

THE TRAJECTORIES OF POLICE BRUTALITY IN NIGERIA AND THE 2020 ENDSARS PROTEST

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Abstract

The paper examines the dynamics of police brutality and the EndSARS protest in Nigeria. It traces the development of the phenomenon to colonial creation and indoctrination. It is averred that police brutality is historical given the way recruits were enlisted into the force under colonial rule and in modern Nigeria. The paper also considers the predicaments of members of NPF under successive nonchalant and irresponsible governments as factors that have created room for continual brutality. On print, social and visual media, symposiums and conferences have been organized in order to reform NPF activities for better policing. Sadly, almost all attempts have amounted to nothing. Rather, Nigeria citizens are constantly maimed and killed by officers of NPF on account of extortions, extrajudicial killings and tormenting stop-and-search conditions. It was this frequent occurrence that culminated in 2020 EndSARS protest. So, the paper interrogates these reoccurring ugly developments and seeks answer to these mind boggling questions: in what standard should the NPF conduct themselves before the citizens?; why has Nigerian government found it difficult to provide better remuneration to members of NPF? These questions among issues are the focus of this paper. The paper concludes that until the NPF is adequately catered for and effective disciplinary measure taken against any erring officer irrespective of the rank, the problem of police brutality will remain. The methodology is historical with data garnered from primary and secondary sources.

Keywords: Nigeria, Police, Brutality, Colonialism, Legacy

Introduction

The peace and stability of every society depends on a number of factors including the existence of a security unit that protects lives and properties and at the same time, guarantees orderliness remains paramount.¹ This is the basic function of the Nigeria Police Force (NPF).² The NPF is charged with the responsibility of crime prevention, maintenance of law and order, peace and stability as well as ensures that citizens are protected within the borders of the Nigerian nation-state, among other constitutional responsibilities.³ Section 214 of Nigeria's 1999 Constitution as amended clearly empowers the NPF to be the principal law enforcement agency in Nigeria.⁴ The NPF deploys its officers across the 36 States of the Nigerian federation which include the Federal Capital Territory Abuja in order to guarantee peace, orderliness, obedience to the rule of law and security. The Inspector General of Police (IGP) commands the force as enshrined in the constitution of the federation.⁵

The NPF is expected to play crucial roles in order to ensure peace and stability in Nigeria and as such, the unit is expected to be closer to the people in order to ensure that rules and regulations governing the country are strictly adhered to. However, the activities of the NPF are reported by Akinyetu⁶ to have become the opposite of what the enforcement agency was established to do. NPF has constantly failed in the maintenance of peace and order and engaged in excessive demand for monetary values in the line of its duty.⁷ Similarly, the international human rights organizations such as Amnesty International (AI)⁸ and Human Rights Watch (HRW)⁹ have documented numerous cases of police brutality in Nigeria such as: extrajudicial execution, organ harvesting, torture, rape, physical assault, harassment, extortion, excessive

use of force in stop-and-search, abduction, unlawful arrest, illegal detention, and all sorts of human rights abuses.

Nigerians have on many occasions narrated their brutal experiences in the hands of police officers and other security agents with particular reference to Special Anti-Robbery Squad (SARS).¹⁰ The SARS was a specialized unit of the NPF set up in 1992 to fight all forms of violent crimes such as armed robbery, kidnapping, and banditry.¹¹ It was established as a result of the growing number of robberies and theft which constituted the largest category of crimes in the early 1990s.¹² The formation of SARS in 1992 was to complement other paramilitary enforcement units and to ensure that crime rates are drastically reduced Nigeria. Since its establishment, SARS has significantly contributed to crime reduction from 289,156 in 1993 to 241,091 in 1994, and 167,492 in 1999.¹³ However, SARS has also left untold harrowing experience on the memories of Nigerians who were innocently maimed.

Over time, SARS officials overstepped their official duties by arresting those who were alleged to be involved in non-violent crimes such as financial and economic fraud – a role under the purview of the Economic and Financial Crime Commission (EFCC).¹⁴ SARS officers also mounted illegal roadblocks, conducting unauthorized stop-and-search, arrested and detained people without warrant or trial, rape women, and extort young Nigerians for driving exotic cars.¹⁵ In June 2020, Amnesty International¹⁶ noted that people in SARS custody were ‘subjected to a variety of torture including hanging, mock execution, beating, punching and kicking, burning with cigarettes, among other inhuman treatment of alleged criminals.’¹⁷

Consequently, on 4th October, 2020, EndSARS protests in Nigeria started after a SARS police officer reportedly shot a young Nigerian man in front of the Wetland Hotel in Ughelli, Delta State.¹⁸ The video of the incident was posted on major social media which culminated into national protests within the shortest period. By October 8, 2020, street protests were seen across Nigerian cities which assumed a global dimension as protest spread to other cities across the world including London, New York, Dublin, among others places.¹⁹ Though the protests occurred concurrently across many cities in Nigeria, however the Lekki Toll Gate incidence in Lagos was considered a major national turning point of the EndSARS protest. It is imperative to note that both the Nigerian state and its police force were implicated in police brutality that occurred during the EndSARS massacre in Nigeria. The activities of the NPF have raised dust concerning their true functions. It is against this background that the paper reconstructs the unending trajectories of the police brutality and the EndSARS protest in Nigeria.

From West African Frontier Force to the Nigerian Police Force

In the quest to ensure that security is achieved, especially in communities where resistance to colonial rule were frequent, the British Colonial Authority in 1900 established the West African Frontier Force (WAFF) to garrison the West African colonies namely Nigeria, Gold Coast, Sierra Leone and Gambia.²⁰ The name was changed from the West African Frontier Force (WAFF) to the Royal West African Frontier Force (RWAFF) after it gained a royal recognition in 1928.²¹ The creation of the WAFF was a decision that was taken in 1897 because of the concerns of the British over the expansion of the French colonial territories on the northern border of Nigeria. The first troops in the WAFF were mainly drawn amongst the Hausa *talakawas* (peasants). For the widespread of Hausa language in northern Nigeria and the Chad axis, the language served as means of communication within the force.²²

Lord Lugard was entrusted with the task of merging the newly created locally forces in the year 1898.²³ Consequently, in 1899, an interdepartmental committee recommended that all the

existing British colonial military forces in West Africa be amalgamated under the designation of the West African Field Force. In 1900, the WAFF was formally formed with Gold Coast Regiment having one battalion infantry and battery mountain artillery; Northern Nigerian Regiment having three battalions infantry and two batteries mountain artillery; Southern Nigerian Regiment having two battalions infantry and two batteries mountain artillery; Sierra Leone Regiment having one battalion, and Gambia Company having one Company.²⁴ In 1908, the WAFF in Northern Nigeria had two Battalions of infantry, two batteries of artillery and one company of engineers.

The infantry battalions had 1200 men; the artillery batteries had 175 men and a total of 46 engineers.²⁵ The WAFF had 217 British officers, non-commissioned officers and specialists. The standard weapons used were the 303 Martini-Enfield carbine and 30 QF 2.95 inch mountain guns (quick-firing, man-portable pack howitzers) for the artillery.²⁶ In 1957, the British colony of the Gold Coast (Ghana) gained independence and withdrew from the RWAFF. Nigeria, Sierra Leone and Gambia gained independence and the RWAFF was disbanded. The RWAFF unit was the foundation upon which the new national armed forces of the various nations were formed.

The history of the Nigerian Police Force dates back to 1861 during colonial era, when the consul of Lagos colony established a consular guard of thirty personnel to watch over the colonial properties.²⁷ This guard grew in size and was later known as the Hausa constabulary. This was because it was dominated by Northerners. Initially, the small guard was subsequently increased to six hundred men in 1891, and it was renamed “Hausa Police.”²⁸ In 1896 the Lagos police was established. This was armed and consisted of a Commissioner of Police, two Assistant Commissioners, one Superintendent, one Assistant Superintendent, a pay Master, Quarter Master, Master Tailor and two hundred and fifty other personnel ranks. The force operated mainly in Lagos.²⁹ A similar force was already formed in Calabar in 1894 known as the Niger Coast Constabulary.³⁰ It was modeled after the Hausa Constabulary but with emphasis on the military role. Within its six years of existence, the force had become active in discharging its duties and formed part of the British expedition against Benin in 1896.³¹

In the North, there was the Royal Niger Company Constabulary set up by the Royal Niger Company in 1888.³² In the early 1900s when the protectorates of Northern and Southern Nigeria were proclaimed, part of the Royal Niger Company constabulary became the Northern Nigeria Police and part of Niger Coast Constabulary became the Southern Nigeria Police. Although the South and North were amalgamated in 1914, their police forces were not merged until 1930, with headquarters in Lagos.³³ It is important to also note that during colonial period, most police were associated with local government (Native authorities). But by 1960s under the First Republic, these forces were regionalized and then nationalized.³⁴

By this nationalization of the Nigeria Police Force, the Inspector General of Police was in control of the general operation and administrative duties. He was supported at the headquarters by a Deputy-Inspector General and in each state by Police Commissioner. The 1999 constitution also provides for a Police Service Commission that is responsible for policy, organization, administration and finance of the Nigerian Police Force.³⁵

Trajectories of Contemporary Reforms in the Nigeria Police Force

Reform means a change that is made to drastically improve and correct an individual, a system, or an organization.³⁶ For a reform to take place, it means that there has to be a system failure, low productivity output or maladministration. The NPF has witnessed several reforms from the

time of its establishment till date. Nevertheless, the focus is on the reforms that were carried out during the Fourth Republic – that is since the return to democratic rule in Nigeria.

Several administrations had in the past set up committees to reform or re-organize the NPF with a view to making it effective and responsive to the needs of the citizens. The reports of such committees informed the Five Years Development Plan of the Presidential Committee on Police Reforms in 2002 and the Blue Print for the Re-vitalization of the Police Force. A position paper presented by the Association of Retired Police Officers of Nigeria (APRON) in 2000 made important recommendations for effective performance of the NPF which are yet to be implemented. There was also Muhammad Danmadami Presidential Committee on Police Reform that was set up in 2006. Efforts geared towards redeeming the image of the NPF since the country's return to democratic governance in 1999 are yet to yield any significant results. Hence, negative reports about Nigerian government sincerity at police reform. The failure to implement reports of various committee of police reform has continued to generate criticism from Nigerians against the government.

All efforts towards improving the Nigerian police have appeared to be waste of tax payer's money and resources. Regrettably, after committee reports submission, they are usually left on the shelves of file-cabinet to gather dust. It is very unfortunate that questions are not asked to know the state of conferences or symposiums that have been convened to ensure the implementation of committees' recommendation on NPF reform. Each government comes and goes while the rot in the system continued unabated. Hence, the lower ranks of NPF who usually mount road-blocks on our major roads are frustrated in the execution of their duties. The consequence has been hash and cruel officers of the NPF towards innocent citizens who are at the receiving ends of government indifference to police reforms.

Interrogating Police Brutality and the EndSARS Protest

Brutality involves the use of excessive physical force. Therefore when police officers employ excessive physical force on people or do any cruel thing towards citizens, those officers are considered to have violated the ethics of NPF modus operandi, and are regarded to be brutal.³⁷ With respect to police brutality, it involves aggressive stop-and-search, harassing commuters and motorists on Nigerian high-ways in an attempt to extort money from them. International human rights organizations such as Amnesty International (AI)³⁸ and Human Rights Watch (HRW)³⁹ have documented several cases of police brutality in Nigeria. Police officials that are meant to protect and safeguard citizens have been accused of being involved in matters such as extrajudicial execution, organ harvesting, torture, rape, physical assault, harassment, extortion, excessive use of force, abduction, unlawful arrest, illegal detention, and all forms of human rights abuses. With particular focus on the Special Anti-Robbery Squad (SARS) police brutality against the citizens has aggravated and attained unimaginable height in Nigeria.

The Special Anti-Robbery Squad (SARS) was set up in 1992 to fight all forms of violent crime and to complement the role of the NPF in maintaining law and order. The reverse became the case when the same unit began to terrorize the citizens they were meant to protect.⁴⁰ It was reported that SARS officers mount illegal roadblocks, conduct unauthorized checks and searches, arrest and detain people without warrant or trial, rape women, and extort young Nigerians for driving exotic cars.⁴¹ A good number of Nigerians who have had encounters with the SARS officers have terrible reports about their activities. For instance, Olamide Jonah⁴² explained his experience with SARS officials on his way to Yagba East Local Government Area of Kogi State. According to him, the vehicle he boarded was stopped by SARS officers and they were all compelled to step out of the vehicle for no offence. The officers claimed the

papers of the car he boarded had expired and that the tyres of the car were old. They threatened to take the driver away. According to Jonah, this is a duty assigned to Federal Road Safety Commission (FRSC) officials or the Vehicle Inspection Officers (VIO). The behaviour of SARS officers was so aggressive and intimidating that no one could question them. They were heavily armed and were ready to shoot at them if they did not cooperate. At the end of the saga, they forcefully extorted huge sum of money from the driver and finally let them go after keeping them under the scorching sun for a long time.

Similarly, Caleb⁴³ who was once in the custody of SARS officials gave details of his experience with them. According to him, he was arrested alongside with his friend over an offence they knew nothing about. In his narrative, his friend found a phone on a certain street at Ajaka (a village in Kogi State) and picked it up. He called some numbers on the phone and he decided to play silly pranks on them. Unknown to him, the phone was being tracked and so, within that very week, he was traced to Ajaka and was arrested. According to Caleb,⁴⁴ the day his friend was arrested, he was with him and so without asking questions or listening to him, he was picked alongside with him. He was in detention for three days until his family members came and paid huge sum of money for his release. His friend was not released, neither were his family members contacted to come for him. Caleb⁴⁵ stated that he never heard from his friend again neither did he return to his family.

Joshua in his encounter with officials of SARS⁴⁶ stated that his friend (name withheld) who is a SARS official told him some of the things they do with people they arrested and not released. According to Joshua,⁴⁷ some of the people they pick up are killed and their bodies are thrown away. This by implication means such individuals were not given the right to fair hearing and their people were not contacted to bail them out from the SARS. That is to say people, as a result go missing and they would never be found. A critical look at the responses of the respondents shows the outrageous brutalities of SARS officials. One may be forced to conclude that the rising rate of kidnapping in the country is not unconnected with the nefarious activities of the police. All these accumulated incidences culminated into the EndSARS protest of 2020 of Police brutality involving serial criminality and brigandage, murder, extortions and unlawful arrest and incarceration of Nigerian citizens.

Social Media, Police Brutality and the EndSARS Protest

It has been argued that social media has become central to many protests that have occurred in the last decade.⁴⁸ Social media has played key roles in mobilization because it facilitates access to large amounts of contacts, generates collective identities, and serves as a channel for information dissemination.⁴⁹ However, it is important to point out that social media does not necessarily create new forms of protest or alter traditional organization of protest in fundamental ways.⁵⁰ The social media was at the centre of the EndSARS Protest. It brought youths from different parts of Nigeria without any form of discrimination on the ground of ethnicity or religion. In one accord and voice, Nigerian youths were united and aggregated to end police brutality, especially, amongst SARS officials.⁵¹ The birth of the protest itself began and intensified on social media particularly on Twitter when a certain handler tweeted #EndSARS.⁵² From that moment, tweets on Instagram posts, WhatsApp statuses, Facebook posts, among others circulated the #EndSARS message until the physical protest actually started gathering momentum, especially in Lekki area of Lagos State.⁵³

Ganiyu⁵⁴ who claimed to have taken part in the EndSARS protest said all the information he needed to be part of the protest in Lagos came from tweets on twitter. Protesters did not need a physical meeting neither was there any serious or formal discussion.⁵⁵ They acted

individually and as a group on social media community.⁵⁶The number of protesters kept rising by the day through the social media platforms. Posts and pictures of the EndSARS protest took over social media platforms and it encouraged more people to join the protest so that the impact could be felt and wider coverage gained.⁵⁷Steven⁵⁸ in particular stated that he joined the EndSARS protest because of the seriousness with which youths stood up to confront one of the menaces that have been a nightmare in Nigeria. Their ability to actually express themselves without fear was spurred by the social media platforms.⁵⁹From the comfort of their homes, they reached out to the world without fear. As the momentum gathered, the fearlessness grew and the youths became bold enough to step out of their homes, walked on the streets and challenged the excesses of the NPF.⁶⁰

Olawole⁶¹ stated that the EndSARS protest was productive because of the help of social media platforms. Left to traditional media houses such as television stations and radio houses, they may have hoarded the necessary information required. Television and radio houses are regulated and this affects the information they pass to the public. The social media brought pieces of information out in their raw forms. The different social media platforms passed all the required information and it gingered the youths and fueled the EndSARS protest which began on the 8th of October 2020. Nevertheless, it must also be stated that social media platforms have also been used to exaggerate scenes of events. So, while the various platforms of social media were instrumental to the quick momentum the protest gained, it must also be cautioned that social media needs to be regulated.

Implications of the EndSARS Protest

There was a call to end SARS unit in Nigeria police in 2017 as a social movement against police brutality in Nigeria.⁶² However, little or no attention was given to the call at that time. The demand to end police brutality started few days after Nigeria's sixtieth (60th) independence anniversary. The 2020 EndSARS protests in Nigeria started on October 4, 2020, after a SARS police officer reportedly shot a young Nigerian man in front of the Wetland Hotel in Ughelli, Delta State.⁶³ The video was posted and re-posted on social media, which led to nationwide protests within a few days. Consequently there was demand for the end of that arm of the NPF on various social media platforms (Twitter, Facebook, Instagram and WhatsApp) in October, 2020. It was a virtual protest. By October 8, 2020, the tempo of the protest gathered force nationwide across the streets, cities and States of the Federation. Eventually, it got global recognition with Nigerians in the diaspora as the protest quickly spread to cities across the world, including London and New York.⁶⁴ Although the protests happened simultaneously across all major cities in Nigeria, the Lekki Toll Gate in Lagos was considered the centre of attraction of the EndSARS protest.

As a result of the protest which was meant to end SARS, government disbanded the unit.⁶⁵ One could have expected the EndSARS protest to come to an end after government stopped the activities of the SARS officials, but the protests continued. Youths all over the nation came out in their numbers to call on the government to improve its constitutional functions in the discharge of its responsibilities. This was demonstrated in various forms on social media using the following hashtags: #Endbadgovernance, #Endcorruption, among others menace that confronted the Nigeria nation. Sadly, tragedy struck on 20th day of October 2023 at the Lekki Toll gate where military officers unlawfully shots unarmed young and defenseless protesters. One immediate effect of the protest was the disbandment of SARS. Considering the scale the protest gathered, the Inspector General of Police issued press statement that the unit has been disbanded.

Another effect of the protest was the toll of deaths that were recorded. The protest was a non-violent protest which was meant to make the government responsible and efficient.⁶⁶ But the disastrous outcome of the protest was the lives that were lost due to attacks on protesters at the Lekki Toll Gate, among other places. It was difficult to gather accurate data on the lives that were lost because some deaths were not reported nor recorded. The loss of vibrant youths had effects on the immediate family members of those that lost their lives. Able bodied men that could contribute to the economic growth of the country's GDP were killed which have adverse effect on the economy of the nation.⁶⁷

Destruction of lives and properties across the cities was another effect of the EndSARS protest. In Lagos state alone, lots of properties were burnt and destroyed after the killing at Lekki Toll Gate. Lots of angry youths in response to the killings of the peaceful protesters at Lekki Toll Gate decided to take laws into their hands by burning and vandalizing properties. Government properties and some individual businesses were destroyed. To replace some of the destroyed government assets, Lagos State government claimed it expended over ₦1trillion naira. The effect of such loss will certainly be felt in the GDP of the State.⁶⁸ According to economic analysts, a number of entrepreneurs lost their assets as a result of arson with the attendant job loss and unemployment crises.⁶⁹

Another effect of the EndSARS protest was invasion and looting of retail stores and government offices across the countries. The long list of destroyed public and private property in Lagos includes Ajeromi Ifelodun Local Government Secretariat; Palace of the Oba of Lagos; Lagos High Court, Igbosere; Oyingbo BRT terminus; Ojodu Berger BRT terminus; Vehicle Inspection Office, Ojodu Berger; Lagos State Public Works Corporation, Ojodu Berger; Lagos City Hall and Circle Mall, Lekki; among other numerous shops in Surulere. *The Nation* Newspaper, TVC, and Shoprite Lekki were also invaded and properties destroyed. The destroyed BRT costs \$200,000 each⁷⁰

The EndSARS protest also had effects on business activities in Nigeria especially in Lagos. Business activities were brought to a standstill. In Plateau State, banks and shops were destroyed.⁷¹ In Enugu, youths participating in the EndSARS protest grounded the State capital economic activities. Motorists were prevented from getting to their destination on time.⁷² Thousands of youths supporting former president, Muhammadu Buhari and scores of others calling for an end to police brutality staged multiple protests in different parts of Port Harcourt, Rivers State, thereby, bringing social and economic activities to a standstill.⁷³ In Lokoja, shops around the area where the Federal Ministry Agriculture was located closed down for fear of being attacked or looted.⁷⁴

The general outcome of the protest became disastrous as hoodlums disguised as protesters to loot properties. A release by the Anambra State Police Command's Public Relations Officer, Haruna Mohammed showed that 21 police divisions were attacked by hoodlums who disguised as protesters.⁷⁵ Other public properties destroyed in Anambra were High Court at Ogidiin Idemili North Local Government Secretariat and Nnamdi Azikiwe's statue at Dennis Memorial Grammar School (DMGS) roundabout, Onitsha. Also, deaths, destructions and looting of properties were recorded in the nation's capital Abuja as well as in other states of the federation such as Kano, Oyo, Ogun and Plateau. In Kano state, rampaging youths went after shops and homes of residents in the area carting away valuables and setting some ablaze. Several vehicles belonging to government and political office holders who were perceived to have undermined the growth of their communities were also burnt. Another dimension to the EndSARS protest was ethno-religious violence that some fanatics brought into it, especially in the northern part

of the country.⁷⁶ For example, some ethnic bigots exploited the situation to attack other ethnic groups in northern Nigeria. Shops and warehouses were looted and set ablaze.

Conclusion

The paper examined the relationship between the high level of police brutality in Nigeria and the EndSARS protest which occurred in October 2020. The findings of the paper show that police brutality is a systemic problem in Nigeria that has persisted for many years. The paper also reveals that the EndSARS protest was a reaction to the high level of police brutality and the failure of government to take action to address the issue. The application of force to ensure compliance is part of the job of a police officer. However, when such force becomes excessive and violates the fundamental rights of the citizens they are meant to protect, it becomes a form of brutality.⁷⁷ The increasing cases of such incidents led to the EndSARS protest which was promoted by various social media platforms. The birth of EndSARS protest began with the social media and it continuously fueled it. Although, the EndSARS protest did not end well as a result of the Lekki Toll Gate massacre, there is every possibility of re-occurrence of such conflicts if police brutality continues in Nigeria. Ultimately, the paper advocates for a more accountable and responsive police force that prioritizes the safety and wellbeing of the citizens. The paper recommends that Nigerian government should take action to address police brutality in the country and implement reforms to improve the policing system. The least but not the last, the paper suggests that the youths be properly and positively be re-oriented and that the social media be regulated in the Nigerian space.

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