

INCESSANT SECURITY THREAT IN NIGERIA AND THE RATIONALE FOR A CONTINUED SINGLE POLICE FORCE IN THE DEMOCRATIC GOVERNANCE OF NIGERIA

ABSTRACT

The security of life and property has remained pivotal to human existence, development and the major essence of governance. Commonsensically, no meaningful progress can be achieved in an atmosphere of lawlessness and insecurity as Nigeria is currently facing. In a democratic society, internal security is mainly achieved through good governance, the team of police force often diversified especially in a heterogeneous society, whereas the army takes care of the external security. The object of this work was to examine the rationale for a continued retention of a single police force in Nigeria in the face of the incessant security threats in the democratic governance of Nigeria. To examine the fact in issue, the work adopted a doctrinal methodology supported with primary and secondary sources of information to drive the points. Comparative notes were also drawn from the United States of America and the United Kingdom to buttress the fact. It was discovered that bad governance, corruption and the protagonist inhibition to the decentralization of the police force among other factors prevented the decentralization of the police force in the democratic governance of Nigeria. Thus, the work recommended that installation of good governance through credible election, severe sanctions against corruption and over hauling and reorientation of the Nigeria police force to avert the fears of the protagonists from the past experience against the decentralization of state police were of essence.

1. Introduction

The topic incessant insecurity in Nigeria and the rationale for a continued single police force could not have come at a better time than now when good leadership, rule of law and security are on edge, whereas bad leadership and corruption take the centre stage, thus ushering in insecurity and other vices. Ideally, the question of security is very relevant to every meaningful government both in the advanced and the developing countries. To this event, in every good legal system, insecurity should be checkmated round the clock through a well known security apparatus, this we believe is the main essence of governance. This was provided in the Independent, the Republican and the 1979 Constitutions and currently in the Constitution of Federal Republic of Nigeria, 1999 (as amended).¹

The police for example is essentially charged with internal security to maintain law and order, whereas the army takes care of the external aggression. The government among other things harmonises the cordial relationship among the police, the army and the civil society through good governance for progressive advancement. The nation's legal order under this phenomenon is also the beehive of development as well as lubricant to the institutions of the nation and so must be maintained through good governance.

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¹ Section 14(1) (b) of the above Constitution says, 'the security of and welfare of the people shall be the primary purpose of government'

Consequently, the government in search of security should at any point in time harmonize the stake holders in any legal system by maintaining a good balance among them. Favouritism of any sort should be avoided among a heterogeneous nation like Nigeria. Rather government should, if possible, lobby when need be to maintain law and order with security in focus. The late President Yar'adua adopted this attitude to quench the insurgency in the Niger Delta in 2007 – 2008. This is because, no meaningful achievement may be realized without existence of law and order and sometimes strict obedience to them by both the leader and the led are imperative. In any case, a good government should also make laws relevant to the needs and aspirations of the people. In view of this, government should put in place effective apparatus to take care of all and sundry. That is the literate and illiterates, the haves and have nots. Ekwenze adds that every legal system should aim at:

- i. Individual justice at individual level
- ii. Social justice which is at social level; and
- iii. Distributive justice which should pervade and cover all aspects of human endeavour.²

Accordingly, Oputa (JSC) interprets justice to mean the minimum debt which government owes to the citizens and anyone denied justice is declared worthless.³ As reiterated earlier, to maintain law and order in any legal system, the police as a department of government is responsible for the preservation of public safety and order, detection of and prevention of crime and enforcement of civil or public law.⁴ In other words, the police, as an instrument for maintaining law and order must be effective and efficient. Sometimes, the police may be decentralized especially in a large polity as in the United States of America and sometimes it may be centralized as in Nigeria.⁵

Be that as it may, the effectiveness of the police force in any jurisdiction depends on the personalities executing the function, efficient equipment and sometimes the extent of departmentalization especially in a large entity like Nigeria. Neglect these contending issues, the consequences will result to insurgency, such as kidnapping, banditry, terrorism and sometimes a total break down of law and order and finally tending towards anarchy as we find in Nigeria recently.

In view of the above contending issues, the work seeks to examine the rationale for a continued retention of a single police force in the democratic governance of Nigeria in the face of incessant security threats. To achieve this objective, the work is divided into four parts; the first part of the work examines the conceptual framework, the second part of the work deals with the factors inhibiting the decentralization of the police force in Nigeria; third part makes recommendations to ameliorating the factors/challenges; whereas the last part takes care of the conclusion.

² Sam Ekwenze, 'Global Perspective on Legal Issues, Security and International Development' (2018) (3) (2), Chukwuemeka Odumegwu Ojukwu University (COOU) Law Journal 119.

³ Ibid.

⁴ Suleman Nchi, 'The Police and Civil Society in Nigeria', in MM Gidado Warwick, C U Anyanwu and A O Adekunle (eds.) *Constitutional Essay in Honour of Bola Ige, Nigeria Beyond 1999: Stabilizing the Polity Through Constitutional Re-Engineering* (Enugu: Chenloglo Ltd 2004) 255.

⁵ It is pertinent to state herein that the centralization of police in a large and heterogeneous state like Nigeria is a misnomer and so maintained because of some few ethnic and political interests and so should not be cited as an example.

2. Conceptual Framework

Security, Insecurity and Democracy

2.1 Security

There is no universally accepted definition of security rather it is a crosscutting and multi-dimensional concept which has over the years lent itself to series of debates. To this end, many authors who attempted the definition or explanation of security came up with divergent views of the concept though with a central message of the phenomenon which is, safety of life and property of man in all its ramification wherever he may find himself. In view of these, diversities the Oxford Learner's Dictionary defines security as the activities involved in protecting a country, building or person against attack, danger and others.⁶ Hobbes sees security as the protection of lives and property and entire law and order through political sovereignty and monopoly of violence which state government provides.⁷

The South African White Paper on Defence see security as:

All-encompassing condition in which individual citizen live in freedom, peace and safety, participate fully in the process of governance, enjoy the protection of fundamental rights, have access to resources and the basic necessities of life, and inhabit an environment which is not detrimental to their health and well being.⁸

Some security experts argued that the concept of security had always been associated with the safety and survival of the state and its citizens from harm or destruction or from dangerous threats.⁹ In this sense, a nation is secured to the extent to which it is not in danger of having to sacrifice core value if it wishes to avoid war, and is able, if challenged to maintain them by victory in such a war.¹⁰ In another vein, Braithwaite quoting the encyclopedia of social science defines national security as ability of a nation to protect its internal value from external threat.¹¹ Implicitly, it may be averred that national security occurs when a nation does not have to sacrifice its core values to avoid war and even if it is challenged, it is able to maintain them by war.

Security is more or less explained, to mean the presence of peace, safety, happiness and the protection of human and physical resources or the absence of crisis.¹² Security is an atmosphere of calm, free from fear which allows human beings to develop their potentials according to ones capacity without threats of fear either of their lives or property.

Quoting authors like Mc Graw, Odeh and Umoh, they state:

⁶ A S Hornsby (eds.), *Oxford Advanced Learner's Dictionary of Current English* (9th edn. Oxford: Oxford University Press 2015) 1399

⁷ N Adegoke, 'The Nigeria Police and the Challenges of Security in Nigeria' (December 2014) <www.arabianjbr.com/RPAMindex.php> accessed 3rd July 2021.

⁸ Ibid, 25.

⁹ Okechukwu Innocent Eme and Nkechi O Anyadike, 'Security Challenges and the Imperatives of State Police', (2021) <www.scholarcentral.com/securitychallenges.pdf> accessed 27th August 2021.

¹⁰ Ibid, 283.

¹¹ Ibid, 285.

¹² See Otto and Ukpere in Adegbami Adeleke, 'Insecurity: A Threat to Human Existence and Economic Development in Nigeria', (January 2013) <www.iist.org>, accessed 28 August 2021.

Security of a nation is predicated on two central pillars viz: the maintenance and protection of the socio-economic order in the face of internal and external threat on one hand and the promotion of a preferred international order which minimizes the threat to core value and interests as well as to the domestic order on the other hand.¹³

Nwolisa concurred with Eme and Anyadike that:

Security is an all-compassing holistic concept which implies that the territory must be secured by a network of armed forces that the sovereignty of the state must be guaranteed by a democratic and patriotic government, protected by the military, police and people themselves. The people must not only be secured from external attacks but also from devastating consequences of internal upheavals, unemployment, ignorance, homelessness, environmental degradation and pollution and socio-economic unjust.¹⁴

It may not be an exaggeration to state that security involves protection of both living and non-living things from harm in an environment or society because, if for instance land which is a non living thing is threatened by erosion, the security of the inhabitants of the affected area is threatened. Therefore, security entails all round protection of everything that affects man and his environment. The United Nations Development Programme defines human security as the protection from hidden and hurtful disruptions in the daily activities, at home, office or communities.¹⁵

Some security experts are of the opinion that security measures the absence of threat to acquire value in a subjective sense, the absence of fear that such value will be attached.¹⁶ Security often leans on something for example, it may mean food security, health security, environmental security, personal security, community or political security. These ingredient may sum up what we call security and they are essential for optimum security of human being, because, a lack of one may affect the other. So in advanced countries of the world, this may be termed national security and good government is conscious of maintaining national security and so even if there is any hitch, it may not be significant to worry about.

Considering the fact in issue, security is therefore critical to survival of any nation and to put in check lawlessness, chaos, insurgency, terrorism and eventual disintegration of the legal order which is in effect the terrorism. Suffice it to say, every legal system worth its onions is always meticulous about security or rather security conscious. This is because allowing for insecurity is next to anarchy. Insecurity is an ill-wind that blows no one any good wherever it occurs, be it in the advanced or developing countries. One central ill of insecurity is that it brings multiplicity of vices such as militias, kidnapping, banditry, insurgency and at the extreme terrorism.

2.2 Insecurity

Insecurity like security lacks universally accepted definition. For this singular reason, many who either defined or explained the concept are influenced either from their background or

¹³ Adiza Mercy Odeh and Nanji Umoh, 'State Police and National Security in Nigeria' (January 2015) (6) (1) *Mediterrian Journal of Social Science*.

¹⁴ O B C Nwolisa, 'National Security and Sustainability' in E O Ojo (ed.) *Challenges of Sustainable Democracy in Nigeria* (Ibadan: John Archer Publishers 2006).

¹⁵ Adegbami Adeleke (n 12).

¹⁶ Okechukwu Innocent, Eme and Nkechi O Anyadike, (n 9) 283.

personal experience, thus the divergent definitions experienced. However one common message is bound and that is insecurity is a 'state of unsafety'. Be that as it may, Chambers Universal Learner's Dictionary, Oxford Advanced Learner's Dictionary and Black Law Dictionary all agreed that insecurity connotes doubt, unlikelihood or unsafe of a situation.¹⁷

Insecurity is the state of being subject to danger or injury.¹⁸ Insecurity is the antithesis of security which is the concept of insecurity.¹⁹ Insecurity is described as stated earlier by different interpretations stemming from different ways it affects personalities and include but not limited to want of safety, danger, hazard, uncertainty, want of confidence, doubtful, inadequately guarded or protected, lacking stability, trouble, lack of protection and unsafe and others.²⁰

Insecurity is not only a threat to life of what we see physically but what goes through the air.²¹ This means that insecurity is widening and deepening in nations of the world on daily basis but a good number of countries of the world are conscious of and are ready to nip it in the bud should it occur. This is also why international organizations like the European Union (EU) and other international organizations like the United Nations are vigilante and guard against testing of weapons of mass destruction like atomic bomb or nuclear weapons either in the land or in the air.

Root Causes of Insecurity in Nigeria

The root causes of insecurity in Nigeria are of two-folds, comprising the remote and immediate cause. The remote cause of insecurity in Nigeria in particular is traced mainly to the Berlin Conference of 1884 – 1885 wherein African territories were partitioned culminating to wrong ceding of kinsmen, their villages and towns which ordinarily belong together to different countries controlled by Europe, popularly called 'scramble for Africa' in the bid to satisfy different economic interests. Britain for instance was ceded the portion that was later renamed Nigeria after the River Niger. The three major ethnic groups of Hausa, Yoruba and Igbo that later make up Nigeria were ruled separately, using the system found among the separate ethnic groups. The Hausa was ruled by 'Indirect-Rule', the Yoruba 'Semi Indirect Rule', but in Igbo, direct rule was adopted and this failed woefully because the Igbos are republican in nature.

For administrative convenience of the British representative and economic interests of the British, Lord Lugard amalgamated the Southern and Northern Nigeria in 1914. The three ethnic groups were lumped together despite their difference in language, culture and religion which ordinarily would qualify each group as a nation and thereafter a unitary system of government was introduced. Thus Nigeria, a politically arranged country is the product of

¹⁷ See *Chambers Universal Learner's Dictionary* 2007, *Oxford Advanced Learner's Dictionary of Current English* 9th (edn.) 2015 and *Blacks Law Dictionary* 9th (edn.) 2004.

¹⁸ See Emmanuel Williams Udoh, "Insecurity in Nigeria: Political, Religious and Cultural Implication" [2015] <www.iiste.org> accessed 28th August 2015 and Nnaemeka James Nnorugu, 'Igwebuike: A Holistic Response to the Problem of Insecurity in Nigeria' <www.nigeriajournalismline.com> accessed 8 July 2021 respectively.

¹⁹ <<https://mail.google.com/mail/u/o?ic=fact037711&view=/pt&search/=R11&permitted-%3A1705390911954623150&simplemsg.70703A170539011395>> accessed 15 July 2021.

²⁰ Ibid.

²¹ Nnaemeka James Nnorugu (n 18).

British experiment in political cloning.²² Nigeria emerged rather in piece meal under different conditions and as pointed above.

While the administration lasted, the colonial administration bequeathed to their Nigerian wards an enduring legacy of mutual suspicion and contempt.²³ The North dreaded the South as uncivilized, pagan, undisciplined, rowdy and nakedly materialistic and the South in turn ridiculed the North as feudalistic, conservative, illiterate, plant tools of the colonial master.²⁴ The antagonistic duality was so deeply ingrained in the Nigeria system that Chief Awolowo saw the two parts as 'divergently and almost irreconcilably oriented'. Experience showed that the antagonistic duality was deeply ingrained in the Nigerian system since inception and deepens as the system advances and the state of the nation today speaks for itself (*res ipsa loquitur*).

The British realized the heterogeneous nature and character of the Nigerian territory after the acquisition. But the situation was even worse for Nigerians. For some, it was involuntary and traumatic. For yet others, it was a forced brotherhood and sisterhood which has been a subject of continual tinkering, panel beating and even attempted dissolution.²⁵ An eminent Nigerian political actor described the product of the experiment as a mere geographical expression,²⁶ whereas another political actor saw the creation of Nigeria as the mistake of 1914.²⁷ Much later in the colonial administration, a federal system of government was hurriedly introduced when the upsurge of nationalism became unbearable on them and the difference among the ethnic groups became quite manifest. The federal system of government was set up with the understanding that the system would ameliorate the problems of numerous ethnic group scattered here and there. In reference to this, the regions, the Eastern, Northern and Western Regions were given some measures of autonomies in the 1963 Republican Constitution. All these were done on the basis of a hurried experiment of federalism,²⁸ which consequently yielded no positive result. Rather the hate and rancor among the different ethnic groups grew from worse to worst and eventually threw Nigeria into civil war that lasted from 1967 – 1970.

Soon after the civil war, came psychological and social crises that accompany such war, such as lack of basic needs like food, shelter, medi-care and clothing. Others are psychological trauma, deviant behavior and others. The military administration in power then could not remedy these lapses rather held power almost from 1970 to 1999 embezzling the wealth of the nation from one region to another, Abacha loot is still fresh in us. On the verge of the military exist after people's frustration have attracted international concern, they handed to Nigerians a lopsided Constitution with so many lacunas in the name of a continued federalism and every call to restructure the Constitution to remedy the lacunas to forestall justice; fairness and equity, yielded no fruit because, the Constitution favours some sections of the country.

The immediate cause of insecurity is that federalism in Nigeria has failed to establish a stable government and the advancement people had expected. Rather, there is manifest system

²² J A A Ayoade, 'Federal Character Principle and Search for National Integration' *Federalism and Political Restructuring in Nigeria* in Amuwo Kunle et al (eds.) (Ibadan: Spectrum Books Limited 2000) 101

²³ Ibid, 102.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Obafemi Awolowo, *Path to Nigeria Freedom* (London: Fabar and Fabar 1947) 47.

²⁷ Bello Ahmadu, *My Life* (London: Cambridge University Press 1962) 133.

²⁸ Chijioko Ogwurike, 'Contemporary Issues in Nigeria in Law; and Justice Desideration for Sustainable Development' *Compendium of Legal Essays* (Uyo: Swim Printer 2010) 3.

failure experienced through bad leadership, corruption and neglect of the citizenry. In this regard, the late Chijioke Ogwurike states:

Human beings, their efforts, aspirations and progress are part of their historical background, neglect these, and one will be building in the clouds as it were, without foundation. As the saying goes, a substantial edifice cannot be built on a shaky foundation, much more when the foundation is forgotten or neglected entirely.²⁹

Though Nigeria has thirty-six (36) artificial states and the Federal Capital Territory, Abuja, practically the Federal Republic of Nigeria is reduced to virtually a unitary state, sometimes a mixture of military, unitary and federal state depending on the leadership at any point in time. The removal of about ninety percent of the petroleum subsidy by the government of President Goodluck Jonathan in 2012 to utter disregard of the masses' objection is a pointer to a manifest military rule in a federal system which may trigger insecurity.

Aside the civil war and series of coup d'état, insecurity in Nigeria came to be notorious since 1993 after the annulment of June 12 election by the Babangida military administration and has increasingly advanced in speed and in form since 2015. In the contemporary Nigeria there are different terms and levels of insecurity in every geo-political zone in Nigeria. In the North-East of Nigeria, for instance, we have the Boko Haram terrorist, in the South-West geo-political zone, armed robbery and kidnapping are prevalent in towns and cities such as Lagos, Abeokute and Akure, in the South-South and South-East, the oil reach zone, kidnapping, armed robbery of different levels and magnitude and conflicts are experienced here and there. In recent time there is emergence of banditry which is spreading throughout the country. Unemployment among youths which is among the immediate and the major cause of insecurity is increasing in magnitude and the leadership and the legislatures are not moved by these ugly trend rather they are busy amassing wealth, exotic cars and living in choice areas. So a nation under this condition may not experience peace and security.

2.3 Democracy

The term democracy is derived from two Greek words 'demos' and 'kratia' meaning 'rule' or 'government'. The concept of democracy is subject to diverse interpretation and this has no doubt influenced the definition of the concept. Illustrative herein is Alani's definition, who views democracy as a government that underscores the plural nature of politics.³⁰ In another words democracy is simply a system of government where the citizens directly exercise their power, and have the right to elect government representatives who collectively create a government body for the entire nation.³¹ Just as experience shows that democracy in the contemporary world is a popular system of government, so are the pretoria definitions and explanations of the concept 'democracy'. However, the most popular of all the definitions is the definition offered by Abraham Lincoln, the former President of the United States of America. He defines democracy as a government of the people, by the people, for the people.³²

²⁹ Ibid, 3.

³⁰ Adetayo Olamide Sowale and Temitope Emmanuel Abiodun, *Challenges of Democracy in Nigeria: An Empirical Study of Implication on Human Security* <www.ijrp.org> (2018) accessed 4th February 2021.

³¹ Vaishavi Patil, *What are the Different Types of Democracy?* (2019) <https://www.scienceabc.com/social-science/different-types-democracy-direct-representative=pres.dential-parliamentary.html> accessed 22 October 2019..

³² Abraham Lincoln in Ese Mulami, *The Nigerian Constitutional Law* (3rd edn. Lagos: Princeton Publishing Company 2012) 38. See also Moses Adagbabiri, 'Constitution and Democracy: A Critical Perspective' [2015]

Whereas Ese Malami classified types of democracy as direct and indirect or rather representative democracy, Vaishnavi Patil classifies democracy into eight (8) types and these are direct, representative, presidential, parliamentary, authoritarian, participatory, Islamic and social democracy.³³

In direct democracy as the name depicts, all adult citizens directly participate in the decision making process of polity. Direct democracy is the early form of democracy and emerged also in Greek city states,³⁴ and could be adopted in less and manageable populations such as village or clan but not in a densely populated nation like Nigeria. On the other hand, representative democracy is when people choose to vote for who will represent them in a parliament.³⁵ Representative democracy is the most common type of democracy in the modern era. Nigeria keyed into the representative democracy since 1963, unfortunately it failed woefully in Nigeria basically because of corruption and bad leadership. Most Nigerian representatives represent more of their interest than the interest and aspirations of the citizens who gave them mandate.

Newton and Van Deth itemized the elements of democracy as citizens involvement in political decision making, equality among citizens, some degree of liberty granted to citizenry and an electoral system of majority rule.³⁶ Moses calls these elements basic principles and adds limitation in the exercise of function and fundamental rights as part of basic element of democracy.³⁷

Ogundiya argued that in all societies of today, the issue is not which political system is appropriate but rather when will society become democratized or fully democratic.³⁸ This is because democratization project is regarded as the age of civilization that every society should strive to attain rather than a political option among many others.

2.4 The Nigerian Police Force

The Police Force in Nigeria originated from the colonial days. The establishment and development of police force in the colonial Nigeria reflected the piecemeal conquest and colonization of the various nationalistic that were later amalgamated as Nigeria in 1914.³⁹

There were conflicting dates as to the inception of the Nigeria Policy Force. However, the more acceptable date was between 1861 – 1903.⁴⁰ Suffice it to say, as a nationality was conquered or deceived to cede its sovereignty or colonized, the British colonial administrators

<www.ijissnet.com> accessed 27 October 2019 and Samuel Adekola Oguwa, 'The Challenges of Democracy in Nigeria' (2015) <<http://www.oniscience.org/journal/ajssr>> accessed 4th February 2021

³³ See Ese Malami, *The Nigerian Constitutional Law*, ibid, 39 and Vaishnavi Patil (n 31) respectively. Among the eight types of democracy enumerated by Vaishnavi Patil, Islamic democracy is the most unpopular and restricted to Moslem faith. Vaishnavi Patil states that Islamic democracy seeks to apply Islamic law to public policies while simultaneously maintaining a democratic framework.

³⁴ Ese Malami, *The Nigerian Constitutional Law* (n 32) 39.

³⁵ Vaishnavi Patil (n 31) 3/13.

³⁶ See Newton and Van Deth in Adetayo Olamide Sowale and Temitope Emmanuel Abiodun, (n 30).

³⁷ Moses Adagbairi (n 32) 112 – 113.

³⁸ Ilufoge Sarafia Ogundiya, *'Democracy and Good Governance: Nigeria's Dilemma'* <<http://www.academicjournal.org/oypsin>> accessed 15 February 2020.

³⁹ Aaron T Gana and Samuel G Egwu, *Federalism in Africa, Imperative of Democratic Development* (Trenton: African World Press Inc. 2003) 143.

⁴⁰ History of Policing in Nigeria <<http://www.thisdaylive.com/indep.php/2020/11/15/histoy-of-policinng-Nigeria/>> accessed 5th September 2021.

established a police force in the territory to maintain law and order in the respective native authorities.⁴¹

It is pertinent to state here that the history of Nigeria Police Force is not very much the object of this work; rather we traced the origin of NPF to establish the uses, character and the administrative nature of colonial police force which also form the contemporary character, nature and administration of the contemporary Nigeria Police Force.

The colonial authorities used the police force principally to control local communities and tamp down the challenges to colonialism.⁴² Thus the colonial police earned a reputation for the brutal subjugation of resistance to colonial rule.⁴³ The inception of the Nigeria Police Force was formed to oppress the people and violate their rights, it was not formed to protect the people, thus, little wonder, the police of today find it difficult to protect the people.⁴⁴

Furthermore, Alemika and Chukwuemeka summarized the development of police and public relation in Nigeria in three parts:

1. Colonial conquest of Nigeria nationalities took place in disconnected form over a long period (1861 – 1903) at different period. As a nationality in conquered, British colonial presence is established by establishing a police force for the territory.
2. Violence and fraud were employed in the conquest of the nationalistic. Consequently the colonized feared resistance and police force under various names were established and employed as instrument of violence and oppression against the populace.
3. Given the character of colonial rule, police force were the instrument used to sustain the alien domination.⁴⁵

The history of the police forces in Nigeria indicates that the various forces were established, organized and maintained by colonial and post-colonial governments primarily for order and maintenance that engenders repression, a culture of impunity, corruption, incivility, brutality, lack of transparency and accountability.⁴⁶

The non accountability of the colonial police force to the colonized or to the native authorities by the British government also obtains in the contemporary Nigeria. Police force in various states of the federation are not accountable to the people nor the governors where they are posted but are only accountable to the Inspector General (IG) who is again accountable to the President of the Federal Republic of Nigeria or the Minister, as provided in section 241(1) of the 1999 Constitution.

The Nigeria Police Force, by virtue of being the offsprings of the imperialist Britain, inherited the vices associated with the colonial police force such as brutality, suppression, bribery and corruption which are still prevalent to date. These vices notwithstanding, the place and functions of police force in the democratic governance of any nation is not only immeasurable but irreplaceable. This is appreciated when compared with advanced countries of the world such as the United States of America, United Kingdom and even the developing South Africa,

⁴¹ Aaron T Gana and Samuel G Egwu (n 39) 143.

⁴² History of Policing in Nigeria (n 40) 1/5.

⁴³ Ibid.

⁴⁴ Ibid, 2/5.

⁴⁵ The Alemika and Chukwuemeka in Micheal B Aleyani, 'Is State Police a Panacea to Security Threats in Nigeria?' (2013) (4) (4) *Asian Journal of Social Science* accessed 27 August 2021.

⁴⁶ History of Policing in Nigeria (n 40) 2/5.

especially in keeping with prevention and detection of crimes, maintenance of safety and security of all persons, little wonder the CFRN, 1999 still provides for Nigeria police force despite the vices.⁴⁷ In view of these provisions, the Police Act elaborated and mapped out what it calls objectives and primary functions of the Police Force in Nigeria.⁴⁸

As elaborate and important as the functions are, unfortunately, these functions are mainly executed in the major cities, towns and headquarters of the state capitals leaving the local or rural areas where most of the crimes are committed in the care of mere local vigilante because, the Nigeria police force is centralized.

The CFRN, 1999 emphatically states:

There shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provision of this section no other police force shall be established for the federation or any part thereof.⁴⁹

The Governor of a state may ask for the assistance of the Nigeria Police Force through the Commissioner of Police of that state, subject to approval of the President or such other Minister of the Government of the Federation as may be authorized in that behalf by the President for his directions.⁵⁰

The above provisions impliedly showed that a governor of a state cannot get or employ the Commissioner of Police in his state even in the state of emergency. The country cannot continue to sustain these lacunas and obsolete provisions in the Constitution especially in the face of incessant insecurity. But every effort and calls and wishes of the public to decentralize the Nigeria Police Force for effect and efficient performance in the interest of citizens has been meeting bottle necks and dead-locks. These challenges, though not limited to these points, are:

1. Bad leadership;
2. Corruption; and
3. Lack of consensus of the citizenry

3. Bad Leadership

Leadership is one of the concepts that lacks universally accepted definition. In view of this, some writers define it from the functional, influential and to transformational perspectives. Sometimes the term is described than explained. In this regard, Agbor describes a transformational leadership as that leadership who works with the followers to realize their full potentials.⁵¹ Leadership may be defined as one who motivates others to achieve a desired or common objective. To achieve a desired objective, the leadership may adopt different leadership styles such as motivating, autocratic or authoritarian *lasses-faire* to participatory or democratic styles of leadership depending on the situation at hand. However, the authoritarian or autocratic and *laissez-faire* are rarely used because of the extreme nature and negative effect on the administrative justice system and leadership.

⁴⁷ See the Constitution of the Federal Republic of Nigeria, 1999 (as amended) section 214 (a) – (d).

⁴⁸ These are enshrined in the Nigeria Police Act 2020, section 2(a) – (f) and section 4(a) – (i)

⁴⁹ See the CFRN 1999, section 214 (1).

⁵⁰ Section 215(1) (4) paragraphs 2 and 3.

⁵¹ Uno Ijim-Agbor 'Leadership Behavior and the Crises of State Failure in Nigeria: Towards a Transformational Leadership Attitude for Addressing Nigeria's Failing State [2012] <www.jiste.org> accessed 5th April 2020.

Sadly, Nigeria leadership styles often tilt towards the extremes of these leadership styles. This is why the issue of decentralization of police force for effective and efficient performance is being swept under the carpet to the utter disregard of the citizens' desires. The Shagari administration toed the *laissez-faire* leadership style and plunged the nation into devastating situation. The Abacha toes authoritarian leadership, and Buhari in his past and current administration adopted authoritarian leadership thus plunged the nation into anarchy whereas the Obasanjo administration applied both democratic and authoritarian leadership and so most often adamant to peoples yearnings and aspirations.

Nigerian's fundamental approach to leadership is not only embarrassing but devastating. Chinua Achebe concludes that Nigeria's problem is bad leadership and Lanre Olu Adeyemi concurred to this assertion.⁵²

In line with Achabe and Lanre Olu's view, Soji Omotunde⁵³ states 'it is pitiable that the crop of Nigeria who have now metamorphosed into leadership class were more interested in personal attainment than rendering services to the people. Nwigwe contends that stemming from the St. Augustine's definition of government, that 'the government Nigeria ever had could qualify as mafia government'. The word 'mafia' within his context means:

Government infested with power drunken, self seeking, ideology-barren, orientation less operatives; usually selected by their kind and of course scarcely ever elected by the people. Even in the guise of multi-party election, those to rule are clearly predetermined and chosen even before elections takes place.⁵⁴

This assertion is still prevalent among the contemporary leadership in Nigeria. Like bad parents, the Nigerian leadership has failed in its responsibilities to steer the ship aright and lead by good examples. Most leadership in Nigeria lack democratic principles and hardly listen to the desires and aspirations of the citizen, they impose thoughtful desires on the mass and any efforts to resist them are matched with serious sanction. The Buhari administration and Rural Grazing Area (RUGA) is today tearing the nation apart. Whereas issue of security and state police which the people clamour for are kept in abeyance.

Affairs of youths, the leaders of tomorrow, are hardly considered. Sometimes they are mapped out for destruction when the, question the state of things in the polity or protest for their infringed rights from the government, the recent 'End SARS' (Special Anti-robbery Squad) in 2020, the current unknown gunmen, kidnapping and wanton killings and destruction of property especially since 2015 to date have their immediate cause to youths negligence, suppressed grievances and massive unemployment. All efforts to get the government to look into their plight and decentralize police force for effective check and put under control of the wanton insecurity failed on deaf ears, rather their preoccupation is on winning the 2023 election fairly or unfairly. The legislature who could have provided adequate checks on the abuse of power by the executive and recklessness of the opportunistic politicians through the oversight function is also ineffective and inefficient.⁵⁵ This is why a crucial issue like state

⁵² Lanre Olu-Adeyemi, 'The Challenges of Democratic Governance in Nigeria' [March, 2012], (3) (5), *International Journal of Business and Social Science* accessed 2 February 2021 167.

⁵³ Soji Omotunde In Ann Akpunonu 'Youth Development and Empowerment in Nigeria: The Panacea for National Integration' [2019] (3) (2) *African Journal of Law and Human Rights* 169.

⁵⁴ Ilufoye Sarafia Ogundiya, *Democracy and Good Governance: Nigeria's Dilemma*, [June 2010] <<http://www.academicjournal.org/ajahir>> accessed 10th February 2020.

⁵⁵ Ibid.

police that could have earnestly helped to ward off or at least control crime waves early enough to prevent insurgency from devastating situation we experience today is left to politics and callousness of our leaders.

3.1 Corruption

The definition of corruption herein may not be exhaustive but mainly limited to the context of the work. In view of this, the Black's Law Dictionary defines corruption to mean:

A judiciary or official use of a situation or office to procure some benefit either personally or for someone else, contrary to the right of others; an act carried with the intent of giving some advantage inconsistent with official duty or the right of others.⁵⁶

Osaba describes corruption as:

A form of a social behavior by an individual or social group which confers unjust or fraudulent benefits on its perpetrators which is inconsistency with the established legal norms and prescribed moral ethos of the land and is likely to subvert or diminish the capacity of the legitimate authorities to produce fully for the material and spiritual well-being of all members of the society in a just and equitable manner.⁵⁷

Corruption can also be defined as the 'depravity, pervasion or taint, an impairment of public official duties by bribery'⁵⁸ In some situations the State Chief Executive is being dragged to the court by the Chairman of Local Government Area, over the conversion of Local Government statutory allocation and usurping the powers of the latter as in the case of *Knight Frank and Ruthey Nig v A G Kano State*⁵⁹ where the Supreme Court held that collection of rent on rentable hereditament and the assessment of rent on privately owned house are subject within the responsibility of the Local Government Council.

There is systematic and political corruption in Nigeria. Such that corruption has permeated every sector of the polity, be it the political, educational, medical or the social media. There are e-mail scam here and there in the society. The judiciary which is the last hope of common man is now the last hope of the rich and benefits of the highest bidder. This is experienced through the Kangaroo judgment in our justice system in recent times. The masses no longer channel their common demand to court when the executive becomes unreasonable because, most often they do not get justice. Otherwise issue like the state police ought to have been settled in the court in the face of incessant insecurity ravaging the lives and property of citizens.

The Independent Electoral Commission and the Tribunal as the case may be which produce election result are most often corrupt. A one time governor of Imo State said during the electioneering campaign that 'people should allow him win the election, then let every aggrieved go to court', this is because he knew that even the tribunal may compromise their flag. This is also the reason why very many credible citizens of Nigeria no longer have the

⁵⁶ Bryan A Garner (eds) *Black's Law Dictionary* (10th edn, Texas West Publishing Co. 2014) 422.

⁵⁷ See Soba in Peter Anyebe and Vivian C Madu 'Dealing with the Challenges of Corruption and Money Laundering: The Place of Regulatory Laws' [June 2018] (3) (2) Chukwuemeka Odumegwu Ojukwu University (COOULJ) Igbiam, *Faculty of Law Journal* 179.

⁵⁸ See the case of *Calab Ojo v FRN* [2008] (Pt. 1099) 457 in Peter Anyebe and Vivian C Madu *Ibid*.

⁵⁹ (1999) NWLR 156 at 172 D – E in Denwigwe SAN, in a paper presented on 'Democracy in Nigeria' at the NBA Owerri Branch Law Week at Concord Hotel Owerri, Imo State (2014).

zeal to cast votes during the elections, since they knew *abinitio* that the votes often do not count. The result is that we keep on producing most times corrupt leadership who will never take important and proactive decision on crucial issues such as the decentralization of police force for effective management of security affairs as the citizenry cried out.

The elections that produced most of leadership in Nigeria were characterized by corruption, likewise the products. Many a time the mandates are short-changed. This is why we often experience during and after election gross misconduct among politicians and wanton destruction of lives and properties among the aggrieved youths. The leadership of unification, consolidation and influencing people to achieve a common purpose or to improve standard of living of citizenry is a mere wishful thinking or rather far cry in Nigeria especially among most leadership of today. The Nigerian leadership hardly obeys rule of law except where they have interests. The Machiavelli's attitude of no gain no action, the end justifies the means are more or less the character of many leadership in the contemporary Nigeria. Wherefore, if the prince succeeds in establishing and maintaining his authority, the means will always be judged honourable and be approved by everyone, and in this way, the political thought of Machiavelli divorced politics from morality to the point of scandal.⁶⁰ Again the Machiavelli's attitude that the prince must freely use the tools of cruelty, murder and any other means acceptable and expedient for the achievement of his objective,⁶¹ are also dominant among the Nigerian leadership style in Nigeria.⁶² The incessant security threats in every nook and cranny in Nigeria are mainly caused by corrupt leadership and the non decentralization of police force which could have helped to control and put the menace of insecurity under check, is being played down due to clash of interests and politics.

3.2 Lack of Consensus to State Police

The issue of dual police force in Nigeria originated from the imperialist Britain that introduced the police force in Nigeria. The Native Authority Ordinance (No. 4 of 1916) conferred on the Native Authorities the responsibility for maintaining order in their respective areas.⁶³ Under this law, they were allowed to prevent crimes and arrest offenders and employ any person to assist them in carrying out the police duties. The police power were also increased under the Protectorate Law (Enforcement) Ordinance (No. 15 of 1924).⁶⁴

Under the laws, palace police – the 'akadas' of the Yoruba king, were recognized and reformed as 'olopas', while in the emirates of the North, the palace 'dogorai' also were recognized and reformed as 'ya/dandoka'. In both cases, this traditional police force contributed the nucleus of local police force of colonial era.⁶⁵ The colonial government established protectorate wide police force, for example the Northern and Southern Police Force (1900 – 1930), constabularies were also established during the last quarter of the nineteenth century and in the 1930, the Nigeria Police Force was established by merging the Northern and Southern Nigeria Police Force.⁶⁶

⁶⁰ Nnaemeka James Nnoruga Igwebuikwe (n,18).

⁶¹ Ibid.

⁶² A corrupt leadership will always beget negative result, this is why the state of the nation is in a sorry state. It is a cabbage in cabbage out result, for we cannot plug mango fruit from orange tree rather every tree is known by its fruits.

⁶³ Aaron T Gana and Samuel G Egwu (ed.) *Federalism in Africa: The Imperative of Democratic Development* (Trenton: African World Press Inc. 2003) 143 – 144.

⁶⁴ Ibid, 144.

⁶⁵ Ibid.

⁶⁶ Ibid.

The dual system of Nigerian Police Force during the colonial era may have given impetus to the 1960 and 1963 Constitution to provide for dual police system.⁶⁷ Unfortunately the decentralization of police force was abolished during the first Military intervention in 1966, under Ironsi Administration and every effort to re-establish the dual system or the decentralized system of police force proved abortive till date. Rather, a lot of argument for and against the reestablishing the dual system of the police force is having a field day while insecurity metamorphoses.

Argument against Decentralization of Police Force in Nigeria

The refusal to restore the dual system of the police has both remote and immediate causes. The remote cause being that the military regime as a result of the command nature operates unitary system. So it will be very usual to see General Aguiyi Ironsi, the then Military Commander of Nigeria under whose interim government witnessed the First Military Intervention operates dual police system, likewise the long military regimes that came after. Again the decentralization of the police force at this period (1963 – 1966), was turned into local arm of the parties in power in these two regions of Northern and Western Nigeria where the local police operated and so became ready tools for the oppression, suppression, intimate and harassment of political opponents and were hardly separate from the political party tugs in the North,⁶⁸ and so was abolished.

Based on these remote causes, the contemporary antagonists of state police still believe that if the current 1999 Constitution is restructured or amended to accommodate state police, some power drunk politicians and over-ambitious governors may revert to the abuse especially against the perceived and known political opponents and foes. A good example was the misuse of the federal police force in 2003 by former governor of Ogun State Gbenga Daniel who ordered that the House of Assembly be shut on the ground of specious misunderstandings with the leadership of the House of Assembly.⁶⁹ Dr. Chris Ngige, was also abducted during his short tenure as governor of Anambra State through the assistance and connivance of the police under Obansajo civilian administration in 2003. Other immediate causes to the refusal of state police as adduced by the antagonists include:

- i. That a single nationwide police organization will make for more efficiency in the prevention and detection of crimes, especially crimes having inter-state elements
- ii. That hitherto existing local government and local authority police contributed in no small ways to the demise of the First Republic in that it was used as an instrument of political repression, but a central police organization controlled from the centre would be independent and above local political machination.
- iii. That to empower a state to establish its own police force poses an inherent danger to the stability of the country since such a police force could be employed to wage war against the nation.

⁶⁷ Though section 98 (4) of the 1960 provides that no police force other than the Nigerian police force shall be established for Nigeria or any part thereof. However, the provisions in 98(6) and (7) which allows for native and local police force made it possible for local authorities within the federal territory and local government to have their own police. The same is applicable to the 1963 Republican Constitution, there was central police force and local police force, these were provided under section 105(6) and (7) respectively.

⁶⁸ Ben Nwabueze, *Constitutional Democracy in Africa*, (4), (Owerri: Spectrum Book Ltd) 209.

⁶⁹ L O Taiwo and O A Orifowoma, *Federalism and unified Police System: A Product of Political Exigency in Nigeria* <www.journal.ezenwjabacter.org/pdf> accessed 15th July 2021>

- iv. That a unified police structure would ensure better conditions of service for police personnel and this would in turn reduce the wave of corruption in the police system.
- v. That a unified and federally controlled police would ensure modernization of equipment and better training facilities.⁷⁰

Furthermore the antagonists to state police argued that state governors of contemporary Nigeria may revert to the misconduct of their predecessors and turn state police force to personal chattel and use them to intimidate other political opponents, unseat any one they desire to remove as experienced with the local government chairmanship in Nigeria in almost all the LGA. They can as well impose themselves on the people or any state agency as observed in the State Independent Electoral Commission. More so, the governors may deploy the state police forces for a more unprofessional assignment such as rigging during election, harassment of the political opponent and other bizarre assignment such as crushing the political opponents or rival ethnic groups, should there be any conflict.

The antagonist also averred that, there may be no job security for the police force. Except one adheres to the master's bidding, he may lose his job. Thus, professionalism may be threatened and sometimes sacrificed at the altar of nepotism. State police may also lead to proliferation of police and reckless command by all and sundry in the state police force. Since there is difference in nature-endowed resources as we have in Niger Delta, there is also going to be differences in salary structure for state civil servants and this may lure the less paid state police to corruption in order to meet up. Sometimes differences in salaries may lead to low moral in execution of duties as we sometimes experience between the federal and state civil servants. The matter may be worst when less nature endowed state could not meet up with the wage bills.

Taiwo and Orifewomo argued also that:

- i. A centrally controlled police force would be in a better position to allay the fears of ethnic minorities especially at the present time when mutual mistrust among the more than five hundred and thirteen ethnic extractions are in vogue.
- ii. State police will compound the proliferation of arms and ammunitions in the bid to supply them to many different formations with the possibility of it being mishandled or getting into the hands of criminal gangs.
- iii. Another notable reason for the retention of *status quo* of unified police force is that the force will serve as a principal bond of national unity, a symbol of hope and custodian of fundamental human rights of the people.⁷¹

In reacting to the question as to whether a single police for all the units of government is compatible with federalism, Nwabueze is of the view that there is certainly no inherent incompatibility between them. Rather, it depends on how the control of the police force is organized. A single police force has the advantage, in that it exposes the individual to less risk of oppression than one under the autonomous control of his state governor. With this consideration, the opinion of Nwabueze on the first override all others.⁷²

Nwabueze further argues that:

⁷⁰ See T. Aguda in Martin Ogbede Nwachukwu, *Current Issues in Federalism: A Nigerian Perspective* (Owerri: Nigerian Law Media [2007] 68.

⁷¹ L O Taiwo and O A Orifowomo (n 69) 164.

⁷² Ben Nwabueze, *Constitutional Democracy in Africa* (n 68) 210.

What makes the arrangement under the 1979 and 1999 Constitution objectionable is the fact that the control of the police is unduly centralized in the federal government unlike the 1963 Republican Constitution when the regional government were given a greater participation in the control of Central Police Commission. Such participation, for example, took the form of partly of mandatory consultation with a regional premier with appointment of a Police Commission for the region, and partly participation in the establishment of a Police Council with the federal and regional Premier as members, charged with the general supervision of the organization and administration of the force, not being matters relating to operational control of the force or appointment, removal and disciplinary control of members, were vested in the Inspector General and Police Service Commission.⁷³

Argument for Decentralization of Police Force in Nigeria

The reasons against state police, though crucial but are not reasonable enough to deny the polity state police considering the geographical largeness and heterogeneous nature of the country, its population and crimes that accompany industrialization and poor governance. Recently, Nigeria is bedeviled with certain crimes like terrorism from the Boko Haram Islamic sect, kidnapping, Niger Delta Avengers, child trafficking and other related crimes like banditry that were not known to the polity before now, especially in the early sixties and seventies. Most of these crimes are more or less perpetrated in the rural areas and need adequate security monitoring to put them in check or where possible eradicate them.

Governors Ambrose Alli the former Governor Bendel State, now Edo State describe the arrangement of a single police force as the most potential source of danger in our federal system and further states:

The wheel of administration of justice has been clogged by the centralization and unification of the police system, as it has contributed in no small ways to the delay in administration of justice. If for example, Investigating Police Officer (IPO) detailed to handle the investigation of case, suddenly gets transferred to a distance place, it means therefore that either he would be shuttling from the place on each adjourned date or the prosecution will dispense with his testimony at the expense of justice of the case. Whereas, if the police force is localized within a state, the inconveniences and long delay arising from the transfer will be minimized.⁷⁴

In the opinion of Ewe and Anyadike which also attracted the support of many, the creation of a state police structure would also be a major leap in the nations march towards the much cherished true federalism that has eluded the nation for a long time. It is also *sine-quo non* to genuine principle of true federalism.⁷⁵

In a centralized police force, the President has the monopoly for the appointment of Inspector General of Police while the Inspector General has monopoly over the control of the

⁷³ Ibid In similar to Nwabueze's views that police affairs was loosely central see for example the 1960 Constitution, section 103 particularly at 103 (1) and (2) and the Republican Constitution 1963, section 110 (2).

⁷⁴ Governor Ambrose Ali, the former Governor of Bendel State now Edo State in Martin Ogbeole Nwachukwu, (n 68) 69.

⁷⁵ See Okechukwu Innocent Eme and Nkechi O Anyadike (9) 291.

Commissioner of Police posted to various state capitals. So the State Governor cannot employ the services of the Commissioners of police posted in the state without the permission of the Inspector General of Police,⁷⁶ or the President or Minister of the federation even in the face of danger. This renders the state governor powerless as chief state security officer. In fact the state Governor in this situation is like an army commander with jurisdiction but without troops. Similarly, vesting the appointment of the Inspector General of Police on the President nullifies the value of total loyalty to the nation at large, since he cannot afford not to be loyal to his master than to the nation.

In a similar view, the failure of the CFRN, 1999 to provide for a state police and a team work between the state governor and the Police Service Commission on the appointment and removal of the state Police Commissioner is also incompatible with the principles of federalism, as regards separation of powers among the units of government, because it negates the authority of the governor in whose jurisdiction these commissioner operates for the maintenance of law and order for a harmonized whole. Apart from the fact that absence of state police does not make for true federalism, security apparatus like state police force or a decentralized police force adopted in a particular country is based on the security situation at hand. To say the least, Nigeria being a heterogenous country with vast population, diverse cultures and languages fits into such situation (that is a decentralized police force) to check-mate incessant insecurity ravaging the polity.

The independence of state or units and the separate security apparatus like state police force was principally canvassed in *A G Ogun State v A G Federation*⁷⁷ where Obidinma and Obidinma rightly administrated the importance of autonomy of constituent units in a federation as follows:

The absence of State Police under Nigeria federation is a contradiction in terms and detracts from true practice of federalism as operational in other notable federal states. As agreed in some quarters, the Nigerian federalism is very dysfunctional with concentration of powers and resources at the centre and requires urgent restructuring. The creation of state police is one of the fundamental requirements for the operation of true federalism in Nigeria.

As pointed out earlier, the antagonists to state police contended that the primary reasons for centralization of state police in the CFRN, 1999 is that in the CFRN, 1963, the provision of state was otherwise abused by the regional governors who used the police force to harass and intimidate the political opponents. The question is, 'has this criminal misconduct ceased to occur in the present dispensation?' 'Of course, no'. For example Dr. Chris Ngige, a one time Governor of Anambra State was abducted in the broad day light through the connivance of the police during Obasanjo's civil regime in 2013. The former Governor of Ogun State Gbenga Daniels as we pointed out earlier ordered the shutdown of the Ogun State House of Assembly through the assistance of the police force due to a misunderstanding between him and the members of the House of Assembly. The litany of instances of police abuses by the state governors under the CFRN, 1999 may go on inexhaustibly and still going on and so should not form a reason for denying the polity a state police.

Again, most of the crimes in Nigeria are committed in the rural areas and some of them are territorially notorious. Such as terrorism and suicide bombing in the North, kidnapping and child trafficking mainly in the South. So they required police officers who are conversant with

⁷⁶ See the CFRN, sector 215 (4) particularly at paragraph 2.

⁷⁷ [1982] NCLR (vol. 3) 166 in L O Taiwo and O A Orifowomo (n 69) 165.

the terrains to detect and nip them in the bud and also take precautionary measures to prevent any reoccurrence, but a federal police officer from Zaria cannot adequately detect Niger Delta oil bunkery in Warri or could a federal police officer from Ogoni timorously detect a planned suicide bombing from Boronu, rather, these peculiar crimes need those officers conversant with those areas to execute the duties adequately.

The protagonists of single police force blame the rampant insecurity and pervasive lawlessness, kidnapping, armed robberies, political assassination, communal conflicts, ritual murders, crude oil theft in the Niger Delta and sectorial insurgency in the North East on the single Nigeria police force and described it as over-politicized, under-resourced, unmotivated, ill-equipped, poorly trained, corrupt, abusive and completely alienated from the local communities it is expected to protect. Protagonists therefore call for decentralization multitiered policing structure with separate national, state, local and community police institutions responding to policing needs at the various levels.⁷⁸

We also believe that if the police force is decentralized, the issue of End SARS, police shoot at sight, police accidental discharge, incessant arrest, police brutality, high way extortion, and other habitual crimes of the Nigeria police force will either end or be controlled. The reason being that the police personnel having come from the locality where they are posted to work will be more cautious in dealing with the kinsmen, knowing fully well that apart from the fact that the people they are dealing with are more or less their blood, they are also being check mated and should they act unconscionably or compromise, they will be easily be fished out and punished accordingly. This may not happen with the federal police force who is just there to obey the last order from the master and these orders most often lack human face.

Most of the advanced federal states such as Australia, Germany and the United States of America have decentralized police force. The United States of America, for instance has Federal Bureau of Investigation for the whole country. They also have individual state police, in New York for instance there is Los Angeles Police Department. There is also the County Sheriff Division which is equivalent to local government police. Each of these individual police force enforce law and order with little or no interference from the federal law enforcement except in special circumstance like the September 11, 2003 attack on Pentagon House World Trade Centre where the US (FBI) may want to have a team work to unravel the truth about the crime. United Kingdom is a unitary state but has decentralized police system. The control of the attempt to bomb central London by the terrorists on 7th July (2005) was made possible because of the team work of the central and the Metropolitan Police Forces. If these older federal and unitary states could decentralize the police force, it means there are more gains in decentralization of police force than losses.

4. Recommendations

Since the inception of Nigeria, the problem of bad leadership has always been the bane of democracy. We also knew that leadership cannot arise without the mandate of the people in a democratic dispensation. The onus then lies on the citizens to say ‘yes to free and fair election and no to any form of election malpractice’ in order to have free and fair election that will usher in good leadership and good governance.

To accomplish these, transparency, accountability and rule of law should be the watch-words of the citizens and the legislators could assist in accomplishing these through the over sight

⁷⁸ Ike Ekweremadu and Offornze D Amucheazi, *Constitutional Review in an Emergency Democracy, the Nigerian Experience* (New Jersey: Goldine and Jacobs Publishing 2015) 124 – 15.

functions of the legislatures. At the same time the legislators should be monitored by the executive and civil society to ensure that they live above board and any serious misconduct among either of the organs should be treated promptly according to the provisions of the Constitution. To enhance good leadership, a well structured Constitution to actualize the objectives and aspirations of the citizenry is also paramount. The CFRN 1999 that is infested with lacunas and so should be jettisoned. If the citizens adhere to these steps, especially the youths, we believe that bad leadership will be a thing of the past in Nigeria as it is obtainable in advanced countries and other developing countries like South Africa. The poor economy and unemployment that triggered most of the security threats should be tackled seriously by the government.

As for corruption, installation of good leadership will definitely control corruption because, a good leader is always a model to his subordinates through good leadership styles and examples. However, any miscreants should be promptly and adequately sanctioned in reference to the provisions of the Constitution. The executive or leadership should avoid sacred cows rather, equity and fair play should be the parameter to checkmate deviant behaviour and any offender should be sanctioned according to the provisions of the Constitution or the bye-laws.

With the incessant security threats at every nook and cranny in Nigeria, a decentralized police force is inevitable and should not be politicized rather needs urgent implementation, otherwise we may wake up one morning with insurgency knocking on our various door-steps.

As for the incoming state police force a serious orientation and psychological checks and counseling needs to be given to both old and newly recruited police officers to check the mental balance and should be administered periodically. This will reduce rampant accidental discharge found among the young police officers and avert their minds from the wrong foundation inherited from founders (Britain).

The remuneration of the police should be paid adequately to avoid being tempted to corruption and any one found culpable should serve the punishment attached to it or be dismissed depending on the gravity of the offence. Rewards should be given to hard-work to boost the moral and ethnic and rather zonal leaning should be avoided in all its ramifications. Continuous training, conferences and seminars should be enhanced to widen the police perceptions to global knowledge about policing.

Section 215 (4) paragraph (2) should be expunged from the CFRN, 1999 forthwith, while we wait for a better structured constitution that will have the desires and aspirations of the citizenries in focus. Whereas Police Service Communication should be expanded to include Chief Judge of every State and Governor of every State who should also contribute in the appointment and removal of Inspector General of Police Force and this shall redirect his loyalty to the nation and not the President or the Minister. Also the idea of Jemibewon to have Zonal Police Commands in the six geo-political where state Commissioners who will work in synergy with State Governors is a welcome idea. There should be no undue interference with the command rather the IG of police could always assist in a distress situation to curb insurgency where it is beyond the particular state, thereafter return to status quo. Consultations should be made to security outfit of advanced nations like the US and UK to improve our security mechanism where necessary.

5. Conclusion

The comic and chaotic stage of the polity as it concerns insecurity is overwhelming all because of politics of whether or not Police Force should be decentralized. We daily content with all manners of crimes and insecurities, stemming from murder, arson, kidnapping, terrorism, arm proliferation, rape, advanced corruption, arm trafficking, money laundering and recently banditry and others which threaten the very existence of Nigeria as a nation. The onus is on us especially the chief executive and the legislators to employ the insights offered here to save the nation from total collapse and disintegration.