

## INTERROGATING THE POWERS OF THE GOVERNOR AS CHIEF SECURITY OFFICER OF THE STATE IN NIGERIA: ANY NEED FOR STATE POLICE? \*

### Abstract

*This article examines the powers of a State Governor in Nigeria particularly those powers as Chief Security Officer of his state. Nigeria prides itself as operating a federal system of government. By the Constitution of Nigeria 1999, Nigeria is a Federation Constituting of Thirty-Six States. Each of the states of the federation is governed by a Governor. Just as the President who is vested with the Executive Powers of the Federation, the Executive Powers of the State are vested in the Governor, which powers are extended to the execution and maintenance of the Constitution and all laws made by the House of Assembly of the State. Going by the abundant provisions of the Constitution, it does appear that as the President is the Chief Security Officer of the Federation, so is the Governor the Chief Security of his state. Recent developments in the country have called for a re-examination of these powers. Commissioners of Police and indeed all Police Officers do not take orders from the Governor in times of crisis, most worrisome is the withdrawal of police personnel giving security cover to the Governor in critical times. The paper adopts a doctrinal approach devoid of empirical studies and has come to the conclusion that just like it is operational in the United States. Nigerian Constitution should make provision for state police. The article shall proffer an answer to whether there is a need for a state police in the face of these daunting challenges.*

**Keywords:** Interrogating, Powers, Governor, Chief Security Officer and Federalism.

### 1. Introduction

Nigeria prides itself as operating a federal system of government. By the Constitution of the Federal Republic of Nigeria 1999, Nigeria is a federation consisting of thirty-six states and a federal capital territory. Each state of the federation has a number of local government areas. The executive legislative and judicial powers have been vested in the various levels of government. Nigeria is a federation consisting of states and the federal capital territory<sup>1</sup> and seven hundred and seventy-four local government areas<sup>2</sup>. The powers of the federal republic of Nigeria are divided into legislative, executive and judicial powers<sup>3</sup>. The executive powers of the federation are vested in the president who shall be the commander of the armed forces while the governor is the chief Executive of the state<sup>4</sup>. These powers extend to the execution and maintenance of the Constitution. By its tone, the Nigerian state is a federation and operates a federal system of government. Sagay, referring to Stephanie Dion, former Canadian Minister of Inter-Governmental Affairs states in 1999 that:

In a federal system, the state is made up of two orders of government each possessing powers circumscribed by the constitution, and because of this, respect for the constitution becomes the object of mutual surveillance. Each order of government can go to court, if it believes that the other is infringing on its jurisdiction.

By the second schedule to the constitution, the federal government is in charge of the police and other government security services established by law<sup>5</sup>. The problem has therefore been created, governors, who are by the constitution empowered to execute and maintain same are left at the mercy of the federal government even though they (governors are referred to as ‘chief security officers’ of their states).

### 2. Theoretical Framework

This study adopts the theory of sovereignty in the determination of the issues raised herein. According to Austin, a ‘Sovereign’ is defined as a person (or determinate body of persons) who receives habitual

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<sup>1</sup> Section 1(2) of the Constitution of the Federal Republic of Nigeria, 1999.

<sup>2</sup> Section 1(5) of the Constitution of the Federal Republic of Nigeria, 1999.

<sup>3</sup> See Section 4, 5 and 6 Ibid.

<sup>4</sup> Section 130(7) and 176(2) of the Constitution of the Federal Republic of Nigeria, 1999.

<sup>5</sup> See Item 45 on the Exclusive Legislative on the 2<sup>nd</sup> Schedule of the Constitution.

obedience from the bulk of the population, but who does not habitually obey any other (earthly) person or institution<sup>6</sup>. Sovereignty, in political theory, the ultimate overseer, or authority, in decision making process of the state and in the maintenance of order, the concept said to be one of the most controversial ideas in political science and international law is closely related to the difficult concepts of state and government and of independence and democracy. Derived from the Latin *superanus* through the French *souverainete*, the term was originally understood to mean the equivalent of supreme power<sup>7</sup>. According to Austin, the sovereign is characterised by illimitability, and unity or indivisibility. The former means that the sovereign is the *supremo* on whom no superior could impose any legal duty. The powers of the sovereign are not subject to legal limitation. The constitution of Nigeria refers to Nigeria as a sovereign state. It provides that 'Nigeria is one indivisible and indissoluble sovereign state to be known by the name of the federal republic of Nigeria and shall be a federation consisting of states and federal capital territory'<sup>8</sup>. The executive powers within the state are shared between the president and the governors of the states<sup>9</sup>. What is curious is that these powers have been taken particularly those of the establishment of and control of the police and other security agencies established by law<sup>10</sup>.

### 3. What is Federalism?

According to Nwabueze, federalism is an arrangement whereby powers and resources within a country are shared between a national, countrywide government and a number of regionalized (i.e. territorially localized) governments in such a way that each exists as a government separately and directly on persons and property within its territorial area, with a will of its own and its own apparatus for the conduct of its affairs and with an authority in some matters exclusive of all others<sup>11</sup>. Federalism is thus essentially an arrangement between government, a constitutional device by which powers and resources within the country are shared among two (or more) units of government, government is this the most significant concept in the definition of federalism. It has been argued that 'the fundamental and distinguishing characteristic of a federal system is that neither the central nor the regional governments are subordinate to each other, but rather, the two are coordinate and independent'<sup>12</sup>. Nwabueze has opined that the 1979 and 1999 Constitutions reverted to the 1951 -54 form of organizing the federal and state governments under one single constitutional instrument. In the original draft of the constitution prepared by the Constitution Drafting Committee, as under the 1951-54 form, agencies of the federal and state governments and their powers were dealt with in the same sections. As finally enacted, however, the Constitution segregate in separate parts of the same chapters, provisions relating to the federal and state governments, except that miscellaneous and transitional provision common to both units of government are dealt with together in the same sections as are the division of powers, fundamental objectives and directive principles citizenship and fundamental rights<sup>13</sup>. This it has been argued has created an absurdity in which the constitution is a virtual subversion of federalism<sup>14</sup>. A comprehensive view of this absurdity is expressed thus:

A unitary constitution for a federal system of government remains a contradiction in ideas. A federal system being an arrangement between separate, autonomous governments, implies a separate, autonomous constitution for each of the governments involved. A single constitution for each of the governments involved. A single constitution for all the government involved, both federal and state, is a manifest contradiction. This is implicit in the definition of federalism by the *judicial committee of the Privy Council in Attorney General v. Colonial Sugar Refining Co. Ltd (1914) AC 237* at p. 253. The natural and literal interpretation of the Word (i.e federal), said the committee, 'confines its application to cases which these states, while agreeing to

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<sup>6</sup> John Austin; Stanford Encyclopedia available at <https://www.plato.stanford.edu> last accessed on 4/12/2020.

<sup>7</sup>The Editor of Encyclopedia Britannica; 'Sovereignty' available at [www.sovereignty/definition,characteristic](http://www.sovereignty/definition,characteristic) last accessed 2/12/2020.

<sup>8</sup> Section 2 (1) and (2) of the Constitution of the Federal Republic of Nigeria 1999.

<sup>9</sup> Section 5(1) and (2) CFRN 1999.

<sup>10</sup> See item 45 of the Second Schedule of the Constitution of the Federal Republic of Nigeria 1999.

<sup>11</sup>Ben Nwabueze; *Constitutional Democracy in Africa* Vol. 1 (Spectrum Books Limited 2003) p. 58.

<sup>12</sup>E. Sagay and Olisa Agbakoba, and D.A Guobadia and Sam Oyovbaire, Review of Ben Nwabueze's *Constitutional Democracy* Vol. 1 – 4 (Spectrum Books Limited, 2005) p.11.

<sup>13</sup> Ibid.

<sup>14</sup> I. E. Sagay Op cit.

a measure of delegation, yet in the main continue to preserve their original constitution. The constitutions of the governments of the federating states pre-date that of the federation, and continue to exist and operate with their original authority after the formation of the union subject of course to modifications necessitated by the creation of the union. That is the constitutional form which modern federalism has taken in its birth place, the United States. The constitutional form was followed when the state in Australia federated in 1900.

It has been submitted that one consequence of operating a unitary constitution which derives its origin from a military government is the uncertain scope of federal powers over state matters. It thus becomes a looming and menacing power over the states. Thus while there could be no question of a state government interfering with federal powers, the same could not be said about federal government interfering with state matters, because a state government is expressly enjoined by the constitution not to exercise its executive authority in a way which could impede or prejudice the exercise of the executive powers of the federal government<sup>15</sup>.

#### **4. The Governor and His Powers**

The governor is a constitutional creation and they are the chief executives of their states<sup>16</sup> their functions have not been clearly spelt out just as in United States; the government is responsible for implementing state laws and overseeing the operation of the state executive branch. As state leaders, governments advance and pursue new and revised policies and programmes using variety of tools, among them executive orders, executive budgets and legislative proposals and vetoes<sup>17</sup>. Governors carry out their management and leadership responsibilities and objectives with the support and assistance of department and agencies, many of whom are empowered to appoint<sup>18</sup>. These powers were affirmed by the court of Appeal in *Federal Minister of Internal Affairs and others v. Shugaba*<sup>19</sup> per Justice Nasir, PCA.

The president has no power or authority, save as may be clearly provided by the constitution, to interfere with powers or authority of a state government. The governor also has no power or authority to interfere with the chief executive of the federation. This same principle applies to the relationship of the National Assembly and a House of Assembly of a state in their respective powers of law making or other responsibility assigned to them by the constitution. The same principle of non-interference applies to the relationship of the Judiciary of the federation and the judiciary of a state in the exercise and control of judicial powers.

#### **5. The Nigerian Police and Internal Security**

The Nigerian Police is equally a constitutional creation. The Constitution provides that 'There shall be a police force for Nigeria which shall be known as the Nigeria Police Force, and subject to the provisions of this section no other police force shall be established for the federation'<sup>20</sup>. The Constitution has provided for the office and appointment of the inspector general of police who shall be appointed by the president in consultation with the Nigerian Police Council<sup>21</sup>. At the apex of the police organization is an inspector general of police whose office is established by the Constitution he is invested with the command of the entire police force. There is stationed in each state of the federation a contingent of the police force under the command of a commissioner of police, subject to the overall authority of the

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<sup>15</sup> Ibid.

<sup>16</sup> Section (1) & (2) Constitution of the Federal Republic of Nigeria, 1999.

<sup>17</sup> Governors' Powers and Authority available at <http://www.nga.org/management/powers-and-authority> (last accessed 23/5/2018).

<sup>18</sup> Ibid.

<sup>19</sup> (1982) 3 NCLR 915.

<sup>20</sup> Section 214 of the Constitution of the Federal Republic of Nigeria 1999. See also Ikenga K.E. Oraegbunam, 'The Nigerian Police and Problems of Cybercrime Investigation: Need for Adequate Training', *The Nigerian Law Journal*, Vol. 18 No. 1, 2015, pp. 1-28.

<sup>21</sup> See Sections 215(2) and 216(2) of the Constitution of the Federal Republic of Nigeria, 1999.

Inspector General. Within this frame work, the constitution merely authorizes how the Nigeria police force shall be organized and administered<sup>22</sup>. Nwabueze contends that the failure by the constitution to involve the state government in the organisation of the police force marks also a departure from the 1963 constitution. Under the latter, a police council constituting of the federal and regional premiers (or other ministers designated by them) was established, charged with the responsibility for the general supervision of the organization and administration of the police force and all other matters relating thereto, other than the use and operational control of the force or the appointment, removal and disciplinary control of its members<sup>23</sup>.

### **Control of the Police**

The command of the Nigerian police is vested in the inspector general of police while the contingent of the force stationed in each state is under the command of a commissioner of police, subject to the authority of the inspector general of police. The aim of vesting the command of the police force in the inspector general and the police commissioner, it is argued, is to insulate its use as much as possible from undue political influence<sup>24</sup>. The Inspector General of Police, the ultimate duty of is enforcing the law, this is so because he is answerable to the law and the law alone. It is for the inspector general of police to decide in particular case whether inquiries should be pursued, or whether an arrest, should be made. It is for the inspector general to decide the disposition of his resources on any particular area of crime. In *A.G of Ogun State v. A.G of the Federation*<sup>25</sup> it was held that the state government incompetent to impose functions or impose duties on the police. In *State v Commissioner of Police, Mr. Bishop Eyitene Exparte Governor of Anambra State*<sup>26</sup>, the governor had directed the police commissioner to post a given number of named police officers on security duty at government house. The police commissioner declined, adding 'The posting of police officers to the government house or any other place requiring strict security is within the exclusive prerogative of the commissioner of police of each state'. The court upheld this submission. The challenge is what becomes of the explicit provisions of the constitution that gives the governor or a commissioner in that state to give lawful directives to the commissioner of police for the purpose of securing public safety and order within that state; it provides:<sup>27</sup>

Subject to the provisions of this section, the governor of a state or such commissioner of the government of the state as he may authorize 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.

The powers of the governor or his commissioner appears to have been taken away by the proviso to the section, which requires such directions to be referred to the president or such minister of the government of the federation as may be authorized in that behalf by the president for his directions. The courts power to inquire into same matter has been ousted by the same constitution<sup>28</sup>.

### **6. Incidences of Security Challenges, Police Powers versus the Governors**

There are several security incidences in various states in Nigeria wherein governor's directives are ignored or the governors themselves become victims of police actions:

1. On 11th July, 2003, Dr. Chris Ngige of Anambra state became a victim of police action, one Raphael Ige an Assistant Inspector General of police led a team of about 200 police men to effect the arrest of the governor<sup>29</sup>.

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<sup>22</sup> B.O. Nwabueze; *Federalism in Nigeria under the Presidential Constitution* (sweet and Maxwell 1983) p.105.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> (1982) 2 NLLR 160.

<sup>26</sup> (1981/2) Suit No. E/65M/81 of 29/5/82.

<sup>27</sup> Section 215(4) of the Constitution.

<sup>28</sup> Section 215 (5) Constitution of the Federal Republic of Nigeria, 1999.

<sup>29</sup> Sufuyan Ojefo; 'I didn't resign' *Vanguard* 11 July, 2003.

2. In July, 2004 thugs armed with firearms and crude explosives attacked government house in Awka and burned part of it to the ground while policemen stood aside and watched other gangs then staged several attacks on other government buildings throughout the state<sup>30</sup>.
3. In 2016 governor Nyeson Wike of Rivers state cried out against the withdrawal of his chief security officer ahead of rerun elections in the state<sup>31</sup>. The security of Governor Willie Obiano was withdrawn ahead of Anambra polls in 2017.
4. In 2018 the police spokesman Mr. Jimoh Moshood described Samuel Ortom a sitting governor of Benue State as a drowning man. The House of Representatives in their resolutions ordered the inspector general of police, Ibrahim Idris to apologies to the governor<sup>32</sup>.
5. In 2017, Bashir Makama, commissioner of police refused the order of governor Samuel Ortom to evacuate Herdsmen from Buruku local council in the state, herdsmen, invaded, maimed and destroyed properties of the locals<sup>33</sup>.

The challenge of a single police force for the whole country has come under severe attacks. The then governor Ambrose Alli of former Bendel State, lamented his championship of a single police during the making of the 1999 Constitution, castigating the arrangement as the most potential danger in our federal system. Most of the disenchantment with the arrangement is due to the human and political factor in its practical working<sup>34</sup>. It has been submitted by Nwabueze, that the idea of a single police force is incompatible with the autonomy of a state government under a federal system, that the only organized coercive force on which it relies to maintain its authority and to enforce its laws should be under the control of the federal government through the power to appoint and remove its head and commander. The autonomy of the state he argued further, does certainly require that the appointment and removal of the inspector general should either to be a joint responsibility or be vested in a non-partisan body<sup>35</sup>. Again, the undue centralization of the control of the police force manifests itself in the fact that no machinery is provided for involving the state governments in its organization and administration<sup>36</sup>.

### **7. The Metaphor of Governors as Chief Security Officers within Nigerian Sovereign State**

As earlier referred to the extent provision of our ground norm, it appears that the Governor or Commissioner may give directives to the commissioner of police but the proviso to that section<sup>37</sup> has quickly taken away such powers to ensure compliance. The question is where is the Governor's power as chief security of his state? The prophecy made by Governor Ambrose Alli three decades ago has come to reality. Governor Ishaku of Taraba state in 2018 lamented the inability of the state governors in Nigeria to have control of the security agencies in their respective states. He said, he would have been able to root our insecurity in his state if it were otherwise<sup>38</sup>. The then governor, Rauf Aregbesola of Osun State said, Governors were not chief security officers in the true sense of the word, he stated that 'no commissioner of police will listen to directives or instruction of any governor'<sup>39</sup>. Also, the

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<sup>30</sup> Godfahensin in Anambra [www.hrw.org/reports/2007/nigeria/1007/8.htm](http://www.hrw.org/reports/2007/nigeria/1007/8.htm)

<sup>31</sup> Jimitota Onoyume and Gnenga Oke and Davies Iheamanchor; 'Rivers rerun: Police with draw politicians orderlies' <http://www.vanguardngr.com/2016/12/riversrerun> (last accessed 23/5/2018).

<sup>32</sup> Maasir Aytogo; 'Gov. Ortom 'a drowning man' Police PRO Moshood' available at <http://www.puniling.com/breaking-apologise-to-governor-ortom-reps-order-police-ig> (last accessed 23/5/2018).

<sup>33</sup> Benue Police Commissioner faults Ortom's directive on herdsmen <http://www.guerden.ng/news/benue-police> (last accessed 23/5/2018).

<sup>34</sup> B.O. Nwabueze; *Federalism in Nigeria under the Residential Constitution* (Sweet and Maxwell 1983) p. 123.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Section 215(4) Constitution of the Federal Republic of Nigeria, 1999.

<sup>38</sup> Governors are chief security officers only by name Gov. Ishaku available at <http://www.concisenews.global/2018/02/01/governors-chief-security-officers> (23/05/18).

<sup>39</sup> Governors are not Chief Security Officers of their States Aregbesola.

current command structure of the police had hampered state Governors to truly serve as chief security officers of their respective states<sup>40</sup>. He said:

Governors merely wear that title like an honorary chieftaincy title. Yet, the governors, who have been deemed fit to be entrusted with securing their states by the electorate, deserve to have the powers and facilities to meet the expectation of the electorate on the security of lives and property.

The governor also noted that the police had been subject to abuse by past administrations for political ends. He noted further:

Since 1999, the police had been used by the PDP government of former President Obasanjo to harass and intimidate governors who either belonged to different political parties or were members of the same PDP but not on good terms with the former president. The instances included the abduction of Governor Ngige in Anambra state. It also included the police assisted impeachment of many governors, including Governor Reshid Ladoja of Oyo state.

Given the above narratives, there has been the same chorus for the establishment of a state police. Nigeria still wallows in the Australian concept of sovereignty which envisages absolutism of sovereignty may be that is why the constitution has vested too much legislative powers in the Federal Government<sup>41</sup>. As Amah has noted, the most fundamental thing about federalism is that there must be a constitutional division of powers between levels of government<sup>42</sup>. As it affects policing, Nigeria should tow the way of the United States of America where there is no national police force, Countries establish their police forces<sup>43</sup>.

## **8. Whether the State Police?**

Over the years, there have been arguments and counter arguments about the creation of state police, and that the Nigeria police as it is today cannot adequately protect Nigerian. The present Federal police structure is too detached from the people they are policing simply because a country of more than 200,000,000 people cannot be effectively policed with a force of less than 500,000 police personnel, and hence, the need for states to start their own policing system. It is often said, most crimes are local and therefore the states' response to crime must also be local and this may be done in collaboration with the federal police as it is done in developed countries of the world. Also, Nigerian geographical area is too large for a central police command, policing citizens should be the responsibilities of the respective states as this will go a long way in reducing criminal activities<sup>44</sup>. It has been submitted that the way out of Nigerias' huge security challenge is the establishment of state police formations. According to Victor Ochei, Speaker of Delta state House of Assembly, state police formations would be more penetrative and wide spread as well as more community friendly, relative to the NPF<sup>45</sup>. Even though there are dissenting voices to the establishment of state police like Obi who said;

Looking at it from economic point of view, how many states can even survive without federal subvention? How many of them can afford the cost of establishing and maintaining police institutions in their various states? So many of them cannot even pay the new minimum wage not to talk of meaningful developmental projects. Some of these states are in the state of comatose and would have been declared bankrupt if they were to be private enterprises. Establishing police force involves not only establishment of police posts and arming them but also running institutions for their

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<sup>40</sup>State Governors s 'Chief Security Officers' a mere honorary title' Ajimobi available at <http://www.osundefender.com/states-governors-aschiefsecurity-officer-a-mere-honorary-titleajimobi> (last accessed 20/5/18).

<sup>41</sup> The Second Schedule to the Constitution of the Federal Republic of Nigeria Lists 68 Items that are exclusive to the Federal Government and 30 others which the state may share concurrently with the Federal Government.

<sup>42</sup> Emmanuel Ibiam Amah; Nigerian Federal Constitution and the practice of Federalism. An Appraisal available at [www.MScirp.org>papers](http://www.MScirp.org>papers) last accessed 4/12/2020.

<sup>43</sup> United States; The Police Structure and Organisation available at [www.justlanded.com>culture](http://www.justlanded.com>culture) last accessed 2/12/2020.

<sup>44</sup>Obayomi Abiola Benjamin; A case for state police in Nigeria; what is the way forward? Available at [www.fridayposts.com>case-state-police-nigeria](http://www.fridayposts.com>case-state-police-nigeria) last accessed on 22/12/2020.

<sup>45</sup> Why Nigeria needs state police, by Ochei <http://www.thepointernews.com/?p=26297> (last accessed 23/5/18).

various levels of training. Paying of salaries to active workers in different states of Nigeria is now a burden that a lot of Governors find too heavy to carry out and yet we want to add more work force to them in name of state police<sup>46</sup>.

He submitted further that, constant lock of horns between state and federal police will be virtually inevitable just as all these uncategorized groups constantly and violently clash with the police and sometimes with the Army. If Nigeria introduces police at the state level, division of duty between state and the federal police will be interesting thing to follow. All the lucrative check points will then become the duty of who, the federal or state police? When does a crime fall within the jurisdiction of the federal police? Are we going to copy American style through and through? This is the 32<sup>nd</sup> year, the American presidential style of government was introduced in Nigeria and we want to change the tenure system that came with it. We are today crying for state police using America as a primary reference to drive home our point. Are we really in need of police at state level or are we simply ‘Americamania’? Have we seen to the optimal use of the federal police system we have in place or are we just fed up with the whole system? The governors that want the introduction of police at their various states should tell us how well they have utilized other institutions at their disposal. They have the health, Education, Sports, and other institutions in their various states and have they taken them to proper and public beneficiary level? Nigeria is simply not in need of state police now and may never need it anytime in future<sup>47</sup>.

However, despite this debate, it appears the government is bowing down to the voice of reason on the side of the proponents of creation of state police, the Vice President, Yemi Osinbajo, said; We cannot realistically police a country of the size of Nigeria centrally from Abuja. State police and other community policing methods are clearly the way to go, the nature of security challenges are complex and known. Securing Nigeria over 90,000sq km and its 180 million people requires far more men and malarial than we have<sup>48</sup>. It is therefore; true to agree with the arguments of Adebayo and Olokooba in Juxtaposition of the Nigerian federation and the United States of America. They argue that in the United States a decentralized police force is maintained in their federal structure. The fragmented system of police administration in the United States has the principal law enforcement agencies of the federal government as the department of justice, the department of Homeland security and the united postal service. The jurisdiction of the federal law enforcement agencies is limited to the government’s power to regulate inter-state commerce, impose taxes and enforce constitutional and federal laws. The department of justice agencies includes the federal Bureau of investigation (FBI), who deals with bank robberies, kidnapping, terrorism, and violation of federal laws and provide training, identification, and laboratory services to the local police, the Berau of Alcohol, Tobacco, fire arms and explosives<sup>49</sup>.

## 9. Conclusion

Nigeria is a federation and must abide by the ideals of a federal state. The government of the federation is headed by the president while the governors head the states. Both the president and the Governors are empowered on that behalf to execute the constitution. Curiously, the administration of the police which is saddled with the responsibility of enforcing legislations, policies and laws of the state is vested in the president who has the sole command to order or direct the inspector general of police even in times of insecurity and public safety. Funnily, the Governors are clad with the honorary title of ‘chief security officers’ of their states. This it is submitted is more of a chieftaincy title. It is our submission here that events in this country such as kidnappings, communal strife requires quick decisions and the federal police as it stands now cannot be effective. It is therefore recommended that the Constitution of the Federal Republic of Nigeria be amended to allow state police whose command will be vested in the state governments as chief security officers; it is only at that the Nigerian federation would have started its journey to reality.

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<sup>46</sup> Ibid.

<sup>47</sup>Obi Ebuka ‘State Police in Nigeria an embattled problem’ <http://www.saharareporters.com/2011/10/04/state-policenigeria> (last accessed 25/3/2018).

<sup>48</sup>Onyedi Ojiabor, ‘Osinbanjo Okays State Police’ <http://www.thenationonlineng.net/osinbanjo-okays-state-police> (last accessed 23/5/2018).

<sup>49</sup> M.K. Adebayo and S.M. Olokooba; ‘Creation of state police in Nigeria; A Diagnosis of the Contending Issues and Challenges’ *Polac Journal of International Law and Jurisprudence* (PJILY) Vol. 1 No. 1. 2014) p. 6.