

Tackling Insecurity

Ethnically diverse police forces recruited by each geopolitical zone is needed

Oladiran 'Ola' Bello and 'Femi Balogun



Key Recommendations

- Nigeria must devolve policing powers: ideally this experimentation should start at the collective regional (geopolitical) level. This will ensure that devolved police powers are not misused whilst encouraging collaboration among state governors in the sub-regions.
- Checks and balances: control of the forces must be vested collectively in all the governors within a geopolitical zone. Each governor should possess a veto vote over the choice of the commander of the force, its funding and sensitive operational deployments.
- Composition of the regional police forces: this should reflect national character and aid cohesion. Constitutionally, each force must draw its recruits from all of Nigeria's six geopolitical zones, with maximum 70% of officers recruited from the zone in question.
- Inclusive community policing: The remaining 30% of recruits into a force must be drawn from Nigeria's five other geopolitical zones (at 6% each), enabling regionalised and localised policing partnerships that complement and remedy the deficient federal police.

Since President Muhammadu Buhari assumed office in 2015, there has been a marked deterioration in Nigeria's security situation. Amid the deterioration, the Nigerian Police Force (NPF) is widely adjudged as under-resourced and ill-equipped for effective policing. Although Buhari inherited the Boko Haram (BH) conflict in the northeast and the unrest in the Niger Delta region, his tenure has also seen other sources of insecurity grow in profile. These include the spike in inter-communal conflicts, herder-farmer clashes, kidnappings for ransom, Shia confrontations with the police/army, and other threats.

LEKKI - EPE EXPRESS WAY



Demands from Nigerians for broad-based policing reform have thus become more strident. This analysis posits that attention should be given to reshaping Nigeria's policing architecture. A successful devolution of federal policing responsibilities to regions will impact broadly to alleviate insecurity drivers. This paper therefore advances a groundbreaking proposal based on regional policing, as opposed to state-controlled police forces. Besides bolstering the weak federal police, regional forces will help address the political controversies that have dogged past attempts to devolve policing powers. The recommendations advanced here, if well implemented, will ensure depoliticisation, in-built inclusiveness and greater democratic control over new regional police formations to be controlled collectively by the governors in each of Nigeria's six geopolitical zones.

Policing and demands for reform

The call for police reform has a long history in Nigeria, progressively amplified since the return of democracy in 1999. Growing awareness of police incompetence and alleged abuses and brutality against citizens has provided further fuel. With many communities trapped in a web of disorderliness and criminality – including kidnappings, terrorism, rural banditry, armed robbery and cybercrime, as well as low-intensity warfare in parts – demands for the creation of state police have become more commonplace. Calls in early 2020 led to the establishment of a paramilitary organisation code-named “Operation Amotekun” in southwest Nigeria, which aims to tackle myriad insecurity-generated controversies. At stake is the constitutionality of sub-nationally led policing.

Meanwhile, the glaring inability of the police to cope with the current security issues has eroded public confidence. From a citizen's perspective, there have been protests in recent times demanding the abolition of the Special Anti-Robbery Squad (SARS), widely loathed for its alleged abuse of citizens' rights. SARS is a branch of the NPF under the Force Criminal Investigation and Intelligence Department (FCID). This advocacy, which started on social media using the hashtag #endsars, lifted the lid on unlawful arrests and detention, extortion, highhandedness and humiliation of citizens by the police. With social media becoming a means for citizens to demand justice, commentators have described #endsars as a new form of social and political action.

According to the 2016 World Internal Security and Peace Index (WISPI), the NPF was ranked the worst police force in Africa. This index suggests that more than 81% of Nigerian respondents to the Global Corruption Barometer admitted to paying a bribe to a police officer in 2015. This fact is substantiated by the 2017 National Corruption Report released by the Nigerian Bureau of Statistics (NBS).

Internally, the police force is burdened with various challenges that impede its officers from performing their basic function of safeguarding life and property. The police force is largely understaffed, resulting in the deployment of the Nigerian army in many parts of the country to augment existing deficits. This has come at the cost of the militarisation of law enforcement. At the same time, police officers are posted on escorting duties to protect the elites and their families. This undermines the potential for effective frontline policing. It justifies important questions around whom the police as an institution exist to serve, and fuels the demand for reform.

Successive governments have grappled with this in various forms. Buhari promised in his 2015 campaign to reform the NPF with an emphasis on training and better equipping the force. On his assuming office, a new Nigerian Police Reform and Restructuring Plan 2015-2020 was unveiled aimed at addressing human resource issues, improving complaints handling, and enhancing the delivery of police services more broadly.

Unfortunately, not much has emerged from this activity since 2017, following the claim by the Inspector General of Police that the funding allocated – \$86 million – was not sufficient. He claimed that the implementation of the plan required an estimated \$3.1 billion. On the one hand, insufficient funding by the federal government speaks to the weak political will that hampers reform. On the other hand, claims of a funding shortfall also raise questions around the lack of accountability, opaque budgeting, procurement issues and corruption within the force.

Notably, the Nigerian Senate passed a bill in 2019 to repeal and re-enact the Police Act of 1943. At the heart of the bill is the effort to provide for a more efficient and effective police force:

Based on the principles of accountability and transparency, protection of human [rights] and freedoms ... [i]t also provides a framework to ensure cooperation and partnership between the

police and communities in maintaining peace and combating crime.

However, there is uncertainty regarding its implementation. In some quarters there are concerns about the reform process being abandoned, leading to misapplication and misappropriation of funds.

Nevertheless, Buhari seems to have started giving effect to his strong statements on overhauling the NPF. In the latter part of 2019 he took steps to secure the support of traditional rulers. In addition, following citizens' demand for the abrogation of SARS, Buhari set up a three-man committee led by the National Human Rights Commission. It was to produce a white paper on the recommendations of the Presidential Panel on SARS reform and the devolution of policing to state and local governments.

Devolution is a controversial issue, with lingering mistrust and fear over the potential abuse of police power by state governors and politicians. Hence, resolving this dilemma will require creative thinking, with a focus on constitutional, operational and institutional safeguards to prevent abuse. Yet, serious threats such as BH terrorism, regionally based insurgencies and inter-community clashes have festered precisely because of the lack of credibility in the existing system in which the federal government monopolises control of policing.

Worsening terrorism

The BH insurgency has now lingered for about a decade with the police notably in the background, while the military takes the lead counter-terrorism role. Buhari, as part of his campaign promise in 2015 and 2019, has maintained that the insurgency in the Northeast must remain a priority. Consequently, the federal government launched “Operation Lafiya Dole” in June 2016, which led to a drop in the number of attacks. However, this was short lived as hostilities resumed in December 2017, leading to a change in the military command structure and the release of \$1 billion to support counter-terrorism. Releasing funds to support military efforts on the surface demonstrates government commitment to ending the insurgency. However, the impact of these funds and other support remains questionable.

The abduction of over 200 Chibok girls in April 2014 was arguably one of the high points of security conversations in the last decade. It partly explains the outcome of the 2015 presidential elections, which Buhari won. The 'Chibok event' made it clear to many citizens that the government then led by President Goodluck Jonathan was incapable of protecting the Nigerian state from an insurgency that threatened to engulf West Africa. In 2018, a similar event – the abduction of over 100 girls in the town of Dapchi – brought the Buhari administration's competence into question.

Although all but six of the girls were returned, this second incident further exposed the escalating insecurities in Nigeria's northeast. Many Nigerians had anticipated that a former military general would better handle the dire national security situation. However, after winning a second term in office, Buhari appears to be overwhelmed by the ever-increasing security threats, with hopes of a solution seeming more distant.

Broader insecurity challenges

Besides BH and the Islamic State in West Africa (ISWA), other threats to security have emerged. These include deadly communal clashes involving herders and farmers, separatist agitations in the southeast, concerns relating to kidnappings and cybercrime, and human rights abuses oftentimes involving the police and other security agencies. All these are testing the resilience of Nigeria's security sector.

Many citizens have felt particularly threatened by the clashes involving herders and farmers, especially in the agricultural belt of the central states. According to the 2018 Global Terrorism Index, the herdsmen were responsible for about 1 700 deaths in 2018 alone – three times more than the fatalities linked to BH in the same year. Analysts state that the conflict is fuelled by religious intolerance, climatic pressures and the lack of effective security responses. In any case, the intensity and size of the conflict has expanded. Following a public outcry, especially on social media, the federal government launched “Operation Karabiner Goro” in 2018 with very little success.

In 2019, Buhari proposed a plan to bring an end to the recurring clashes between herders and farmers through Rural Grazing Area (RUGA) settlements. According to the federal government, RUGA seeks to provide basic amenities for herders in specific areas across the country.

Unfortunately, many Nigerians reacted negatively to this plan, given suspicions of an underlying agenda. Although the plan was later withdrawn, the outrage caused by RUGA highlights the deep-rooted mistrust between citizens and the state. It was obvious that the ideas that shaped RUGA did little to harness solutions from citizens, nor did that the vision for security capture popular hopes and aspirations.

While it is important to acknowledge that the Buhari administration has not failed to respond to emerging security issues, its response is often disarticulated from the lived experiences of ordinary citizens. This is an underlying issue that makes tackling insecurity seem like an impossible task. Essentially, there is a lack of transparency and accountability which mirrors the broader issues affecting the entire security sector. Most notably, senior officers act with impunity and with little or no regard for the rule of law. The many cases of graft, indiscipline and human rights abuses associated with the security forces represent a collective failing requiring any serious government to act. For example, Amnesty International and Human Rights Watch continue to put pressure on the Nigerian government to investigate the allegations of human rights abuses, but to no avail.

The National Human Rights Commission reported the extent to which the former Director-General of the Directorate of Security Services (DSS) violated rights by carrying out unlawful arrests, torturing and detaining citizens without trial. The justice system has also suffered damage to its reputation. The executive – going against a judicial ruling – detained the former National Security Adviser, Sambo Dasuki, and the leader of the Shia Islamic Movement of Nigeria (IMN), Ibrahim El-Zakzaky. Similarly, the leader of the Revolution Now Movement, Omoyele Sowore, was re-arrested on the court premises despite the court ruling to grant him bail. These underscore the necessity for reforms within the security and justice sectors, and the police force in particular.

Towards a reset?

Following strong criticism from local and international civil society groups regarding the mushrooming security threats, Nigeria's Ministry of Defence in 2018 announced a review of the Armed Forces Act. While the review committee has summited its final report, the public have few expectations of this process due to negative perceptions of the military. Experts have called for a fundamental review of the country's National Security Strategy.

Conversations on the document have focused on the reactive nature of the policy, as well as a narrow definition of security. In response to this, the Buhari administration – in 2019 – reviewed the 2014 National Security Strategy in line with new thinking around the expanded notion of security to capture what security means to ordinary citizens.

Interestingly, the reviewed document places an emphasis on human security seeking to advance citizens' wellbeing. It addressed issues relating to unemployment, inequality and poverty more broadly, recognising that these issues are at the core of terrorism, cybercrime, militancy and other security challenges. Furthermore, the strategy recognises the need for a new understanding of contemporary geopolitical security issues within the country, as well as positioning and preparing security agencies to effectively and efficiently combat them.

To position security forces effectively for greater human security, this paper recommends the regionalisation of Nigeria's policing architecture. This will provide additional policing capacity in support of the federal government from the six geopolitical zones of Nigeria. However, due to concerns about the potential abuse of police power by individual state governments in Nigeria, policing reform debates have been unhelpfully polarised. This pits advocates of the federalist status quo against proponents of state-led policing. A regional policing arrangement will bring security governance and accountability closer to the people in each region. It will also address anxieties by enshrining national inclusivity provisions in the enabling laws. Constitutional safeguards must be enshrined to cover inclusive recruitment to the regional forces, their collective democratic control by the governors within a geopolitical zone, and other meaningful checks and balances to carefully circumscribe their use and operations. Guarding against destructive politicisation in this way is crucial to the successful devolution of policing powers in Nigeria. Its successful implementation can also guide further devolution of police powers to the states. In addition, its inclusive composition will arguably represent a modern, progressive and positive interpretation of the much-abused national character principle.

Conclusion

Nigeria's review of its National Security Strategy is an opportunity for a comprehensive review, leading to new approaches that fully integrate citizens' perspectives into national security strategy. Importantly, the police

are at the critical interface of government and citizens when it comes to managing instability and safeguarding human security. The new Police Act and a reviewed National Security Strategy together represent a promising opportunity for the federal government to tackle old and new threats, and make the country more secure in the next five years.

This paper proposes strengthening policing in Nigeria with an extra regional layer of forces (see elaboration in the policy recommendations below). The forces will be directly accountable to state governors (though within a regionalised framework of funding and control). It will be a viable, gradualist path to policing improvement.

In addition, there is a need to take account of the broader reform environment. The government may find it useful to set up specific accountability mechanisms to mitigate misappropriation and abuse of procurement regulations (also see Joe Abah's contribution in this volume), and ensure professional discipline and accountability in the forces. Both the state and the federal government must demonstrate a renewed commitment to exposing police corruption and abuse by guaranteeing the security of whistle-blowers. There is a need to challenge the culture of hiding misdeeds behind the cloak of security sensitivity. This will incentivise citizens to support government efforts to fund police reform and implement more broadly a new national security strategy.

Recommendation: Designing effective regional police forces

Ordinary citizens have been the primary victims of Nigeria's mushrooming security challenges. This situation has resulted in the death and displacement of more than 2 million individuals. Advocacy efforts so far have not led to any tangible reform achievements. Given the contemporary context, the following recommendations to guide decisive police reform are both balanced and pragmatic:

- 1. Regionalise policing architecture:** A root-and-branch restructuring of the policing architecture underpinned by a constitutional change is self-recommending. The priority must shift towards creating regional police forces rather than devolving police powers to the states.
- 2. Appropriate sequencing:** Experience from Spain shows how Nigeria might advance the police reform agenda in stages. At the initial stage involving "regionalisation" of policing, sub-federal policing forces will be created in each geopolitical zone (namely the

southwest, south-south, southeast, north-central and northeast). Like Spain, which has several layers of policing authorities, including national, municipal and local police, Nigeria could assuage anxieties by starting with regional police. Constitutional change should allow the state governments that make up each of Nigeria's six geopolitical zones to come together to form such a force. This should be based on newly devolved regional policing powers vested in the regions by Nigeria's constitution.

3. **Inclusive composition:** Recruitment into the regional forces should promote national inclusion by meeting certain constitutional safeguards. They must include a requirement that officers of each regional force are recruited from across all of Nigeria's six geopolitical zones, with the majority – ideally about 70% of officers – drawn from the zone in question. This guarantees that the forces do not exclusively represent a single ethnic group or region. That will provide guarantees of inclusion and assurance for all Nigerians in the region, regardless of their origin. The other five geopolitical zones will each contribute 6% to make up the non-regional 30% of officers. Each and every geopolitical zone desirous of its own force will need to meet these inclusive recruitment criteria.

4. **Checks and balances:** Lastly, collective control of the forces, which will be vested in all the governors within a geopolitical zone, will ensure checks and balances. Encouragingly, seldom has any geopolitical zone in Nigeria been controlled by elected governors from the same political party. The regional police force will be accountable to these governors, each holding a veto vote on key decisions such as funding, staffing and appointment of the head of the force. With this collective responsibility approach, a culture of consensus building should gradually emerge among the governors. By this design, the force itself will be immune to the whims of any individual and should not easily become a partisan tool.