for the people to have more oversight, more control and be the centre and the major factor in policing.



In this regard, the government should accept the recommendations of the National Conference but with more emphasis on the development of a new type of policing based on values of citizens protection, integrity and respect for human rights and the rule of law and in which structures and mechanisms exist for citizens co-management of security with the government as well as effective oversight and accountability. The new paradigm should seek to refine, enhance and empower the often highly effective local vigilante groups in the localities and who are regarded as important in the lives of a majority of Nigeria to enable them design customised security strategies in close cooperation with the NPF, for the enhancement of security in the country.

#### **7.5.6: Welfare & Training of the NPF Personnel**

The point has been made severally that a society deserves the type of police it has. In a situation whereby the police are treated poorly and are looked down upon by the very government that has established it, its officers and men cannot but render poor services to the public. In the current situation, the police is most poorly treated security agency in Nigeria and has been the worst culprit in the perpetration of corruption, human rights abuses and demonstration of incompetence, as viewed by the citizens.

Some police officers have complained that the review of training curriculum to incorporate more elements of human rights education though laudable has not yet led to the transformation of the pedagogical approach used in most Police Training Institutions<sup>115</sup>. In the same vein, the type of training for junior officers of the Force, which places more emphasis on drills and extorts cadet recruits who are often made to endure the dilapidated facilities, have rather hardened the personnel and has contributed to their brutality and demonstration of inhumanness in their engagement with the citizens.

However, for the value-reorientation paradigm to take root, it must be accompanied by fundamental changes not only to the curricula but also to the infrastructure, capacity, governance structure and pedagogical approach to training at the Police

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<sup>115</sup> Researcher's with several junior Police Officers and ASP AA, April 2014.

Institutions across the country. In the same manner, the welfare package should be made to be at par with those of the Military and the Department of State Security (DSS).

In addition, incentives should be created for exceptional police officers while punishment should be meted out appropriately to undisciplined officers. In its reinvigorated welfare and training programmes, the NPF should put value reorientation at the centre of its interventions. In sum, it is important to restore the NPF personnel “sense of dignity and pride, and until we are able to do that, we should not expect them to given us qualitative service. If we give dignity to the average policeman (woman), he/she will reciprocate by giving back quality service to the society”<sup>116</sup>.

#### **7.5.7: Leadership & Operational Autonomy for the NPF**

It is trite that for the police to become transformed, change would have to start at the strategic level<sup>117</sup>. To be sure, the execute arm of government has the responsibility of defining the grand-objective of the policing, which could be articulated as transformative ideals. This objective ought to have been accompanied by reform measures to imbue the NPF with operational and tactical autonomy needed to achieve targeted milestones. In its memorandum to the CSO Panel, the CLEEN Foundation argued:

“There is no democratic country in the world today where you would find in its statute books a provision like Section 9(4) of our Police Act which vests operational control of the police to the President rather than the Chief of Police. What obtains in other jurisdictions is policy control of the police by political authorities while operational control is retained by the Chief of police who is a professional in the field (CLEEN, 2012:9).

The reluctance of the government to allow for this critical division of labour, coupled with the conceptual mix-up over what the reforms should address, contributed to the

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<sup>116</sup> Interview, Chinedu Nwagwu, 03 March 2014

<sup>117</sup> Interview, Prof. Aremu, 30 June 2014.

failure of the attempts to reform the NPF. This can be corrected by allowing the NPF to play a lead-role in the reforms.

For the NPF to do this effectively, it has to put in place a seamless, continuity-focused and merit-driven succession system. In order to implement a succession system, it is important to note Arase's (2010) categorization of characteristics involve in such process, including: conducting internal agency surveys to determine areas of strength and areas of improvement; encouraging and providing leadership training for command staff and line supervisors; provision of on-the-job training in special duty; provision of in-service situational leadership training; and mentoring staff by discussion, training and formal presentations with the HODs. Management positions such as IG, DIGs and AIGs in the NPF should be based on clear leadership succession system and competence. It should not matter if the IG of police is selected among the officers of the NPF or outsiders.

What is important is that such leadership should emerge based on a competitive process and should share the vision of the President on the reforms. In addition, the IG should enjoy security of tenure and should not be subjected to control by the Executive on operational issues. The appointment procedures of these senior management officers should be akin to the procedures used in appointment of Judicial Officers. Alternatively, the IG positions should be done like a Conclave System whereby the AIG and DIGs would shortlist 3 names, which goes to the President, from which he will propose a name for Senate clearance, with security of tenure.

The President should not have the power to remove the IG, who may be removed by the Senate if found guilty of gross misconduct. Moreover, the manpower development within the NPF should be such that allow personnel to specialize in different areas of policing after an initial period of tutelage as a generalist.

On operational autonomy, DIGs should be in charge of geo-political zones while AIGs should support the IG at the Police Headquarters. All the Police Commissioners will report to the DIGs in their zones, who would in turn be answerable to the IG. The essence is that people on the field should be able to respond to issues without being subjected to bureaucratic bottlenecks associated with reporting to Headquarters and if

they have to report to Headquarters, they do not have to make such to the IG. In terms of deployment, newly recruited junior police officers up to the rank of Inspectors should be allowed to serve in their localities due to their knowledge of their communities up to the attainment of a specific rank before being transferred to other parts of the country.

#### **7.5.8: Inclusive Management of Reforms**

There is need to hold regular consultations and joint planning at both the strategic and operational level by the Institutions responsible for coordinating aspects of the Police reform in order to clarify the roles and responsibility of the respective stakeholders. In addition, it is pertinent to use such forum to enhance understanding on the role of each institution, have a shared goal, understanding and mandate and agree on a strategy for delivering on the objectives of the reform. In this regard, these consultative platforms can work together to translate the Reform document into a shared Strategic Concept and then an Operational Plan with detailed Work Programmes, Objectives, Activities, Indicators, Timelines, Means of Verification, Cost, as well as Monitoring and Evaluation Mechanism.

#### **7.5.9: Enhancing Accountability in the NPF**

There is need to strengthen the structures and departments responsible for ensuring accountability in the NPF. It is important to strengthen the moral foundation of the anti-corruption efforts by focusing on preventive and control mechanisms. Such preventive measures like strengthening the Police Chaplaincy, capacitating the PSC, sensitizing NPF Personnel on the ills of corruption, and subjecting the leadership of the Force to public scrutiny would go a long way in addressing corruption within the NPF.

In this respect, the check-list to curb corruption identified by Mawby (cited in Aremu, 2009: 72) such as: improving recruitment and selection; improving the training of both new recruits and established personnel; providing effective management and supervision; testing integrity by monitoring ‘at-risk’ personnel; changing the police culture and breaking the code of silence; protecting ‘whistle-blowers’ who report

cases of corruption; providing better appraisal and monitoring systems; and improving police pay and condition of service, comes in handy.

The closer a Government institution is to the people, the greater the level of accountability it renders to the people. In addition to the measures identified in the preceding paragraph, it is important to ensure greater accountability in the NPF by rethinking the community policing strategy in such a manner that community participation in security decision-making is robust and collective.

This should entail the involvement of agents of socialization like educational, religious, traditional and local conflict mediation structures. Police Chiefs should be accountable to the Government in terms of outcomes or results but how he/she deploys personnel or use tactical discretion leading to the execution of the mandate ought not to be dictated by the Executive. However, based on the agreed results, Police Chiefs would have the operational independence to deliver on disaggregated milestone according to states and communities, for them to perform, be redeployed or face specified sanctions. Independent Accountability Commission is also required.

This is justified in order to enhance the systematic discipline and documentation of infractions of the policemen in order to have the required resources to do its work. How do the PSC discipline and control without reliable record of police officers? There is need therefore for the deployment of technology to ensure that procedures are established for recording trends in case management and profiling officials involved in human rights abuses and corruption through an automated platform. This would help enhance internal control. This is more so that without internal control, external control cannot be efficient.

#### **7.5.10: Community Ownership of NPF Reforms**

In the postscript to his seminal book titled “The Police in a Federal State: The Nigerian Experience, Kemi Rotimi commented on the debate over state police that:

...the police, of whatever colouration, did misuse their legitimate access to force during the First and Second Republics. Some of them performed so horribly that in the opinion of some of their victims, and the observing

members of the public they were hardly distinguishable from thugs who also employed force, albeit, illegitimately (Rotimi, 2001: 198).

Reducing people-centred policing to the issue of state police would be too simplistic. The ills that have been plaguing the Federal Police could eventually undermine the effectiveness of the proposed state police. Among the unanswered questions about state police were raised by Alemika<sup>118</sup> who reasoned that the fear by strangers/aliens<sup>119</sup> who could be molested/assaulted by state police in times of crisis is the concern for the political opponents of state authorities.

The key issue is local control of the police by the people themselves in such a way that such control is not subject to groups with ulterior ethnic, religious and group motives. It is about decentralization of policing in which there will be robust representative and community engagement in policing and in which sub-national stakeholders are allowed to map out appropriate mechanisms for ensuring collective security within their domains.

Nigerians are communally organised, which should be an advantage to further strengthen the community-policing framework. There are traditional institutions, religious institutions, age groups, market women, artisan groups, professional organizations that are ready-structure for a more robust and participatory community policing design. These structures, if well harnessed, could enhance the thriving of community policing concepts. The debate on community policing in Nigeria has been more political than technical.

Indeed, all over the world, the tendency is for policing organization to be centralised in terms of political direction. However, police authorities are decentralized to enable them attend to peculiar needs of communities. In this case, the trend is for the policing agencies to be designed with the objectives in mind, while allowing for regular sharing of experiences and resources across horizontal lines, joint development of Training Needs and at times, varying of scope of operation, disproportionate level of arms in order to prevent local abuse of police power.

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<sup>118</sup> Interview, Alemika, 11 March 2014.

<sup>119</sup> As opposed to indigenes, who are supposed to be treated with better consideration.

There is need for community-based police planning that would be based on deep interactions between the DPOs and the communities. The budgeting process should also start from the Divisional to the State levels, Regional and then to Headquarters. Once resources are allocated from the office of the Accountant-General of the Federation, they should be disbursed to the Divisions and State Commands, which shall be responsible for rendering accounts for how the financial resources have been utilised. Since envy is a measure of accountability, some Divisions having more money than some state Commands would be squeezed to account for the resources by their Commissioners of Police, thus enhancing total accountability and community participation in resource mobilization and management.

## **7.6 Contribution to Knowledge and Need for Further Study**

The concern of the study is to examine the implementation of the police reforms in Nigeria with a view to teasing out how the exogenous and endogenous elements in the governance of the NPF affected reform outcomes. Our conclusion is that the failure of stakeholders to strengthen the value foundation of the NPF impaired its key governance indicators with negative consequences for the implementation of the reforms. This led to the attendant ineffectiveness of the reforms in transforming the NPF.

The findings in the study have been able to confirm some propositions in the existing knowledge on why the NPF has not been successful in enhancing national security in an efficient and effective manner. They include the following propositions identified in our literature review, namely:

1. That the police in Africa see themselves as Agents of the Executive, lacking in operational autonomy (Hills, 2007) thus alienating them from the people. In cases where good practices in policing are prevalent, this has been due largely to the willingness of the executive leadership.
2. That, as observed by a number of scholars (Ikjaer, 2010: 11; Hills, 1996: 271; Ojukwu, 2011: 25-46; ), value is the bedrock of transformation of a policing organization and mainstreaming of value elements affects the design of reforms and consequently the outcomes.

3. The study provided empirical evidence from the Nigerian case that shows that the mainstreaming of value in the formulation and implementation of police reform is critical to the achievement of enhancing the efficiency and effectiveness of the police force and in strengthening national security. It showed that such reform measures must seek to infuse value reorientation in the police for it to be effective and successful.

The utilization of the Historical and Sociological Institutionalism theoretical frameworks in this study was useful in understanding the critical nature of value in the governance of an institution. This provided an entry point for appreciating how the governance elements impaired the formulation and implementation of police reforms in Nigeria. In specific terms, it reinforced the fact that that “behaviour, attitudes, and strategic choices of actors *within institutions* take place inside particular social, political, economic and cultural contexts” (Steinmo, 2008:165, with added emphasis).

The context in this case was a decadent society, which undermined efforts to transform the NPF. This criminogenic society collectively and consistently constrained the development of a value-focused reform for the NPF. Consistent with the belief of HI and SI proponents that expectations from an institution are molded by the past, the study HI and SI perspectives on the NPF looked at the patterns of governance in the pre-1999 reforms to establish *path dependency and critical junctures*, based on minimal trade-offs and token, structural change rather than a transformative approach to change.

Major contributions the thesis has made to police scholarship includes:

1. As an indicator of government’s unwillingness to transform the NPF, this thesis has established that Government exhibited path dependence, cutting across all 11 reforms within 1999 and 2014 (which were similar to the 1966, 1986, 1989 and 1994 reforms). These include:
  - All the reforms did not pay sufficient attention to critical governance elements of the reforms, such as levels of human rights violations, transparency and accountability, civility, participation and community partnership, as a way of infusing reforms with appropriate value-foundation.



- Appointment of Committees with restricted Terms of Reference and resistance to higher ambitions by the some of the Committees who attempted to go beyond their TORs, through (in such cases) the use of White Paper Committees as tools of control and de-legalization;
  - Leadership of the Committee System by civil servants, serving/retired police officers and the domination of the membership by such persons, which in most cases, actively prevented innovative approaches to recommending strategic changes to the Government;
  - Inchoate coordination between reform committees, the NPF and statutory bodies such as the NPC, PSC, MoPA, National Assembly (who were for the earlier part disbanded), which made implementation of reform measures problematic.
  - All the reforms approached policing from a parochial perspective (weighing heavily on traditional policing), without integrating the reforms within a justice sector administration paradigm in which the other investigative, prosecutorial and correctional agencies are featured.
  - All the reforms assumed that government had the best solution to the problem of policing and they did not partner with the communities in the formulation and implementation of reform measures. This attitude was undergirded by the feelings that the weakness of the NPF is a police affair and was not seen as a societal problem. To the reformers and NPF leadership, the police are the largest public service in the country and have enough resources to solve ‘their’ problems<sup>120</sup>. The almost total alienation of the CSOs forced them to empanel their reforms committee in 2012.
2. The thesis has also established that reforms were historically undertaken at critical junctures during which (a) a new Government seeks to validate itself and strengthen its legitimacy due to internal and external pressures (1996, 2000, 2008, 2012); (b) the Government seeks to douse tensions due to threats of mutiny/strike in the NPF (1994, 2000,2006); the Government seeks to institute a ‘fire-fighting’ approach to public perception of operational weakness by the regional police and/or NPF (1989, 1999, 2006, 2008, 2012).

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<sup>120</sup> Interview, Azimazi, February 13 2014.

3. The thesis established that due to political pressure, exclusion from the mainstream reforms, pressure to relive hope for the mostly traumatized police personnel, and the ambition for self-perpetuation, the successive IGP in the period 1999-2014, instituted competing operational reforms, which seeks to duplicate some of the findings of the mainstream reforms.
4. Through the NPF Case-Study, this research has been able to establish a strong and critical relationship between value, governance and attainment of institutional reforms. Indeed, this work shows empirically that where governance elements of a police institution are not undergirded by a whole-of-society value system, reforms tend to be poorly articulated and unfocused.
5. Weakness of key governance elements such as human rights, transparency and accountability, civility, participation and community partnership in reform design and governance, represents a major strand in explaining the root causes of reform failure. This explanation reinforces established theories/ narratives that have hitherto dominated the literature e.g. colonial legacies, political control, legal frameworks, over-centralization and operational incapacity.
6. Based on the review of the NPF, this research's prognosis is that if these five key governance elements were mainstreamed in policing reform, they would necessarily have had a positive effect on the design and implementation of reform. They would do so by provoking a wider debate on the value foundation, strategic visioning, integrated and participatory approaches, as well as police-community partnership.
7. Unlike most existing research works, this thesis devotes significant space to how lack of strategic vision has played significant role in preventing the formulation of a whole-of-society approach to reforms and in further alienating the police from the society during the reform years.
8. The thesis reinforces the point that since public safety and security are major ingredients/ indicators of democratic growth, continuous failure in the area of

police reform would continue to undermine safety and security and thus constitute perennial threats to Nigeria's efforts at democratic consolidation and development.

To the extent that past experiences would serve as lessons to guide the future reform of the NPF, to that extent has it become expedient to suggest areas for further research. It is important for future studies to continue to monitor and analyse the outcomes of the reforms beyond the scope of the current study.

It is equally important to conduct more systematic and in-depth study on the actual deliverables, as well as the larger security implications of Nigeria being trapped in a cycle of police reforms. To be sure, perpetuation of operational reforms of the police would likely lead to aggravation of public discontent due to lack of sincerity and continued waste of public resources. Nevertheless, a policy-focused research can develop an inclusive and strategic approach to reforming the NPF.

Further to the above, it is equally important to conduct more investigations in other complementary areas, which are beyond the scope of this study. They include:

1. Policy design and implementation targeted at harnessing the security needs of Nigerians at the community level for the task of establishing a citizen-centered Police Service which the public view as friends rather than adversaries;
2. There is need for a detailed study on the intelligence-gathering capacity of the NPF and how it can be strengthened for the purpose of enhancing the efficiency and effectiveness of the Force;
3. As a complement to a research of this nature, there might be need for a quantitative study on citizens' perception of police reforms and the major changes that they would like to see in the conception, design and implementation of future reforms.

In conclusion, failed reforms have contributed to the burgeoning antagonism between the police and Nigerians<sup>121</sup>. It has also contributed to the widening of the gaps between the citizens and the police and the consequent resort to self-help and

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<sup>121</sup> Interview, Alemika, 11 March 2014.

institutionalization of impunity and lawlessness, which are threats to democracy in the country<sup>122</sup>.

The reforms have therefore created an illusion that Nigeria is, in fact, building capacities, when indeed, the action in this regard is insignificant. The way and manner the NPF is currently configured to take operational instructions from the Executive and as an occupation Force against the people, there are higher incentives for the reformers and their cronies to protect their corporate business, political, financial and social interests.

Focusing on the hardware of policing reforms like procurement, recruitment, and equipment of the Force with weapons tends to protect the historically entrenched interests of the elite groups in the country. Since reform is about structure, processes and systems, the NPF change theory needs to be undergirded by a transformative approach, focusing on renewed and refocused values, ethics and norms of a transforming society.

### **7.7 Postscript**

On 31 July 2014, President Goodluck Jonathan appointed AIG Suleiman Abba as the new Acting IG of Police to replace Mr. Mohamed Dahiru Abubakar. The manner of appointment was the same as previous ones, as the Council of State was reported to have ratified the appointment in its meeting held at the Aso Presidential Villa same day. Mr. Abba in his first interaction with Journalists and officers, however made interesting comments about the over one-decade-old police reforms.

The new Acting IG remarked that all the reform programmes of successive governments failed to transform the police because they did not focus on attitudinal change of the security operatives, noting for obvious political reasons that only the reforms implemented during the Yar'Adua/Jonathan Administrations have had any impact at all on the Force. He stated further that his administration would prioritize value reorientation and submitted that:

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<sup>122</sup> Interview, Nwagwu, 03 March 2014.

...I believe that whatever you do to a man to change him, so long as you allow him to maintain the same bad character, you will not see the change in him. So, what we want to do is that we want every police officer to know the values in policing and then work in conformity with the provisions of the Code of Ethics. Once every officer is into that then, we would have good characters; we would have actions within the provisions of the law; we would have what we call accountability and then the public will begin to accept us as true friends and then we would partner and work together to fight crimes. Just like the cases of robbers and kidnappers, none of them is stronger than all of us. But by the time we really get together, we would get over them” (ThisDay, 2014).

He stated further that all aspects of the NPF service would be centered on the values of hard work, honesty and humility –**the triple H** and summed his Vision for the NPF as making the Force a leading national, professional, and efficient law enforcement organization; a Police Force that is dynamic, robust and efficient; one that never rests or abdicate its professional duty; that studies and analyzes what works and what doesn't; acknowledges and learns from its mistakes, and celebrates its victories.

Though Mr. Abba’s description of the core problem confronting the police appears simplistic in terms of analytical approach, it potentially holds the promise of transforming the police if rigorously analysed, rearticulated in a logical and holistic manner and expanded into a strategic framework of engagement.

However, Mr. Abba may have started falling into the traps that got the NPF stuck in reforms with his individual formulation of the problem of the police and a nebulous Vision for the Institution barely 24 hours after his appointment, which could be inimical to a systematic approach to the problems of the police. In light of this, it is important that determining *what* problems confronts the police is as important as *how* the problems are diagnosed and articulated, and *how* they are resolved.

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