



THE NIGERIA POLICE AND GOOD COMMUNITY RELATIONSHIP: A DESIDERATUM

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ABSTRACT

This article examined how police- community partnership is visible in Nigeria and solves the problem of crime in society. It conceptualized the need for the police to imbibe the spirit and tenet of community-policing as a vehicle to drive home the menace of crime prevention and detection by focusing on neighborhood groups been the panacea to reducing crime in Nigeria. Case laws, books, articles in journals, statutes, regulations, and unpublished legal materials were resorted to argue that the Nigeria police as presently structured are fraught with institutional and legal problems that needed complete overhaul. The centralized command structure of the police force has utterly failed the Nigeria, so the need to be more community-based to invigorate the solidarity and cooperation needed by the community. The significance of such ties between the police and the community was that the police are seen as belonging to the community in this wise crime will be brought to its barest minimum.

Key Words: Police, Community- policing, Neighborhood groups, Command structure, Crime, crime prevention.

INTRODUCTION

Community policing philosophy has been rapidly spreading worldwide, as a result of a shift in emphasis from traditional policing which is directed towards deterring crime and apprehending suspects, to one that is focused on police-community partnership in solving the problem of crime in society. The concept was essentially developed in the United States starting in the early 1970s when findings suggested that individuals and neighbourhood groups were capable of contributing to their own security. In this period programmes such as neighbourhood watch, home security, personal safety training enlarged as useful preventive measures to law enforcement.

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The 1980s saw a movement away from the team policing approaches of the 1970s to an emphasis on technical training, and with less emphasis being placed on the improvement of public and police relations, the level of distrust arose within many areas of the American society. The 1990s brought few issues for police administrators as they found themselves faced with greater demands for public service and the need to include the community in policy decisions. The 1990s brought about resurgence in communitarian sensitivity to the responsibility of local residents for taking care of their own problems. We shall explore the concept and see whether the Nigeria police have so far been able to imbed same in the 21st century.

Brief History of the Police Force in Nigeria

Prior to the annexation of Lagos as a British colony in 1861 and the subsequent establishment of a consular guard to protect British officials in the territory that later became Nigeria, traditional rulers like the Chiefs, Obas and Emirs enforced laws and customs with the help of voluntary forces in their respective areas of jurisdiction. The main functions of these ‘police forces’ were to enforce customary laws, arrest offenders, collect taxes imposed by and deliver messages from these traditional rulers. Law enforcement and order maintenance in pre-colonial Nigeria were uncomplicated because rules of behaviour reflected generally held values and beliefs (Ehinder, 1986).

British officials upon arrival in Nigeria requested the assistance of these traditional rulers to enable them to carry out their consular assignments. Those who complied with this request and consequently endorsed their authority to the British officials were promised British protection in exchange. Although, those protection treaties were later found to be fraudulent, they were effective initially in establishing British rule in the coastal city-states because of the monarchical system of these city-states. Those areas that did not have a constitutional monarch, paradoxically received British ‘protection’ by means of military expeditions where the theory of ‘protection’ should have suggested enlisting their cooperation (Green, 1964).

After the proclamation of Lagos as a British colony in 1861, even those who signed protection treaties, their recognition that the consular assignments conflicted with their commercial and economic interest. Their recognition gave rise to open and sometimes bloody confrontations between the British official and the protected peoples. As a result of these confrontations consul Foote, a representative of the British government, made a request of these confrontation to the colonial office in London for authority to establish a consular guard to protect themselves from the natives. The authority was granted on August 6th, 1861, following this approval, Governor Mc Cosky, the then Governor of Lagos, establish a civil police force of 30 men. When freeman H. S succeeded governor of Lagos in January 1862, he increased the police force to 113 men. In February 1863, Governor freeman was further authorized to establish a Para- military police force of one hundred men; mainly Hausas, for Lagos and environs since it was thought that the civil

force might not be able to contain any major internal opposition to British rule. The size and strength of the two police forces were rapidly increased as the British advanced into the hinterland, crushing any native resistance as they went.(Membere,1982)

With the creation of the northern and southern protectorates at the beginning of the 20th century, the police forces in different parts of southern Nigeria were merged as southern Nigeria police force in 1902, and further recognized as the southern Nigeria police force in 1906 and police in 1910 and the northern police in 1906 and the southern police force in 1917. In spite of the amalgamation of Nigeria by Fredrick lugard in1914 to form what is today known as Nigeria, by 1917, Nigeria had two major police forces. The northern Nigeria constabulary and the southern police force continued to exist independently. This separate existence continued until April 1st 1930, when the police ordinance established the Nigeria police. In 1954, the Nigeria police became a federal force. In line with the 1954 constitution under which the federal and regional governments became jointly responsible for the maintenance of law and order in their areas of jurisdiction.

Even with the establishment of the Nigeria police force as the primary agent responsible for law and order in the country, Nigeria continued to operate a dual local and national police system. The local Government Police Forces, western and northern, were establish in 1943, Nigeria constitution, which authorized the establishment of such forces as long as the natives were employed only within the areas under the jurisdiction of such local governments. Because the local government forces were used by these powers to terrorize political opponents, they were phased out in 1972 (Okereke,2009; Oteh,2012).

The attainment of independence in 1960, established the Nigeria police as a Federal Force under the 1960 constitution. The constitution also set up two bodies, the police council and the police service commission. The police council was saddled with the responsibility of dealing with the general problems of the force whilst the police service commission was saddled with the responsibility of appointment and promotion of personnel into the senior ranks. In 1963, when Nigeria became a republic, the constitution also retained the status of the police as a Federal Force. The 1979 constitution of Federal Republic of Nigeria also provided for a national police under the command of the Inspector General of Police (Adebayo,2006). The 1999 constitution provides for a single police force to the effect that there shall be a police force for Nigeria, which shall be known as the Nigeria police and subject to the provisions of this section no other police force shall be established for the federation or any part thereof.

However, there have been agitations from different parts of the country especially from pressure groups for the establishment of state police. The argument has been that the single establishment has failed to checkmate the increase in crime rate. The spate of ethnic and religious riot vis-à-vis the robbery cases, kidnapping and assassination of opponents has been hinged by proponents of state Police as the *raison d'etre* why the Police force should be overhauled. In the South-West of

Nigeria, the O'dua Peoples Congress has aided and performed the duties of police whilst in the south east of Nigeria; the Bakasi Boys had been used as an ethnic police by the Igbo speaking states. The incidence of police brutality, gross abuse of powers and violations of the rights of citizens especially, the rights of suspects cannot be said to have reduced. The police are continually been used as instruments of oppression as done in the colonial era where police forces created in the various regions and locality were meant to fight opposition of the British Colonial administration in Nigeria.

Structure of the Nigeria Police

The constitution of the Federal Republic of Nigeria 1999 makes provision for a single police force. By the provision, no other outfit shall be established by the federation or any of the component parts. The structure of the police is fashioned along the Federal system in such a way that the unit of command at the Federal, State and Local level is placed under a police officer in the order of seniority. The Inspector General is the Head at the Federal level. The commissioner of police takes charge of the state command, whilst the Divisional Police Officer oversees the affairs at the local level except in exceptional cases where more than one division is established in a local Government because of the size or municipal nature. The Nigerian constitution provides that the Nigerian police force shall be organized and administered in accordance with such provisions as may be prescribed by an act of the National Assembly. It provides further such that the National Assembly may make provisions for branches of the Nigeria police force forming part of the armed forces or for the protection of harbours, waterways, railways and airfields. In pursuant to the provisions of the constitution, the National Assembly enacted the Police Act, which provides that there shall be established for Nigeria a police force to be known as the Nigeria Police Force.

The Act makes provision for the command structure thus, there shall be an Inspector-General of the Nigeria Police, such number of Deputy Inspectors General, Assistant Inspectors General, as the Nigeria Police council consider appropriate, a commissioner for each state of the Federation and such ranks as may from time to time be appointed by the Nigeria police council. The Act places the command of the police under the Inspector-General of Police whilst the contingents of the police stationed in each of the thirty six states and the Federal Capital Territory, Abuja shall, subject to the authority of the Inspector-General of the police, under the command of the commissioner of the State or the Federal Capital territory as the case may be. A Deputy Inspector-General is the second in command of the Force and shall act for the Inspector-General in the Inspector General's absence from force Headquarters.

It is imperative to note that under the present dispensation, the force has more than one Deputy Inspector General in view of the expansion and the size of the police. An Assistant Inspector General is subordinate in rank to the Deputy Inspector General but the position is superior and senior to all commissioners. For the purpose of convenience and ease of administration the entire police has been divided into zones with each zone comprising, at least, two or more states. The

Assistant Inspector General is saddled with the administration of each of the zonal command of the force. The Nigeria police is equally divided into cadres. The police Act provides that the president may note regulations in the recommendation of:

- a. The Nigerian Police Council with respect to the policy, organization and administration of the Force including establishment and financial matters, other than pensions within the meaning of the pensions Act;
- b. The Nigerian Police Council with respect to appointments of officers in the Force, promotion, transfer, dismissal and the disciplinary control of the officers. Pursuant to the foregoing provisions, the Nigeria Police Regulations came into force on 1st April, 1968. The Regulations provides for the organization of the force headquarters as follows:
 - a. 'A' Department (Finance and Administration) consist of:
 - i. Administrative Branch;
 - ii. Secret Registry branch; and
 - iii. Welfare Branch.
 - b. 'B' Department (Operations) consisting of:
 - i. Operations Branch;
 - ii. Traffic Branch;
 - iii. Force Signal Branch;
 - iv. Force mechanical workshop (Transport)
 - v. Force marine Branch; and
 - vi. Force Animals branch.
 - c. 'C' Department of (logistics and supply) consisting of:
 - i. Supply branch; and
 - ii. Works branch.
 - d. 'D' Department (Federal Bureau of Instigation and Intelligence) consisting of:
 - i. Investigation branch;
 - ii. Technical aids to investigation branch (CID);
 - iii. CID training branch;
 - iv. Interpol bureau;
 - v. Finger prints branch; and
 - vi. Central registry of offenders.
 - e. The force Training Department
 - f. 'G' Department (public Relations) consisting of:
 - i. Press and publications branch;
 - ii. Employee information branch;
 - iii. Community relations and publicity branch; and
 - iv. Complaints bureau.

Regulation 3 provides that the Inspector General shall assign the command of 'A' 'B' 'C' 'D' and Training Departments each to a Deputy Inspectors-General of Police, whilst by regulation 12 (2), a

State command is to be under the command of the commissioner of Police. The commissioner of Police is to be assisted by the Deputy Commissioner of Police, whilst the major Departments under the State command are headed by the assistant Commissioner of Police for the State Command of which the Police area Command shall be commanded subject to the control of the Commissioner of police for the State Command of which the Area Command forms a Division, by an officer not below the rank of assistant Commissioner of Police. The superior police officer commanding a police area command is designated as an area commander. The superior police officer is commanded by an officer not below the rank of Inspector. The police officer commanding a district shall be designated the District Police Officer. Each police station is by the regulation to be commanded subject to the control of the officer in-charge of the police district or police division of which it forms a sub-division, by an officer not below the rank of sub-inspector. The officer commanding a police station is designated the officer in-charge of the police station or the station officer. A police post is to be command by a police officer not below the rank of corporal. A provision equally exists for the creation of a village post from within the police post. The village post is to be under the supervision of the police post but, such a village post must be commanded by a police officer of the rank of corporal or by a police constable with not less than five years service experience.

The structure of the Police Mobile Force is provided for by regulation 25 and it states that it shall be established and maintained to act as a police striking force in the event of riots or other serious disturbances occurring. Mobile Force is classified as a formation of the Force Headquarters under the control of the Inspector General of Police. By regulation 28, it is mandatory for every member of the police force to serve with the Police Mobile Force for a total period of service not exceeding thirty six months. Each state of the Federation in Nigeria and the Federal Capital territory has a squad of the Mobile Police Force(Adebayo,2006).The analysis above shows that the chain of command in the police force is so long that it is difficult to quickly mobilize the police Force in case of emergency or change in tactics of commands (Obafemi,2009). The Nigeria police is like a house with a structural problem. State Commissioners of Police will have to send information to Abuja and then wait for the Inspector General to consult with his team and sometimes the president of the country before any policy strategy shift can be implemented. A case in point to buttress the aforementioned point is the recent increase in the waves of armed robbery in Lagos state, which was attributed to the absence of a substantive Commissioner of Police. The former Commissioner was promoted Deputy Inspector General creating a void in leadership in Lagos State. While waiting for new Commissioner to be named from Abuja, there was no clear leadership and there was a surge in armed robbery attacks in the State. For its size and population couple with the sophistication of present day criminals, Nigeria is presently operating an archaic immobile and inefficient Police Force. The Nigeria Police need be modern, well equipped, flexible, efficient and able to respond quickly to changing security situations in the world.

The present structure where all the different state commissioners of police are answerable to the Inspector General of police does not seem to work. The tendency is to assume that one strategy or strategies discussed at the national level will work or fit the different States of the Federation. This method of policing does not allow for rapid transmission of events and information that would facilitate a change in plan to quickly address an emergency situation. The structural problem within the police is not just at the national level, it is worst at the state level. Many a time, state Police commissioners are not aware of what is going on in their respective remote suburbs (Ahire,1987; Aluko,2012). Police at the top echelon are so far distant from their field officers because the structure of the police making it difficult for information to be quickly filtered to the officer so as to be able to offer any meaningful advice on a changing or developing situation which should be their primary jobs to the junior field officers. In a country that lacks capability for high technology communication gears like Nigeria, policing need a structure that will decentralize and devolve power so that action can be taken on emerging and changing situations.

POWER AND FUNCTIONS OF THE NIGERIA POLICE

The Nigeria police are a creation of Statute. The same law stipulates the specific role of the force in Nigeria. It is provided under the Police Act that the police shall be employed for the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulation with which they are directly charged, and shall perform such military duties within or outside Nigeria as will be required by them by, or under the authority of this or any other act. The above provision encapsulates the area of the duties of the Police Force which is by law under the operational control of the Inspector General of Police subject to the overall control of the President of Nigeria with respect to the maintenance of Public order and safety. The powers of the police include the prosecution of criminal offences in court, and the power of arrest without warrant. A police officer is empowered to serve a summons when such has been issued by the law court. He may inquire into the case of someone who is under arrest and grant him bail where the crime is not of a serious nature. A superior police officer may authorize a policeman to search a given premises and seize or secure any property perceived to have been stolen. The duties of the police can be summarized as follows: the prevention and detection of crime; the apprehension of offenders; the preservation of law and order; the protection of life and property and the due enforcement of laws and regulations with which they are directly charged.

Duty is a specie of obligation (Dias,1985) The right of a Nigerian citizen imposes the above duty upon the police and for the police to discharge its duties under the law, it must be empowered. Power has both physical and legal capacity to alter *jural* relations. The people are entitled to certain rights under the social contract but then the rights also impose on them some duties. The breach of the duty will attract the sanction of the law which makes the person in breach to be liable to the use of the power of the state through the police. It is important to point out that the primary

duty of the police is to prevent the commission of crime and also to detect crime. The police, therefore, has no business in interfering with any civil relations between the members of the society (Izere, 2008). In *Fawehinmi v. Inspector General of Police* (2002, 1NWLR pt, 767) the court described the police power as the exercise of the sovereign right of the government to promote order, safety, health, morals and general welfare within constitutional limits and it is an essential attribution of government. Indeed, the police are outward civil authority of the power and might of a civilized country.

Nigeria Police and Community Policing

Nigeria in the 1970s saw the rise in crime rate. The 1980s witnessed the expression of fear within communities with almost every household caged with hall walls and fences to prevent criminal intruders from getting easy access to individual homes, especially in the bigger cities. Perimeter fences were extended beyond individual homes to cover neighborhood with single gates, fixed to control access. This situation started giving rise to the idea of neighborhood watch and home security including the employment of vigilantes.

Various reasons especially ineffectiveness, brutality and corruption, made the Nigerian public intensely distrusted the Nigerian police and citizens appeared to prefer handling the issue of their security themselves, sometimes going as far as taking the laws into their own hands. There is, however, a current initiative of community policing by the Nigerian police as part of their eight-part strategy for combating crime. It could be viewed as an attempt by the police to regain the public's confidence, mend fences, and make the Nigerian public a partner in crime prevention and control. This is because, in Nigeria today, the level of crime is high, anti-social behaviour is taken for granted; there is a reign of lawlessness. There are serious problems with the Nigerian police. As an organization, it has lost the confidence to resort to self-help rather than so much lawlessness in the land in part because the people prefer to resort to self-help rather than reporting cases in police station, where the officers can be bought by the highest bidder

Stories abound, and these are not necessarily apocryphal about how the average policeman is a part-time armed robber and a full time extortionist. The international ombudsman reported recently that the Nigerian police have killed more than 8,000 Nigerians since 1999. The police routinely commit human rights violations including torture, rape and extra-judicial killings. Many crimes go unreported to the police in Nigeria; because the public knows or assume that the policeman sitting on the desk in the station is not going to do anything about the report. The police may even try to implicate the person that reported the case in unrelated matter in an attempt to coerce him into panicking and offering bribe. As a result, police often find themselves in an unfamiliar situation or environment which may be hostile and uncooperative. Average Nigerians dislike the police and they have very good reasons to do so.

Unfortunately, though crime can only be solved with community participation and help, people living in a community, where crimes is committed, probably know the perpetrators or would have seen something suspicious. In developed world, where police personnel are seen as friends, members of the police force actively ask for help from members of the community where crimes is committed and 99% of the time they are sure to get some tips that will help in solving the riddle(Trojandwicz, et al,1992). Community policing comes to play as a law enforcement that seeks to integrate police officers into the local community in order to reduce crime and gain good community relations specifically, it is a philosophy of full service personalized policing where the same officer patrols and moves in to same area on a permanent basis from a decentralized place, moving in a proactive partnership with citizens to identify and solve problems.

The concept of community policing as a policing and a strategy aims at achieving more effective and efficient crime control, reduced fear of crime, improved quality of live, improved police services and police legitimacy, through a proactive reliance on community resources that seek to change crime causing conditions(Friedman, 1992) Accordingly, community policing is a policy and strategy aimed at achieving more effective and efficient crime control, reduced fear of crime, improved quality of life, improved police services and police legitimacy, through a proactive reliance on community resources that seeks to change crime causing conditions. This assumes a need for greater accountability of police, greater public share in decision making and greater concern for civil rights.

Exploring Community Policing

Community policing appears to impose a new responsibility on the police to create appropriate ways of associating the public with law enforcement and the maintenance of order. It is said to define how the police should sensibly and appropriately respond to citizens and communities. The core function of the police, being crime control, can be greatly enhanced by diagnosing and managing problems in the community that produce serious crimes (Obafemi,2008). Adebisi, pointed out succinctly that one of the biggest reasons why Nigerian abroad are afraid of going back to Nigeria even for a holiday is security of life and property. Many have been killed or maimed on the streets of Lagos or Onitsha while holidaying in Nigeria by armed robbers or sometimes by the same Nigerian police force which should protect them. How are the police going to solve the menace of armed robbery and criminals including area boys when they do not have the trust of the public who is supposed to provide the tips? Many of the villagers particularly the monitoring spots where armed bandits hide probably know or could help the police in tracking them down but would rather keep silent, knowing the bureaucracy in the Nigerian police force.

One of the root causes of lack of trust of the public as regards the Nigeria police is the extent of corruption. In terms of their attitude and pattern of behaviour as it affects either the constable on the road block, or the officer investigating crime or performing routine law enforcement duties, the police are generally believed to be corrupt, a factor that the Nigerian public attributed to the

problem of inefficiency in the organization (Abati,2008). Reports of corrupt practices abound in the Nigerian police. There is the road block syndrome where the police routinely extort money from road users and those deployed to road blocks are considered to be choice postings away members, who actively lobby for it. The police have obviously become a comprehensive menace and a horror to the Nigerian public. Every lorry that passes gives the police a sum of N20 (twenty Naira) or something more depending on the curious mood of the police at work in the traffic.

A picture leverage of corruption in the Nigeria police can be experienced in Abuja and its environs as on all the roads nationwide, where there are police road blocks. The brisk but extortionate and illegal toll collection by the police continues unabated with brazen audacity. This illicit trade by the police has sent many an innocent commuters to untimely grave. Victims, time without number, narrate their ordeals in the hands of the police, with little or no action taken against erring officers. A person once narrated his experience in the following words that he was arrested by policemen for a N650 pair of shoes in a polythene bag, which they said I had stolen. I bought it. The two policemen in mufti were dangling a pair of handcuffs. For not producing a receipt, one of them pronounced ‘you are under arrest for being in possession of suspected stolen property. He ever tried to put the handcuffs on me. They took me to the police station where I was kept from 3.30pm till 7.30pm. I was later asked to bring something and I did not have more than N40 motorcycle fare to my house. They insisted I must pay N1, 000, I was saved when someone I know who has something to do at the station walked in. He, it was, who paid the N1, 000 for me.

No one can equate the high-hardiness, insensitivity, drunkenness, extortionists, cowardice, rudeness and ignorance that some policemen on the road exhibit in the name of the noble virtues of service and integrity. Akin to the menace of corruption, is the issue of human rights violations, including police brutality. Policemen are public officials, whom the society has authorized, even obliged to use force where necessary. The use of force equitably legally and economically is not often resorted to. The headlines of most Nigerian newspapers and magazines always reveal the activities of the Nigerian police in relation to human rights violations whilst attempting to carry out their constitutional duties of maintaining law and order. The police operate with impunity in the apprehension, illegal detention and sometimes execution of criminal suspects.

In a similar fashion, a United States pressure group alleged in a report that the Nigeria police “routinely murder, torture and rape suspects for the purpose of extracting confessions and covering up their own corruption”. The report gave graphic details of witness accounts of how the police “tied up, hung from ceilings, beaten, given electric shocks, sexually assaulted and threatened suspects with death”.

RECOMMENDATIONS AND CONCLUSION

The police system in Nigeria is decadent at several levels, not least of which is the tunnel vision of our policemen in their operational approach to investigations and the treatment of suspects and detainees. Driven by overwhelming corrupt tendencies, they are rooted to a mixed bag of torture tactics that have nothing to do with the enforcement of the law or the provision of justice. Nigerians know too well that whether accepting commissions from individuals or groups to settle scores against antagonists, opponents or offenders, whether handing persons or groups in the name of the state or making suspects plead guilty to crime not committed in order to be saved from police brutality or whether committing sexual violence against female detainees, the police adept to making life hell on earth for their victims.

How can a community be responsive to a police whose stock in trade is the unlash of such terrors on the supposedly protected? Whilst one of the victims of police is suspects in ordinary crimes, others are those who simply refuse to pay the bribes demanded routinely and openly at police checkpoints.

Therefore, Nigeria needs a loosely structured, decentralized, community oriented, Mobile Police Force, stating from the Local Government, possibly with most members of the particular unit coming from the particular Local Government. There must also be some degree of insurance allowed to the State Commissioners of Police in tandem with the governor of the state to fashion out strategies that will be used in solving problems peculiar to the State. He or she should not necessarily have to wait for the Inspector General of Police or travel to Abuja to obtain approval for such strategies. The Divisional Police Officers within the States should take more responsibility and accountability for what is going on in their Divisions.

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