

POLICING THE SYSTEM IN DEMOCRATIC NIGERIA 1999–2015

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ABSTRACT

The Police are located at the façade of Criminal Justice System in virtually all countries in the globe and the efficacy of democratic system of government lies on the functional police as well as other related agencies of the Criminal Justice System or law enforcement agencies. Since the return of democratic rule in 1999, the Nigerian Police Force (NPF) has allowed politicians in government to use them against opposition. The paper examined the role of the Nigerian Police Force (NPF) from the revival of democratic rule in Nigeria from 1999-2015. The paper adopted political economy theory and Weberian approach as theoretical triangulation and content analysis in the methodology. In the sixteen years of Peoples Democratic Party (PDP) rule before it was defeated at the 2015 general elections, the NPF has systemically impeded the process of political gatherings, mobilization and campaigns by the opposition politicians and political parties. The handling of political activities by the NPF shows that they often take side with the ruling party and the resultant effect is that the Police has lost its neutrality and respect before the citizens. The palpable fear is that Nigeria witnessed the dress rehearsal in the use of the Police Force as a repressive tool to distort and disrupt the beleaguered Nigerian democracy which signifies a gloomy future for democratic governance. It has been settled that the police usually engage in reckless harassment of civilians they perceived opposed then the ruling party. The paper found out that police in most countries are arguably the central public service of the modern state and as such are required by the citizens to display high sense of civility in their national callings. They are ought to protect the essential freedoms of the citizens and have monopoly over the use of legitimate force. The police in Nigeria since the period of British colonialism had been willing accomplice of the ruling class and the elite, perpetuating and abetting impunity that are detrimental to democratic mores and traditions. In this manner, the Nigeria Police is the most disrespected security agent in Nigeria and threatens the sustainability of the democratic experiment.

Keywords: Policing Democracy, Nigerian Police Force, Policing Democratic.

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INTRODUCTION

Law enforcement agencies particularly police force play essential role in any democratic system and society or state (www.chanroblebar.com). The Police are at the entry point into the Criminal Justice System and the effectiveness of democracy resides in their effectiveness as well as other related agencies in the Criminal Justice or law enforcement system. They work hand-in-hand to ensure the adherence of the supremacy (www.chanroblebar.com) of the law of the land is enforced. But the high rate of crime, injustice, act of indiscipline, abuse of life and properties and many other assaults existing on the experimentation of democracy have summed up to challenge the existence of Police as a law enforcement agency in a democratic Nigeria. In addition, Police in democratic societies are distinct because they represent a state governed by rule of law that protects human rights and freedoms. The major role of police in democratic societies is to protect the fundamental rights of citizens. The primary criteria for police governance include equity, delivery of service, responsiveness, distribution of power, redress, and participation (Jones, Newburn and Smith, 1998).

From 1999–2015, the Nigerian Police Force had systemically impeded the process of political gathering of the opposition politicians, political parties and human right activists while aiding and abetting the ruling party PDP prior to its defeat at the 2015 General Elections. This grossly affects their reputations before the citizens and fast losing their neutrality (www.chanroblebar.com). In the sixteen years of PDP, Nigeria has witnessed the dress rehearsal in the use of the NPF as a repressive tool that distorted beleaguered democracy in Anambra State during the regime of Olusegun Obasanjo. In a show of force, the NPF abducted then Governor Chris Ngige for days, following instruction from the incumbent President. The police have engaged in reckless harassment of people perceived to be the opponents of the then ruling party (PDP). On 3rd November, 2013, the Police had the effrontery to invade the Kano State Governor's Lodge in Abuja and disrupted the discussions of the then Group Seven (G7) Governors.

From the above discussion, therefore, Police particularly in developing countries like Nigeria ought to be apolitical and owe obligation to uphold the laws and constitution of the land. Some countries such as Japan and Ghana adopt the centralized Police system which ensures a central command of the police structure throughout the country and is headed by the Inspector General of Police (IGP). Positively, the police have not impeded the democratization process and political gathering like their Nigerian counterparts because both the two countries are more advanced in law enforcement and respect for democratic ethics and values than Nigeria (Alemika and Chukwuma, 2005).

Drawing from the above discourse, this paper examined the role of NPF in hindering the democratic experiment in Nigeria which ordinarily ought to be an agent of ensuring the maintenance of law and order, compliance to the rule of law,

respect of human rights, crime prevention, detection and apprehension of offenders. It is believed that the police are arguably the central public service in a modern state and protect essential freedoms of the citizens albeit possess a monopoly of legitimate use of force (Alemika and Chukwuma, 2005). In the words of Bayley (1991:7)

Because the Police are the most visibly coercive instrument of government, their actions are the most powerfully influence whether government is perceived to be legitimate. Yet the difference in policing structures and styles exist across societies that are democratic States.

STATEMENT OF THE PROBLEM

The pre-independence beginning of the Nigeria Police Force and years of military incursion into politics have produced a militarized force that acts as an instrument of oppression and largely alienates the civil population it ought to serve and protect (Alemika and Chukwuma, 2005). The Nigerian Police Force (NPF) have not changed the structures it inherited from the colonial period and colonial methods still exists in their formations and modus operandi. It becomes manifest that the institution of police had been using force to disperse political meetings, campaign and rallies. Evidently, the Transitional Monitoring Group reported that the NPF cast votes in the forest in South East Nigeria in favour of the then ruling party (PDP) in 2003 and 2007 respectively. Therefore, the involvement of the NPF in vote casting has been a phenomenal happening and reoccurring thus aids the process of electoral malpractice across Nigeria in virtually all the elections conducted from 1999 to 2015.

Furthermore, related issues in the Police agency are corruption and unprofessionalism which erode people's confidence on them thereto necessitating some group of individual to take vengeance on the crime committed against them. This in the long run reduces citizen's confidence on the capacity of the State to regulate the unethical behavior of the police force (Samuel, *et al.*, 2013). Therefore, it has been established that the police involvement in rigging of election, voters' intimidation and other related electoral malpractice and malfeasance have been the major causes of post-election violence after the 2011 General Elections in Nigeria (Enweremadu, 2006).

PAPER'S OBJECTIVE

The broad objective of this paper is to examine the role that Nigerian Police Force played in policing democratic Nigeria from 1999–2015. Other specific objectives include:

- i. To examine the role NPF played in policing elections in Nigeria.
- ii. To investigate the level of manipulation of NPF by the government in power.

Related to the objectives of the study, questions were drawn from the above-mentioned objectives. The questions are:

- i. What are the roles Nigerian Police plays during the conduct of elections?
- ii. How does Government in power manipulate Police against the constitution?

RATIONALE OF THE STUDY

This paper is aimed at examining the conduct of Nigerian Police in consonance with the provisions of the 1999 Constitution of the Federal Republic of Nigeria and in line with the accepted practices in all democratic society in the world (ActionAid Nigeria, 2008). Theoretically, the fundamental factor for the attainment of sustainable democracy lies on the effective and efficient Police Force that enforces the rule of law to ensure equality before the law rather than the wishes and aspirations of the government in power, politicians, powerful group of people and political parties (ActionAid Nigeria, 2008). The findings of the paper would be geared towards producing police force that intervenes in the crisis ridden society to save the life of the citizens under limited and careful controlled circumstances and situations thus becomes publicly accountable. Philosophically, the Police force acts in a society engulfed by total chaos and anarchy with a view to restoring normalcy and social order.

Furthermore, it has been observed that, there is a correlation between democratic governance and the state of security in most democratic states. From 1999–2015, Nigeria has experienced considerable erosion of internal security that overstretched the capacity of the NPF to carry out its assigned responsibility. This is occasioned by the activities of militants in the Niger Delta region, insurgency in the North East, ethno-religious conflicts and farmers-herders clashes in central Nigeria. Thus, ensuring virile and viable democracy depends on effective policing in service delivery that would translate into a practicable society leading to the improvement in the living standard of the ordinary Nigerian citizens.

The scope of this paper focused on the 16 consecutive years of democratic rule in Nigeria which the Nigerian Police Force turned to military wing of the then ruling party (PDP). And is restricted to the NPF involvement in the electoral malpractice during elections, rigging of election results and disruption political gatherings and ban of campaign by political parties.

CONCEPTUALIZATION OF TERMS

Democracy: is a form of government in which the sovereign power resides in and exercised by the whole body of free citizens directly or indirectly through a system of representation (Samuel, *et al.*, 2013). Nigeria has been practicing

multiparty democracy with presidential system of government, bicameral legislature with three tiers of government, Federal, State and the Local Government Area from 1999-date.

Policing refers to measures and actions taken by Nigerian Police Force in society to regulate social relations and practices in order to secure the safety of community members as well as conformity to the norms and values (CLEEN Foundation, n.d) of a democratic society based on the tenets of the 1999 Constitution of the Federal Republic of Nigeria as amended. The paper reviewed some related and relevant literature.

REVIEW OF RELATED LITERATURE

Empirical and theoretical literatures on policing in a democratic society were reviewed in this segment.

POLICING DEMOCRACY

Ladapo (2012), Dunleavy and O’Leary (1987) and Rogers (2013) argued that the concept of democracy is best understood through its Greek roots, with *demos* meaning ‘the citizen body’ and *cracy* meaning ‘the rule of’. Thus, the great advantage of public policing in democratic countries is that it is accountable to every citizen through the mechanism of representative government (Bayley and Shearing 2005). This in turn means that the police have a legitimacy within communities, which makes the application of their duties much easier. Defining the idea of a democratic policing model could however be difficult. Whilst the antithesis of democratic policing is the police state, democracy itself has many meanings and definitions (Rogers, 2013). There are certain important underlying themes and elements to the idea of democracy. These are consensus, freedom, and equality. All politically civilized societies owe their continuing existence to a consensus concerning the foundation of society (Berkley, 1969). Upon the situation on ground citizens agree upon a common purpose, the procedures by which to act upon and the institutions which intend to preserve them without consensus (Australian Institute Police Management, 2014). Therefore, democratic system could not thrive for long without the involvement of the law enforcement agency particularly the police force and agents of criminal justice system. Aligned to the concept of consensus is the idea that society allows policing by consent, which is a crucial concept for how citizens think about public policing in most Western Societies (Australian Institute of Police Management (AIPM, 2014). The views of Rogers, Berkley, Dunleavy, and O’Leary were based on advanced Western Democracy and serve as the standard that police force in all countries that are practicing multiparty democracy ought to fashion their systems to sustain the democratic government and secure the nations. In policing democracy, police have several functions to perform to ensure the sustainability of the system.

THE FUNCTIONS OF POLICE UNDER A DEMOCRATIC GOVERNMENT

One of the cardinal roles played by Police regardless of the system of government in operation is protection of internal security. This corroborates with the views of Akuul (2011) and Yecho (2004) that Nigeria Police is statutorily required to fight crime through detection, investigation, apprehension and prosecution of offenders in law court and the protection of lives and property through proactive policing (Akuul, 2011). The argument of Yecho portrayed the ideal function of the NPF but it does not capture reality on ground, where the NPF instead of detecting and preventing crime, involve in molesting and maltreating opposition politicians. The NPF exploded tear gas in a political gathering in 2003 which led to the death of leading opposition politician in Nigeria, Sen. Chuba Okadigbo.

In a related view, CLEEN Foundation (n.d), Alemika & Chukwuma (2005) and Tinubu (1993) were of the opinion that, the traditional role of police in Nigeria could not be compromised because their constitutional and statutory functions are well defined via the enforcement of law and order to manage crisis situation, maintain peace and security. But the argument of Tinubu does not take into cognizance the constitutional dilemma in Nigeria where Section 215 of the 1999 Constitution gives power to the President to appoint Inspector General of Police. The political developments in 2014 and 2015 showed that Police are compromised to the extent that the then Inspector General of Police Suleiman Abba argued that, he does not recognize Aminu Waziru Tambuwal as Speaker of the House of Representatives because he decamped from the then ruling People's Democratic Party (PDP) to the former leading opposition party, All Progressives Congress (APC).

Similarly, it has been established that, the police are indispensable institution in most countries because they maintain order, legality and the development of society (Alemika & Chukwuma, 2003). However, in most of the developing countries the police are involved in perpetuating impunity without recourse to the rule of law (Enweremadu, 2006). The position of Alemika & Chukwuma aptly summarized the fundamental functions of the Police but their positions do not consider the police involvement in election result manipulations and killings of protesters in Nigeria. There are cases where NPF were involved in extra-judicial killings such as the Apo 6 where Police killed suspected Igbo traders, in suburb of Abuja, the capital of Nigeria in 2006 without trial. Similar incident happened with the late leader of Boko Haram, Mohammed Yusuf in 2009 as well as the killings suspect Boko Haram members in Apo, Abuja in 2013.

Substantiating further, Alemika and Chukwuma (2003) were of the view that, the police played a significant role in democracy. Therefore, pro-change initiative ought to be taken into account of the facilitative and inhibitive roles of the police in society (CLEEN Foundation, n.d). Largely, coupled with systemic encumbrances, Nigerian Police occasionally rise up to the expectation in discharging their

constitutional duties. In some instances, they lost their lives in the discharge of their duties as happened in Nasarawa State on the 7th May, 2013 where more than 70 Policemen died in an ill-fated operation to arrest the leader of a militia-traditionalist group ‘Ombatse’. It has been observed that the police are critical to the survival of democratic experiment in Nigeria. Key element in the electoral process is election, which the police are deployed to superintend.

POLICING ELECTION IN NIGERIA

The benchmark for measuring the credibility and acceptability of participatory democracy is free and fair elections. The credibility and legitimacy accorded to an election victory is determined by the extent to which the process is free and fair (Garuba, 2007; Bogaards, Malhijis, 2007). Free and fair election serves the purpose of legitimizing government in power. In this regard, elections strengthen people’s attachment to the state and (or) government of the day. It creates an assurance to the people about the political system where they operate (Samuel, *et al.*, 2013). Election is one of the cardinal features of democratic government and no matter the extent to which a state could be measured to be democratic base on its transition and consolidation the fact remains that, the Police in civil societies are distinct in that they represent a state governed by rule of law but and that protects human rights and freedoms. Therefore, it is the constitutional responsibility of the Police to superintend Elections in Nigeria, not only supervision but also ensure the process is credible, free, and fair.

However, CLEEN Foundation (2010) found out that, most of the stakeholders involved in the security of elections were fully aware of the statutory functions of the Police in respect to securing elections. This shows that, there was widespread understanding and shared public expectation that the Police have the responsibility to ensure that elections are free fraud and violence. The study further revealed that, apart from the gubernatorial election of 6 February 2010 in Anambra State, the Police have generally failed to perform their electoral functions. Not only have they been unable to provide effective security for elections but also they were involved in acts of electoral fraud and crime (Ofsted, 2014).

Findings that emerged from the CLEEN Foundation (2010) also show the systemic failure of the Police to play a neutral umpire during elections. Therefore, it could be deduced from above literature that endemic corruption and political control of the Police entice them to assist politicians and the government in power. This is in line with the view of Huntington (1991) who posited that, democratization and security are intricately related just as successful and credible elections are powerful tools for conflict prevention, particularly in fragile societies. Securing election is essential in a country that has a history of post-elections violence and one of the responsibilities of NPF (Ofsted, 2014). However, from

1999, the Police are not doing the needful in securing election and post-election violence that accompanied manipulated and doctored results in Nigeria. Instead, they were found on several occasions compromising their national duties by engaging in electoral fraud and unable to control the violence that usually greeted the outcomes of such elections (Post-Election Violence of 2007 & 2011).

Counteracting the above position, Bayley (2006) stressed that, although the Police themselves could not bring about political democracy but could contribute to democratic political development. Police need transparent government in order to perform their duties neutrally. The PDP led government for 16 years, used the NPF as its military of harassing political opponents and dissenters. The NPF were deployed to the National Assembly Complex and barricaded the entrance for members of the House of Representatives, including the then Speaker Aminu Waziri Tambuwal that dumped the then ruling party (PDP) to All Progressives Congress (APC).

GOVERNMENT MANIPULATION OF THE POLICE

Government control of the security agencies in developing democracies to maintain status quo and suppress opposition especially in Africa is common. Owen (2014) succinctly put it that the Nigeria Police remain a centralized force operating in a federalized policy and the tension between these two arrangements is unresolved. Its structures of accountability also render it vulnerable to interference by political class who are times have incentives to undermine or limit Police effectiveness in enforcing the law and order.

It has been deduced from the view of Owen (2014) that, what makes NPF vulnerable and susceptible to manipulation by the government in power, is the political and constitutional dilemma it is facing due to the constitutional provision, which place the control of the Police on the elected Executive President who is also the leader of his political party. Section 215 of the 1999 Constitution Federal Republic of Nigeria gives power to the President acting on the advice of the Nigeria Police Council to appoint the Inspector General of Police. Under subsection (3) of section 215 of the Constitution, the President is also empowered to give lawful directives with respect to the maintenance of law and order to the Inspector General of Police and shall comply or cause them to compel (Alemika and Chukwuma, 2005). There is a provision in section 215 (4) which creates such relationship between State Governors and a Commissioner of Police but this is commonly disregarded at least for Governors that are in the opposition party. Thus, this gives the incumbent President the power to control Police in Nigeria at his will (Alemika and Chukwuma, 2005). Therefore, it is not surprising where the NPF involved in electoral malpractice in the past elections when they cast votes in favour of the ruling party.

In a similar vein, Aniekwe and Kushie (2011) found out that, in cases where Police aided and abated the rigging of elections as well as the intimidation of voters, the electorates responded and turned against them. From the return of democracy in Nigeria 1999–2015, Nigerian Police Force (NPF) have been a coercive tool for the ruling government, using them against any perceived enemy of the government in power. The scenario was exemplified in Anambra State, when the Police acted on the order from the Presidency, and the Commissioner of Police kidnapped, the then Governor Chris Ngige in 2003. Similarly, in 2014, Ekiti State Police involved in a bizarre action where the Nigerian Police Force protected seven Members of the House of Assembly and impeached the Speaker that had the support of nineteen Members of the State Assembly. In addition, the political tussle between former Governor Rotimi Amaechi of Rivers State and former President Goodluck Jonathan prior to the 2015 General Elections led to the withdrawal of security details of the Governor Amaechi and the former Speaker of the House of Representatives Honourable Aminu Waziri Tambuwal and now the Governor of Sokoto State.

The above displays of crude force by the NPF corroborate with the submission of Goldstein, (1977) who stated that, the strength of democracies is directly related to the extent to which its citizens enjoy liberty and freedom due to the ability within which Police discharge their duties. Police in democratic societies play a fine balancing act, thus they not only cautiously exercise their limited authority granted by the Constitution and legislative mandates but also make certain others that do not violate citizens' constitutionally guaranteed rights (Goldstein, 1977). Violating the rights of citizens has been the trademark of NPF. They often times ban political campaigns and rallies of opposition parties and disrupted anti-government protests or gatherings which sometime led to bloody confrontations between the armed Police and civilians. There are other factors that hindered the NPF from policing the democracy according to the dictates of democratic traditions.

FACTORS HINDERING EFFECTIVE DEMOCRATIC POLICING IN NIGERIA

Several factors have been advanced by several scholars as the reasons for Nigerian Police's ineffectiveness in providing the much-needed neutral policing in a democratic setting. Primary among them include:

Police Accountability: Studies on police and accountability have established that police in general have multi-layered internal system that could theoretically be invoked by members of the public that are aggrieved by any act of police misconduct (Alemika, 2003 and Stone, 2007). In the same view, Sholnick & Fyfe (1993) emphasized the importance of internal accountability, and most especially accountability of supervisors for the misconduct of their subordinates. Peak (1997)

and Alemika (2003) provided the various types of external accountability and their importance to police performance.

Therefore, in Nigeria, the need to strengthen mechanisms of police accountability through the oversight bodies such as the Police Service Commission (PSC) and Community Policing experiment (www.digitalcommons.law.ggu.edu/cgi/). They are some of the argument of Alemika (2003) for proper accountability. In a different perspective, the importance of police accountability in curbing police corruption, brutality, use of force and improving the code of ethics of the various Police Departments are the main concern of Peak (1997). Police accountability in United States and especially in a democratic setting was the focus of Bayley (1997) who noted that police in a democratic society should be able to respond to the needs of individuals and private groups as well as the needs of government (www.digitalcommons.law.ggu.edu/cgi/). It is the absence of the enumerated internal and external systemic accountability that paves way for the NPF to engage in all sort of arbitrary actions that contravene the dictum of democracy and the constitutional provisions, bearing in mind they would not be punished. This in no small measure has grossly affected the image of the NPF before the citizens of Nigeria.

Furthermore, the difficulties involved in establishing effective and accountable system of policing in developing democratic societies has been the central concern of Perez (2000) who argued that, the Police in these countries has been historically known as agents of government-sponsored oppressions. From the same perspective, Pustintsev (2000) emphasized that attempt at reform in Russia to make the Police more accountable for improve police-community relations have not been successful due to the fact that political and social structure of the country have rendered the government incapable of ensuring that rising incidents of Police misconduct are curtailed. It is the position of Macovei (2000) that making the police accountable to the civilian system of justice would go a long way toward curbing police misconduct. The above submissions show that accountability is one of the major factors to ensure Police act in accordance with the law under a democratic government. However, the absence of accountability has led to the arbitrary use of force against the opposition and involvement in the electoral fraud (www.digitalcommons.law.ggu.edu/cgi/).

NIGERIA POLICE FORCE AND CORRUPTION

The meaning and definition of police corruption is very broad and it could be explained as a deviant behavior, in that any act of deviation from the general established rules is considered as corruption (Echazu, 2012). Police corruption is ubiquitous. It exists in all nations even in the so-called developed democratic countries. This shows that no any country is immune from Police regardless it is

developed or developing. The major difference is the intensity and magnitude of the corruption in developing democracies like Nigeria is more rampant and devastating (www.digitalcommons.law.ggu.edu/cgi/).

Similarly, Schulhofer, Tyler, and Huq (2011) established that the American Police are deeply engaged in collecting and distributing patronage and occasionally brutal and often corrupt. The act of corruption is synonymous with Police work in both developing and developed countries. Equally, the level of corruption in Nigerian Police has reached an alarming proportion. It undermines their ability to function effectively and corroborates with the CSO Panel Report (2012) which found out that corruption is still the number one impediment to the effective performance of police functions in Nigeria and a cancer that has spread to every facet of the NPF. Reacting on the same issue, Ladapo (2012) was of the opinion that the Police in Nigeria are not immune from the corruption that has become characteristic of Nigerian governance and concluded that, the police corruption is one of the most visible manifestations of corruption in Nigeria. The absence of military in the political scene since 1999 makes the NPF the closest security outfit to the police which the citizens easily assess and view the government interference in their operations (www.digitalcommons.law.ggu.edu/cgi/).

Furthermore, Kasali (2012; Ladapo, 2012) explained that the act of corruption has undermined the ethics of the Police profession in Nigeria. The problem of corruption is a persistent one, which frequently results in staff turnover and weak management and supervision, and seriously impedes policing (Pino, 2009). These views have succinctly explained the extent to which corruption influences the operation of police in a democratic setting because funds meant for the purchase of equipment, welfare and other fringe benefits of the men and officers of the Force are diverted by the top officers of the Force leaving the rank-and-file officers demoralized and rendered vulnerable and susceptible to gratifications from the politicians and wealthy individuals to perpetrate crime of arrest and detention of opposition politicians and electoral fraud (Ladapo, 2012). Validating the above assertions, a former Inspector General of Police Tafa Balogun was jailed during Olusegun Obasanjo for the diverting fund meant for the NPF.

Moreover, Ladapo, (2012) and Onyeozili (2005) viewed police corruption in Nigeria as cancer that has eaten deeply into the fabric of law enforcement in Nigeria, as in other African countries. He submitted that, the allegations of police corruption erupt daily. According to Onyeozili, corruption comes in various forms from the extortion of money from motorists at illegal roadblocks to the collection of monetary gratification (bribery) to alter justice in favour of the highest bidder. Hence, the NPF are viewed as a corrupt law enforcement agency and Nigerians considered the integrity of the Police officer that of 'dirty Harry'. This reflects the public perception on the capability and integrity of Police, which led to the loss of confidence on the NPF to superintend elections in Nigeria (Ladapo, 2012). Most

Nigerians have no respect for the NPF during elections because they are aware of their past antecedents, they are easily cajoled with the politicians to rig election, arrest opposition members and manipulate results.

NIGERIA POLICE FORCE AND BRUTALITY

Ladapo (2012) stated that, one of the areas that earned NPF a bad name is the brutality of opposition members and civil society organizations. In Nigeria, public perception of police brutality and violence, which influence their uncooperative and unsupportive attitude towards police, is broad, encompassing both physical and verbal assault, harassment and restraints from exercise of their constitutional rights. Police roles in individual disputes result in workers strike, student demonstration, public procession, and demonstration against unpopular government policies, frequently involve violence, harassment and intimidation, arrest and detention (Ali, 2008). This encapsulates the most commonly forms of brutality and abuse of democratic rights of Nigerians by the Nigeria Police. Police brutality also occurs in the form of extra-judicial killings or summary execution of suspects and revenge killings. There have been allegations of police involvement in election rigging, armed robbery and recruitment of hired assassins. During criminal investigation, there is always absence of respect for human rights as the Police resort to torture to extract confession. The above discussions show that, like during the military regime, NPF have not changed their attitude of trampling the fundamental rights of the citizens as were in the military era Ladapo (2012).

Correspondingly, Ladapo (2012), Morabito and Bennett (2008) were of the view that officers exercise a great deal of discretion when interacting with citizens, but suggest that such interactions always characterized by the use of force and arrest decisions. Such force and arrest decisions lead to police brutality. Police brutality occurs in all nations. Police from developed countries are not free from acts of brutality and abuse of rights. For instance, Schulhofer, *et al.* (2011) argued that the American Police are occasionally brutal and have become the indispensable arm of the ruling establishment. In a related argument, Pino (2009) discussed how democratic policing could be installed in the Caribbean country of Trinidad and Tobago. He maintained that, there have been numerous instances of the police using excessive force, which are criticized by the country's citizens and the media. Like their counterparts in other parts of the world, the brutal nature of Nigeria Police generates them more criticisms and condemnations because Nigerian Police are viewed as people's enemy instead of friends. The NPF to a large extent have no regards to democratic rights of the citizens in the discharge of their duties. The Nigerian Police Force often times has reputation of acting arbitrarily in contravention of the constitutional provisions and democratic practices (ActionAid Nigeria, 2008).

THEORETICAL FRAMEWORK

A discourse on policing in a democratic Nigeria was executed with meticulous delineation of the two concepts. Policing Democracy refers to the need to create institutions for effective law enforcement and maintenance of social order while simultaneously preventing the institutions from becoming tools of oppression, either through their deployment by a would-be dictator or simply by overaggressive law enforcement. Then, policing is the measures and actions taken by a variety of institutions and groups (both formal and non-formal) in the society to regulate social relations and practice in order to secure the safety of members of community as well as conformity to the norms and values of society (Akuul, 2011). It is therefore a sub-set of control processes, which involve the creation of a system of surveillance, coupled with the threat of sanction for discovered deviance (Akuul, 2011; Reiner, 2000).

In a proper attempt to study policing and democracy, the paper has adopted political economy framework as a tool for analysis. The most popular strand of political economy, which was used in this paper, is the Marxist Model. Marx (1970) summarized the main arguments of this theory, that in the social production of their existence, men inevitably enter into definite relations, which are independent of their will (Akuul, 2011). These relations could be relations of production appropriate to a given stage in the development of material forces of production. The totality of these relations constitutes the economic structure of the society (Akuul, 2011).

Marx further argued strongly that the economic structure of society determines the character of the superstructure which includes the political, legal, cultural, religious relations and institutions of society. Applying this model to policing in democratic Nigeria, the theory suggests that the problems of order, law and lawlessness as well as security could be understood as a reflection of the economic system of Nigeria especially the dominant interests that drive it (CLEEN Foundation, n.d). However, society is divided into classes and groups with varying degrees of power or influence over political and economic decisions. Classes and groups with dominant economic power control political decision-making, including the enactment of criminal law by the legislature, its enforcement, and interpretation by the police and judiciary respectively (CLEEN Foundation, n.d). There are also common grounds of policing and democracy between the political economic theorists and social conflict theorists (CLEEN Foundation, n.d). These groups argue that society is divided into groups and classes with common interests in some areas and conflicting interests in many areas including the organization, mobilization and distribution of economic and socio-political resources (CLEEN Foundation, n.d).

But, generally, they argue that the police were not created to serve “society” or the “people” but to serve some parts of societies and some people at the expense

of others (Institute for the Study of Labour and Economic Crisis 1982:12). The role of Police therefore varies across societies with different political and economic organizations. Similarly, Bowden (1978:19) argued that the role of the Nigerian Police force includes the repression of the poor and the powerless in order to protect the interest of the rulers. The police therefore stand as buffers between elites and masses. A holistic view of the police therefore is that Police force represses and at the same time serves the public. The priority attached to repression and service only varies across societies and even regimes within a society (Akuul, 2011). Consequently, police roles and performance in ensuring security is viewed as the product of interactions among political, economic, legal, institutional and personality factors. In addition, generally, police bureaucracies are organized to detect, investigate, sort out, sieve, arrest, detain, prosecute, and harass those considered dangerous for the preservation of the status - quo (Akuul, 2011).

Theorizing further on the phenomenon, Alemika and Chukwuma (2003) argued that “the police are part of and not a part of the communities they serve”. The Nigerian political economy for instance is characterized by a dependency on a mono product (Petroleum), rent-seeking by the rulers, wide spread corruption, wide inequality and mass poverty, high rate of unemployment at all levels, low capacity utilization, high import, dependent level in both capital and consumer goods, high external and domestic debt portfolios (Akuul, 2011). As a result of these conditions, there has been steady decline in the availability of quality and affordability of social welfare goods and services such as education, health care, etc. and increase in wide spread insecurity ethnic and religious conflicts. All these political and economic crises have impact on the Nigerian police since the beginning of the fourth Republic in 1999 (Akuul, 2011).

METHODOLOGY

Methodology is the rules, principles, and practices that guide the collection of data and the conclusions drawn from it (www.mafng.org). This paper has adopted documentary technique, and relied on secondary source of data to explain the role of Nigeria Police Force in policing a democratic system of government. It has covered the activities of the NPF in the sixteen years of uninterrupted democratic rule in Nigeria. Data were collected from journal articles, empirical cross-sectional studies and textbooks (www.mafng.org). Content analysis was used for the analysis of the documented findings. In order to supplement the inadequacies of the above theory to explain the nature of policing democracy in developing democracies like Nigeria, the paper adopted the Weberian explanations.

Buttressing the above explanations, the rise of national state makes the function of the Police not only to become more fully institutionalized but also warrant importantly changes in meaning. Weber (1922) famously defined the state in instrumental terms with respect to the monopoly, within a political community, over the means of legitimate physical coercion, including military and police as the

two major, respectively externally and internally directed, components (apud Deflem and Hauptman, 2015). However, the conceptual connection between police and politics, not to mention the deceptively obvious common etymological origin of both words, should not lead to overlook the fact that police and politics are variably (dis)connected (Deflem 2002). In the European context of national states of a strongly autocratic nature during the 18th and 19th centuries, police were closely aligned with the attempts of autocratic regimes to maintain power. Thus, policing primarily implied activities associated with the control and suppression of political opponents, such as the growing number of democrats, socialists, and other proponents of ideological political systems associated with ideals of democracy and political justice (Deflem and Hauptman, 2015). The nature of policing in Nigeria in the 21st century has not departed from the 18th and 19th centuries' style of policing captured above.

Therefore, as national states underwent processes of gradual democratization, the police functions expanded and changed qualitatively in West but not in Africa entirely (Deflem and Hauptman, 2015). Within the Western world and, increasingly with the march of globalization, also in other nations affected by developments or pressures originating therefrom, the police functions have rationalized over time, concomitantly with the democratization of national states, in the form of modern bureaucracy (Deflem 2002). Manifesting a broader trend of societal rationalization towards the adoption of efficiency standards at the exclusion of other principles of conduct, bureaucratized policing practices are qualitative different from pre-modern forms with respect to both means and objectives. Specifically, the means of policing become geared towards the reliance upon purposive-rational standards, such as scientific methods of criminal investigation and other aspects of police technique, while the objectives of policing become gradually detached from the political goals associated with the might of national states in favor of the development of distinctly criminal enforcement objectives. Far from truth in Third World countries Nigeria inclusive, the police have not detached from the government and they do not conform to the scientific methods and standard in criminal investigations.

In this regard, modern and democratic policing is not only increasingly based on efficiency principles but also becomes gradually detached from politics in most of the Western societies and in USA unlike in Nigeria Police could not be differentiated from the government in power. Although, the separation of police from politics is never absolute, the modern police functions have been rationalized in this particular sense in those societies that are democratically organized and achieved a modicum of peace. Conversely, under condition of an absence of or decline in the democratic qualities of government in states or under conditions of warfare and similar occurrences of extreme societal upheaval, police institutions face pressures once again and are aligned more closely with politics. This explains the reality of the Nigerian Police Force in policing democracy (Deflem and Hauptman, 2015). The agency is closely aligned with the government in power to

the extent that it is seen as the military wing of the ruling party (Deflem and Hauptman, 2015).

DISCUSSION OF FINDINGS AND CONCLUSION

It has been observed from empirical findings from CLEEN Foundation (2010) that all the elections that were conducted from Nigeria's independence from 1960 to 2015 have generated increasingly bitter controversies on a national scale (Akuul, 2011). The underlying grievances have centered on the twin problems of mass violence and fraud that have become central elements of the history of elections and the electoral process in the country. In such context, the burden of building electoral credibility requires that security is provided for the electoral process in all its stages in an effective, transparent and accountable manner. By default, the quest for electoral security places the Nigeria Police Force at the centre of focus, because it is the agency of the state with the statutory responsibility for internal security and crime control (Samuel, *et al.*, 2013).

It has been further found out that, most of the stakeholders in the security of elections were fully aware of the statutory functions of the police in respect to policing the democracy particularly the elections (Samuel, *et al.*, 2013). This explains that there is widespread understanding and shared public expectation that, the police have the responsibility to ensure that the democratic system especially elections are safeguarded from fraud and violence.

The pressures from the despotic and selfish rulers to suppress silence and crush opposition and police the activities of the citizens could not be over-emphasized (Ofsted, 2014). These were manifested in the police denial of political gatherings, embargo on political parties and promotion of anti-democratic values, victimization of opposition with the aid of the security agencies notably police. It has been attributed that the Nigerian Police has embraced the culture of impunity and become willingly accomplice of the ruling class largely due to poor remuneration (Ofsted, 2014). As a result, extra-judicial killings, detention without trials, corruption, harassment of innocent citizens on checkpoints become widespread and a norm. The involvement of the NPF in the harassment, arrest of opposition politicians as well as denial of their rights for peaceful gatherings and association, have generated a lot condemnation for their roles in policing the current democratic experiment (Akuul, 2011). In conclusion, drawing from the discussions, it has been indicated that the economy to some extent has determined the operation of the Nigerian Police Force under a democratic system. More worrisome is that, it has become the tool of the government in power used to oppress opposition and suppress any dissenting views and opinions which are the hallmark of democratic culture (freedom of speech) of the ruling elites to operate with impunity without recourse to the law of the land.

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