

## POLICING IN CONTEMPORARY NIGERIA: PROBLEMS AND PROSPECTS

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***Abstract:** The cardinal responsibility of any government all over the world is the maintenance of law and order in the country. Without law and order, there will be no good governance. Therefore, good governance is symbiotically tied to the maintenance of law and order. That explains why the issue of policing is crucial and of vital interest to all government. The Nigerian government is no exception. The arm of government saddled with that responsibility is the Police force. According to Robert Reiner (1993) "the police are the specialist carriers of the state's bedrock power: the monopoly of legitimate use of force". It has the monopoly of the legitimate use of force in that for it to effectively discharge this statutory responsibility of law enforcement and protection, it is expedient on her to maintain this monopoly. It is also expedient for proper regulation and accountability. However, in the discharge of this crucial and vital responsibility of the maintenance of law and order in the country, the Police is most often times confronted with challenges and constraints. Though challenges abound, however the future appears promising if certain remedial measures such as Police capacity building, improved remuneration/ funding, improved Public-Police relations etc. are put in place.*

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### INTRODUCTION

In the world over, one of the cardinal responsibilities of government is policing. That is the maintenance of law and order. It is so cardinal that no responsible government ever toys with it. This is because; a breakdown of law and order in any society (country) invariably will lead to the demise of that government. It is also because; a good government is directly dependent on the prevalence of peace and tranquility in the country. Where there is a breakdown of law and order, good governance is unspeakable. That explains why all governments world over take the issue of policing very seriously. Emphasizing the importance of policing, Paul Phil (2008:67) on the role of Nigeria police force peace keeping mission in Haiti posits: "the medal that you receive today demonstrates the United Nations recognition of the work and sacrifice that each of you made to help create a climate of peace and security". Commenting further, he posits "your role was crucial in managing this crisis and restoring calm" (Paul Phil 2008:67). It is obvious then from the above that even the international community's assistance is most often times solicited for by some government in their effort or attempt to maintain law and order in their countries. Therefore, the policing of her citizens by any government is crucial.

The Nigerian government is no exception to this, she takes it, as a point of duty to police her citizens in order to ensure the effective maintenance of law and order in the country. The agency responsible for this role of policing the people and the country is no other agency than the Nigeria police force. It is this agency that is mostly saddled with that responsibility. The Police therefore plays crucial role in the society. According to Robert Reiner (1993) "the police are the specialist carriers of the state's bedrock power: the monopoly of legitimate use of force". It has the monopoly of the legitimate use of force in that for it to effectively discharge this statutory responsibility of law enforcement and protection, it is expedient on her to maintain this monopoly. It is also expedient for proper regulation and accountability. In the discharge of this function, the force is faced with enormous challenges. This paper therefore will attempt to highlight some of the identifiable challenges that tend to confront the Nigerian police force in the course of the discharge of their statutory responsibility. The paper will also beam a search-light on how these challenges can be confronted and managed as to becoming a facilitator rather than being an impediment to effective policing of the lives and properties of the citizens of the country. In other words, what are the prospects for effective policing in contemporary Nigeria?

#### POLICING IN CONTEMPORARY NIGERIA

In the introduction, it was pointed out that every government (Nigeria inclusive) owns it as a point of duty to ensure the effective maintenance of law and order in the society or country. This is based on the very fact that her survival is inevitably dependent on this. For effective governance to take place, the atmosphere of peace and security to both lives and property must exist otherwise, that government will collapse. No government however, wants to collapse nor seem not to be functional. It is in realization of this, that effective policing is taking seriously by all government. The agency saddled with this responsibility in Nigeria is the Nigeria police force. Acknowledging the importance of the police force, Tamuno T. N (1970:XV) posits, "the police constitute one of the key institutions of a modern state" it is therefore the responsibility of the Nigeria police force to ensure that laws and order is maintained in the country. It is also their civic duty to propagate the rule of law in the country". Apart from the maintenance of law and order, it is also the responsibility of the police force to preserve public safety. Commenting on the role of the Nigeria Police Force on public safety preservation, Tamuno (1970: XV) cited in Sue Titus Reid (1976:307) posits; "the modern police have not only prevented, detected and punished crime, they have also maintained law and order, preserved public safety and generally buttressed the existing governments" "in short, the police are indispensable in a modern complex society" Talking about the indispensability of the Nigeria police, Ođai (2011:59) in his book titled, *The Indispensable Friend* posits, "... *Having experienced what had happened these few days the police were out of service, I do not need a prophet to tell me that we can, only talk bad, castigate, cajole and comment rightly or wrongly on the various activities of the police, but cannot do without them. No matter however things may go at any particular point in time, I still see them as the indispensable friend one needs to embrace all the time, if peace and joy could be experienced*". Have you ever

imagined what the society will look like – security wise, if the services of the police are to be withdrawn from the public? If there is no police man to man the streets, our homes and public places? How will the society look like? The answer off course is not farfetched. The society will be chaotic as there will be a total breakdown of law and order in the society. Ođai (2011:58) captured it this way; "...lives and property will be destroyed; insecurity will be the order of the day; uncertainty looms and thousands will flee for their dear lives. Live will become unbearable" (emphasis mine). That off course explains the indispensability of the police. Essentially too, recent happenings in the country further explain the indispensability of the police. It is a truism that the crime situation in the country is worrisome and has become a source of concern to both the citizenry and the government at large. The crime situation is in fact mind burling ranging from petty stealing, armed robbery, rape, assassinations, to ritual killings and kidnappings etc. What can we say then of Militancy and Boko Haram? Their activity, not only aggravates the already tensed crime situation in the country, but even threatens the very fabric of the country which borders on the unity and collectiveness of the Nation state. The activities of the Boko Haram have become a serious menace and of high crime/security challenge to the Police and other security agencies in the country. Their notorious and nefarious activities have become a veritable source of nightmare to defenseless Nigerians (the North Easterners in particular) and the Government at large. On daily bases, crime is being committed.

Defenseless individuals and group of individuals are either being mugged or killed by this criminals for what so ever (justifiable or unjustifiable) reason(s) in the country. In the face of the menace, the people appear to be helpless but the Government says, 'she is on top of the situation'. This she ought to, being one of her cardinal responsibilities which is the protection of lives and properties of her citizenry. The helpless Nigerians have no other option than to believe the government and so cast their hope and safety on her. The extent to which this can be actualized, only time will tell. However the line of divide, the fact remains that it is the unequivocal and undeniable responsibility of the Nigerian police force and other relevant law enforcement agencies to ensure the maintenance of law and order in the country. This goes to prove the indispensability of the police in terms of crime control in the country. In fact, "the police profession is indeed an honorable one and one which is absolutely vital to the good functioning of a democratic society" Jose Ayala Lasso (1997: VI). This position of the Police cannot be over- emphasized. Without the role of policing, criminality will assume the order of the day and at an alarming rate too. Take away policing, the society will be in disequilibrium. As vital as the role of policing is, yet lot of challenges confront daily the agency or institution in Nigeria bestowed with that responsibility. What are these challenges? Before we look at these challenges, let's take a look at policing forms and strategies. An understanding of these will give an insight into the constraints and the limitations of the Nigerian police force in effectively/efficiently curbing the society of crime and the incidents of criminality.

## POLICING FORMS AND STRATEGIES

The concept policing may mean differently to different people. To one, it connotes civil-police relations with civil supremacy and guidance while to the other, the reverse is the case. Whichever is your coloration, policing as a term and practice is "concerned with the maintenance and preservation of rules of external conduct of human beings in society, that is rules and norms which people are required to observe and obey" (Iwarimie-Jaja, 2010:43). This implies therefore that policing connotes a measure of police responsibilities. In other words, policing and police responsibility(s) are intertwined. This view is buttressed by Iwarimie-Jaja (2010:47-48)"... The main responsibilities of the police centers on the prevention and detection of crime, apprehension of offenders, preservation of law and order, protection of lives and property, enforcement of all laws and regulations directly charged and performance of military duties within or outside the country." To Odekunle (2004:6), "policing means doing police work – carrying out police duties or activities. ... However, the central objectives for the establishment of a police system are to provide security to life and property of people it serves. In essence, to prevent crime, control crime and combat criminality as well as maintain public order and peace". In carrying out these responsibilities, it becomes expedient that workable forms and strategies embedded in technique(s) are adopted for the accomplishment of these noble objectives/responsibilities. These forms and strategies range from passive policing, punitive policing, preventive policing to reactive policing, proactive policing and a more recent, community policing. The policing strategy adopted, depends on the nature and character of the police force. It is imperative to state that while any of the above mentioned strategies may seem to be problem solving depending on the circumstance and situation, the most effective/efficient result oriented approaches however, appear to be that of proactive and community policing. This is explainable by their principles and philosophy. According to Ikuteyijo (2009), "community policing entails community partnership in creating a safe and secure environment for all. It is policing whereby the people take active part in their own affairs".

In Community policing, there is presumably a better communication and understanding between police and public; a more liberal and tolerant attitude towards criminal. Community/Proactive policing is therefore, more effective both in preventing crime committal and in achieving criminals detection and likewise remedial actions post offences. Deducing from the above, the question then is, are these strategies applied in the act of policing in the country? If on the affirmative, to what extent? If on the negative, Why? By policy, the Nigerian police could be said to have embraced the community policing strategy which off-course is a noble and problem solving strategy but this however is far from actual practice. The reality on ground points more to the traditional policing strategy which is more of reactionary than proactive. This explains why the police most often time appears on the scene of an incident after that incident had occurred. Rather than detect and prevent an incident (crime) from occurring, the police mostly appear on the scene of the incident after it had occurred with the attendant consequences; road blocks are erected, "stop and search" are conducted just with the sole intension of

arresting a criminal after the crime had been committed. This off-course is reactionary. The police appear to act only after the crime had taken place. This explains why Boko Haram in its nefarious and 'criminous' activity is having a free day. They hit their targets most often times un-prevented only for an arrest to be made thereafter. This is reactionary. This however does not rule out the fact that there are very few cases where crime is nipped in the bud. Can't this be the modus operandi of the police? The question then is, should the Nigerian police force continue to be reactionary as against being proactive in their statutory/civic responsibility of crime control? Despite the restraining policing strategy adopted, it is vital to state that there are numerous constraints impeding on the effectiveness of the police force. It is pertinent at this juncture that we take a look at these impediments to effective policing by the Nigerian police. Reason being that their identification and remediation will bring about an effective/efficient police force that is equal to its civic responsibility of crime detection, prevention and control which invariably will bring about peace and order in the country. This off course will translate to the country's development.

#### **PROBLEMS OF POLICING IN CONTEMPORARY NIGERIA**

As indispensable as the police is in modern complex society and as vital as their role of policing the society (country) may be, yet lot of challenges or problems confront them on daily bases. Some of such problems or challenges may be presented as follows:

One of the identified problems facing the Nigeria police force in their effort to effectively police the country is lack of co-operation from the public which they are supposedly meant to police. In contemporary Nigeria, the issue of public distrust of the police force cannot be over – emphasized. This lack of trust by the public on the force arising from the manner the force had handled matters of confidentiality, tend to hinder effective policing. On the eyes of the public, the police force is an institution never to be trusted, never to be entrusted with matters of information of confidentiality. It is a known fact that without information from the public, effective policing is hardly possible. The question then is, why the public distrust of the Nigeria police force as per information dissemination? It is the Public perception and believe that the Police does not manage the information divulged to her by members of the public with confidentiality. It is believed that the poor management of the information confidentially passed over to her, has the after effect of potential threat and danger to the information divulging member of the public (the informant). The maxim therefore is, since the police cannot confidentially manage information, why entrust her with one? This situation gives rise to nothing other than that as described by Iwarimie-Jaja (2010:41) "... The police may drift further from the public and the public become less willing to 'serve' the police". Be it as it may, there is no gain saying that without the public cooperation in the area of information dissemination, the act of policing will be torturing to the Police Force. Also contributing to the ineffective policing in contemporary Nigeria is the issue of the 'rule of law'. The rule of law emphasizes the fundamental rights of citizens or individuals. The police however, in the exercise of their statutory responsibility (policing) come in conflict with this declared human Rights. The police is therefore at a cross – road on how to effectively

discharge their statutory responsibility without infringing on the 'rights of individuals' (mostly offenders). Recent happenings in the North Eastern part of Nigeria explain the dilemma in the issue of human right in law enforcement in the country. A situation whereby the lives of the law enforcement agents are threatened and endangered by the activities of the insurgents (Boko Haram) yet, they are expected and demanded too, to play by the 'rules of engagement' which non, including the Human Right watchers and advocates never demand from the ravaging insurgents. What a tragedy! Commenting on the conflict between individual rights and role of policing, Sue Titus Reid (1976:316) posits: "the police man also faces conflicts between efficiency in his job and observation of the individual rights of citizens. A study designed to show, through empirical investigation of police, how value conflicts of democratic society create conditions undermining the capacity of police to respond to the rule of the law, indicated a serious conflict in the role of the police man". Commenting further, he posits: "its functionaries charged with maintaining order, (the police) are part of the bureaucracy. The ideology emphasizes initiative rather than disciplined adherence to rules and regulations. By contrast, the rule of law emphasizes the rights of individual citizens and constraints upon the initiative of legal officials.

This tension between the operational consequences of ideas of order, efficiency and initiative on the one hand, and legality on the other constitutes the principle problems of police as a democratic legal organization" (Sue Titus Reid 1976:316). It is evident that the pressure to enforce the law may lead to violation of individual rights as the police attempt to get evidence in difficult cases. Buttressing this view further, Jose Lasso (1997: V) posits, "We have all seen the tendency to use overwhelming force in putting down demonstrations, or physical pressure to extract information from detainees, or excessive force to secure an arrest. To this way of thinking, law enforcement is a war against crime, and human rights are merely impediments thrown in the path of the police by lawyers and non-government human rights organizations" While it is right to advocate for human rights in law enforcement in the country, the question remains, what becomes of the Human Rights of the law enforcers? Are they equally entitled to human rights as other members of the same society? While not making a case for human right abuse by the law enforcement agencies, the fact remains that strangulating the policing ability and capability of the police in the guise of human rights makes the society vulnerable to crime and criminality. In so much as human right progresses a society, crime and criminality in turn degrade and degenerate a society. Will the act of effective/efficient policing which amounts to peace, order and tranquility in the society be slaughtered on the altar of human rights? Which way out then? The other factor militating against effective policing in contemporary Nigeria can be attributed to inadequate collaboration of law enforcement agencies. It should be noted that without the collaboration of other relevant law enforcement agencies, effective policing of the society will be most difficult. Instances abound as to cases of conflict between the law enforcement agencies in matters of spheres of influence or jurisdiction. This conflict of interest and attitude is inimical to effective policing. According to Reid (1976:309) "the police are only one part of the system of

criminal justice. Their role in law enforcement according to the commission is mainly one of apprehension, not in determining the commission of crimes. And even in apprehension, the police are dependent on the rest of the society for any degree of success". All the institutions saddled with the responsibility of law enforcement and criminal justice system/administration in the country have it as a duty to collaborate each other if the fight against crime is to be a success but a situation whereby these institutions dissipate energy over issues of spheres of influence and jurisdiction hampers policing in its entirety. Furthermore, effective policing is hampered by Nigeria's large population and land mass. Nigeria is estimated to have about 170 million people. This number combined with her large landmass, which comprise, desert, swamp, creeks, mountains and thick forests, make it most difficult to police. Worst still, the number of law enforcement agents engaged for the role of policing the country which is about 137,734 in 1993 (Alemika, 2004:16) is grossly insignificant when compared to the enormous population and land mass they are to police. Talking about the inadequate number of law enforcement officers in the country compared to her land mass and population is the unsalutary police culture of assigning officers to political office holders, power brokers and money bags in the country as body guards. These officers become personal body guards and chief security officers of these highly placed individuals in the society at the expense of majority 'talakawas'. This depletes the strength and policing ability of the force thereby leaving the majority of the populace unmanned, unprotected and vulnerable. The issue then is, should protection in all of its ramification be the exclusive reserve of the rich and powerful in the society? This situation goes to explain the nature and character of the Nigeria police force and by extension the Nigerian state. The Nigerian police just like the Nigerian state is not the people's police rather it is the police of the power brokers in the country. It is nothing other than an instrument of the ruling class to brutalize, oppress, intimidate, marginalize and exploit the 'talakawas' (masses). It is therefore the instrument for class perpetuation by the minority ruling class. That explains why the Nigerian police is alien to the people, consequently impeding on its policing effectiveness.

Essentially too, policing in contemporary Nigeria is hampered by ill and inadequate equipment used by police officers in the country. It is on record that the contemporary Nigeria police force is grossly ill equipped. Even the so called equipment at their disposal is highly obsolete and incapable of wounding – off great offensive. Recent happenings in Niger Delta attest to that. Here the police is found wanting and helpless when in open confrontation with the militants who happened to be better armed and equipped. There are instances where criminals had to ransack police station, kill officers on duty and make away with their guns and ammunitions. Recent happenings (Boko Haram insurgency) in the North Eastern part of the country equally give credence to this. Abide (2006) summed it up this way, "the Nigerian armed rebels have better guns and ammunitions and even better tactics than the Nigeria police. They drive better and faster cars than the police. And they have a better pay and incentives than the police. Any wonder then that they typically outman, outgun and outsmart the police?" This equally explains why the military has to be drafted to assist the police in policing the country. Reason being their

superior arms and ammunition and training. Should this be the order of operation? The other impediment to effective policing of the country is illiteracy or lack of proper education of the rank and file. Before now, the Nigeria police force was presumably a dumping ground for illiterates, school drop outs and semi-illiterates. Those who know not the law they are meant to uphold, protect and enforce. Modern act of policing is scientific. Being scientific, it demands high level education and intelligence for effectiveness/efficiency. This the Nigeria police force to an extent appears to be lacking in her crisp of teaming semi educated officers saddled with the responsibility of policing the country. A responsibility that is scientific which they seem to lack. It is however necessary to state that in the mist of these unscientific (not well educated) officers are highly educated ones. However, these are insignificant in number when compared to their not well educated counterparts. Since the act of policing has gone scientific, it therefore means that only a scientific force can effectively discharge such responsibility. Can this be said of the Nigeria police force? The other impediment to policing in contemporary Nigeria can be attributed to poor condition of service of the members of the force. It is a known fact that men of the police force are poorly remunerated and the other conditions of service nothing to write home about. This breeds dis-enchantment arising from poor motivation. Poor motivation brings about poor productivity (poor or ineffective policing). It is a known fact that the Nigeria police are ill enumerated. Their salary is nothing to write home about. It is being sarcastically said that the take home pay of the Nigeria police man cannot take him/her half way his/her home talk less of fully taking him/her home. That is a pathetic situation. The most worrisome is the total or seemingly non-existence of a life assurance package for the men of the force. Considering the risky and hazardous nature of their job, life assurance package should not be seem as a privileged incentive but a rightful entitlement if policing and law enforcement in its entirety is to be taken seriously. Others could be attributed to corruption in the force, attitude of the government in power to issue of policing, the state of the economy or the economic conditions of the people being policed etc. In spite of these seemingly insurmountable constraints and limitations, are there great policing prospects for the nation? Reflecting on this, Alemika (1993b) posits that, many of these problems in the Nigeria police force are self – evident and have been sources of serious concern to the public, governments, police authorities and officials, the mass media and human rights organization in the country. What is required is a determination to address the problems.

### **PROSPECTS OF POLICING IN CONTEMPORARY NIGERIA**

Despite the identified problems hindering the effective policing of the country, there are however great prospects ahead. It was with this in mind that various policing measures at various times were put in place by government. These measures include: swift response squad, community policing, operation fire for fire, joint task force (JTF) etc. these are all measures geared towards effective policing of the country. While these measures are commendable, it is also worth noting that despite the challenges, the police force has to an extent been able to police the country,. She has been able to drastically reduce criminal activities. In fact, crime has been fought in its entirety. Though challenges abound,



however the future appears promising if certain remedial measures are put in place. One, the members of the force should be well motivated in terms of improved conditions of service. The issue of Police motivation cannot be over emphasized. A demotivated Police force is a demoralized and frustrated Force capable of achieving no positive but negative results which are antithetical to effective/efficient policing and the nation's development and growth. Secondly, the force should be properly equipped as to place them in advantageous position to combat crime. A situation where the criminal(s) are better equipped with arms and ammunition does not augur well with the psych of the police and their policing ability. More so, the men of the force should be exposed to modern method of policing. This can be effected through training and re-training. Essentially too, the police force is not a dumping ground for illiterates and semi-illiterates. These calibers of people in the force are anti-social and their attitudes are counter-productive. Therefore, they should be made to further their education in order to brace themselves with modern methods of policing. Finally, the government should see it as a point of duty to reduce poverty and unemployment through job creation for the teaming unemployed individuals in the country as these propel people into crime thereby making difficult the work of policing.

#### **SUMMARY/CONCLUSION**

We started by stating that one of the cardinal responsibility of any government is policing. It is cardinal in that the existence or prevalence of peace and order is sine-qui non with good governance. Without policing, law and order will break down in the country and chaos will assume ascendancy. That explains why the police constitute one of the key institutions of a modern state. With this noted, we went on to highlight those problems on the path of policing such as poor conditions of service, illiteracy, poverty and suspicious public image of the police among others. Furthermore, on the violation of the fundamental human right of the people, it was evident that the pressure to enforce the law may lead to violation of individual rights as the police attempt to get evidence in difficult cases. In spite of these, we observed that the role of the Police in public peace and order maintenance cannot be over emphasized. This is better captured by Odai (2011:59), *"... Having experienced what had happened these few days the police were out of service, I do not need a prophet to tell me that we can, only talk bad, castigate, cajole and comment rightly or wrongly on the various activities of the police, but cannot do without them. No matter however things may go at any particular point in time, I still see them as the indispensable friend one needs to embrace all the time, if peace and joy could be experienced"*. Consequently, remedial steps aimed at solving these problems were proffered. This attempt bordered on the belief that great prospect lies ahead of policing despite the contending problems in the contemporary Nigeria.

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