

The Quest for Democratic Sustenance in Nigeria: Role of the Police Force

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Abstract: *Within the framework elite theory, the paper critically examined the place of Nigeria police in the sustenance of democracy. The paper submits that no matter the level of investment and commitment into democracy, its future definitely can only be bright if state institutions such as the police are constantly involved in activities that protect democratic order. Given the catalog of challenges facing the police force, some steps such as: effective and special training in the area of human right, rule of law, the role of police in electoral process, removal of police attachment to politicians and political parties, employment of best practices in recruitment, attitudinal change and orientation of the members of the police force, should be taken in order to enhance the activities of the Nigeria police force towards democratization in Nigeria with a view of the oncoming 2015 general election.*

Keywords: *Democracy, Consolidation, Nigeria Police, Sustainability.*

I. Introduction

Before 1999, Nigeria has most of her political years being controlled by the military (total absent of democracy). Between 1960 and 1999, the military has rule the country for about twenty-nine years. The birth of the present democracy was costly hence it cannot be toiled with by those who are supposed to protect it. If democracy does not move towards securing freedom and rule of law, the citizens will eventually lose their faith in democracy, and turn to authoritarian alternatives. The fate of democracy in Nigeria will be determined not by its expansion but rather by the performance of those institutions that are supposed to protect the democracy itself.

Democracy is built on the existence of statutory institutions where different opinion and interest are harmonized. Democracy as the government of the people (majority) has a duty of equal protection of her citizens, their possession and their right. People under democratic society have their welfare and security taken care of by the government. There is equal right to political participation, freedom from undue interference, equal opportunity to pursue their career and freedom of speech and religion.

All over the world, the central element to the achievement of sustainable democracy is “**A Police Force**” that is: subject to the rule of law rather than to the wish of the powerful leaders, group of people or any political party; can intervene in the life of the citizens only under limited and careful controlled circumstances; and is publicly accountable. Traditionally, the police force stand between the total chaos and social order. The importance of a police force in a democratic society increases with the increase in the heterogeneity of the society.

In previous years, a defining characteristic of the Nigeria police force is their mandate to legally use force and to deprive citizens of their right. A character that is bound to generate opposition from those who are subject to it; and this was a great threat to Nigeria democracy. However, the recent administration of the Nigeria Police Force – the M.D Abubakar regime to the present regime of Suleiman Abba – has brought positive hope to the role of the Police Force in Nigeria Democracy and this was clearly demonstrated in all the Governorship Elections held during the regime of the above IGPs (the 2012 Ondo Governorship election, 2014 Ekiti and Osun Governorship election) were the Nigeria Police were applauded for their good performance.

Democracy is built on the existence of institutions whereby different opinions and interest are harmonized (Abdulaseed, 2013). Such institutions include; the police, the judiciary, political parties, electoral commission etc. The modern democracy is expressed in a representative model in which decision making is restricted to the elected.

Abdulsalaam (2004), posits that “Democracy is a sought-after value. It is not a perfect system of governance, even theoretically. But as Aristotle argued, it is the least evil of all possible governments. The strength of democracy is drawn from the fact that it is supposed to be the product of the will of the majority of the people. Government is held in trust for the people. The citizens feel a sense of ownership of the state for they can identify with it as vital stakeholders whose will gave existence and legitimacy to the state and the government. As shareholders of the common-wealth, the citizens will not only avoid such behaviors that hurt and sabotage the system, but join forces to resist any such attack on the collective interest. That in-fact is the

real basis for the development of grand tactic, the mobilization of the entire national asset for the protection of the nation, which I believe can work best in a democracy”

For those who elected the decision makers to benefit from the dividend of democracy, the security network must be above average and impartial. Bohm and Haley (1997), posits that “an orderly and safe environment is the foundation for all else that happen in an environment or institution to an extent that the security within the society affect even the inmates in the prison” It is believed that where an environment is not safe, everything that goes on there is secondary. Security therefore is the primary and necessary condition for the smooth running of a democratic process in any social system. The police force is a major institution that protects and curtails the excesses of the citizens. Democracy allows the freedom while the police policies the freedom.

Critical to democratic governance is the concept of the rule of law, and fundamental human right as enshrined in Section 33 – 42 of the 1999 constitution of the Federal Republic of Nigeria as amended in 2011. As important and in-alienable these rights are, in practice, it cannot be enjoyed in a society where lives and properties are not adequately secured. The electoral process, through which a democratic government is given birth to, must be protected and policed according to the law of the land. The political parties as both lubricant and conduit in a democratization process must be effectively policed and controlled in line with the law without bias for adequate harmonization of different interest and opinion among the people.

Democracy therefore can only thrive in a society where security in all its paraphernalia abounds. The formal agencies charged with the responsibilities of social control are: the military; the police; and other quasi police agencies. Roger (2001), in support of the above assertion, argued that democracy alone cannot provide personnel and political freedom, unless the institutions of social control are effective. In the words of Governor Theodore Orji of Abia state, democracy thrives only in an atmosphere of peace. First and foremost security is paramount to my administration. In a state where there is no security, nothing work as everyone is afraid to move about”(Daniel, 2012). In the same vein, El-Badaway (2014), argued that the major threat to democracy is insecurity. While Leha (2013) posits that the Police should do everything possible to protect the hard earned democracy in Nigeria.

Section 214 and 215 of the 1999 Constitution as amended, charges the Nigeria police force with the responsibilities of the internal security of the country. Gary (1998) argued that the police are the central element of a democratic society. They are the agency of the government that the citizens are likely to see and have contact with; and are used to control crime and contribute to public order. Therefore, the relationship between the police and democracy is **axiomatic**. The police are seen almost in every part of the country and are almost the first point of contact whenever there is a disorder or social problem in the society. However, the condition under which the police operate and the means they use can greatly affects the existence of democracy in any society.

If the legal power which the police uses in the performance of their duty, are abuse (ranging from extra-judicial killings to being use by politicians and political parties), there will be a lot of oppositions from the public whom they serve. The law enforcement requires a delicate balancing act in the conflict liberty and order when considering democratization process. The police are constitutionally empowered to conduct arrest, search, detain suspect etc as in the police Act and Regulation. But when these powers are abused to the extent of supporting dictatorship, politicians, they threatened and destroy democracy.

The Nigeria democracy has been a superficial phenomenon, blighted by multiple forms of bad governance, abusive security forces, and domineering local oligarchies. Unfortunately, the dividend of democracy has only been restricted to a corrupt and avaricious few (Owolowo, 2013).

Democracy begins with the idea that government exists to serve the people and that as the source of governmental authority, the people have the right to change the government if it does not serve them justly (Nash, 2008).

Conceptual and Theoretical Discourse

Robert Carr (1996) saw democracy as meaning different things to different people. He saw the definition as being complex and difficult. Democracy is a demanding system and not just a mechanical condition seen in isolation.

Abraham Lincoln (1847) conceived democracy as a government that expresses the equality and freedom of all. The extent to which this freedom is expressed determines the nature and sustenance of democracy in any given society. Lincoln defined democracy “as the government of the people by the people and answerable to the people. Democracy suggest a participatory process in decision making involving the whole citizens, and providing good welfare and security of the people as a whole not for a group of people or individual. Democracy as been conceived by Abraham Lincoln is a liberal or direct democracy where everybody is directly involved in decision making process within the society.

Democracy is a form of government in which all eligible citizens participate equally, either directly or through elected representatives. Democracy encompasses social, economic and cultural conditions that enable free and equal practices of political self-determination. Democracy is defined in contrast to dictatorship or tyranny, thus focusing on opportunity for the people to control their leaders and to oust them without the need for revolution. Several variants of democracy exist, but there are two basic forms, both of which concern the whole body of eligible citizens: direct democracy and representative democracy.

Direct democracy is a type of democracy in which all eligible citizens have direct and active participation in decision-making in the governance of the people. This type of democracy agrees with the definition of democracy given by Abraham Lincoln. In most modern democracies, the whole body of eligible citizens remains the sovereign power, but political power is exercised indirectly through electoral representatives called representative democracy. The concept of representative democracy arose from the ideas and institutions that developed in the European Middle Ages, the transformation, the Age of Enlightenment, the French and American revolutions.

Features of Democracy

There is no consensus on how to define democracy, but equality, freedom, justice, fundamental human rights and the rule of law have been identified as important characteristics of democracy through a free and fair election. These principles are reflected in all eligible citizens having equal access to the legislative process. For example, in representative democracy in Nigeria, every vote has equal weight, no unreasonable restriction can be applied to any one or group of individuals seeking to be voted for, or to vote for another person, while the freedoms of all the citizens are secured by legitimized rights and liberties which are enshrined in the 1999 Constitution as amended in 2011.

According to Jean (2008), democracy in America is based on six essential ideals: (1) People must accept the principle of majority rule. (2) The political rights of minorities must be protected. (3) Citizens must agree to a system of rule by law. (4) The free exchange of opinions and ideas must not be restricted. (5) All citizens must be equal before the law. (6) Government exists to serve the people, because it derives its power from the people.

One theory holds that democracy requires three fundamental principles: (1) political equality, freedom to adequate political socialization and orientation; (2) social norms by which individuals act are considered acceptable by the people; and (3) majority rule. Hudson (1996), used the phrase majority rule in defining democracy, which Aristotle in his words says that "the popular principle of justice is to have equality according to number and not to worth." Scholars here believed that the true democracy respects the will of the majority, and not the will of the powerful few with much emphasis on the rule of law.

One of the features - **the rule of law** - of democracy states that the law is supreme, every citizen is subject to the law irrespective of whom you are, against the notion that the rulers are above the law, conforming with the standard of justice and human rights. It is an authority and influence of the law in the society especially as a constraint to undue behavior of the government officials.

Section 33 – 42 of the 1999 Constitution of the Federal Republic of Nigeria as amended, made provision for fundamental human rights for citizens and non-citizens alike under a democratic administration. These rights include: the right to life; the right to dignity of human person; the right to personal liberty; the right to fair hearing; the right to private and family life; the right to freedom of thought, conscience and religion; the right to freedom of expression and the press; the right to peaceful assembly and association; the right to freedom of movement; the right to freedom from discrimination; and the right to acquire and own immovable property anywhere in Nigeria (FRN, 1999). The aforementioned rights as set out by the Constitution should be available to all citizens of Nigeria without alienating anybody. Nobody should be unjustly denied of these rights without recourse to the law.

Another feature of democracy is **equity**. This characteristic identifies that all Nigerians are equal before the law. For example, Section 17(1) of the 1999 Constitution as amended states that "the state social order under democracy is founded on the idea of freedom, equality and justice while Section 17(2) of the same Constitution made it clear that:

- Every citizen shall have equality of right, obligation and opportunity before the law;
- The safety of every citizen shall be maintained and enhanced;
- The government action shall be human and independent; and
- The impartiality and integrity of the court of law and its easy accessibility shall be secured and maintained respectively.

Another essential part of an ideal democracy is a competitive **election** that should be free and fair, both substantively and procedurally. All voters should be given the opportunity to participate fully and freely in the running of their society, with great emphasis on the notion of social contract and the collective will of the voters.

This democratic method of arriving at acceptable political leaders is well expanded in Schumpeter (1942) articulation. He explained that, election is an:

“Institutional arrangement for arriving at political, legislative and administrative decisions. It is a method by which the individual acquires the power to participate in decisions by means of a competitive struggle for the peoples vote”

Elections are critical aspects of the democratic framework for governing modern political societies. They serve as instrument of political choice, mobilization and accountability. In the context of liberal democracy that has become the most popular form of democracy in the modern world, elections are to facilitate the smooth transition from one civilian administration to the other as we are about to experience in 2015, and it also help in legitimizing sitting governments. In a democratic system where elections are devoid of crisis, long term disputes or political violence, are amicably resolved. In describing the concept of election, Lincoln said that ballot is stronger than bullet. Such system enhances the prospect for political stability, peace, development and continuity in governance. But where elections are characterized by violence, thuggery, intimidation, rigging, ballot box snatching and stuffing and other forms of electoral malpractices, they bring to question the very essence of democracy.

An election is a formal decision making process by which a population chooses an individual to hold public office in the legislative, executive arm of the government at the federal, state and local levels. It is a mechanism by which modern representative democracy is given birth to. Central to election is suffrage which is the power of an individual to vote and to be voted for. The electorate does not generally include the entire population, for example many countries forbid those adjudged mentally incompetent from voting. Also there is age minimum as specified by the law. In the ancient Athens, women, foreigners and slaves are not allowed to vote. Suffrage is typically only for citizens of the country. In some countries voting is required by law, failure of an eligible citizen to vote attracts sanction. An election is a platform that allows the masses to choose their leaders. It must be free and fair, devoid of any pre-conceived and pre-ordained agenda if the polity is to enjoy an atmosphere of peace, freedom and progressive political, social and economic mobility. In Nigeria, the Constitution has set out the modalities for voting and who is eligible to vote and be voted for. Having considered the features of democracy – equality, freedom, justice, protection of human right, rule of law and credible election, the question now is how has the Nigeria police force protect the above features in the performance of their duties. This is what the section below seeks to address.

The Police Force and Democracy

The police are a constituted body of persons empowered by the state to enforce the law, protect lives and properties of the citizens and limit civil disorder. All over the world, the principal agency charged with the responsibilities of internal peace and security of a nation, is the police. In Nigeria, the police force establishment is re-emphasized in sect. 214 of the 1999 constitution of the FRN, to carry out the primary purpose of the federal government of Nigeria under democracy: which is the security and welfare of the people [Section.14(2)(b) of the 1999 Constitution of Nigeria.

The duties of the police were specified in section 4 of the Police Act as: (i) Prevention and detection of crime; (ii) Apprehension of offenders; (iii) Protection of lives and properties; (iv) Enforcement of all laws and regulations with which they are directly charged with; and (v) Performance of such military duties within and outside Nigeria as may be required of them.

Democracy is seen as involving participation and formal rules about procedures such as election. Ihiaierimu (2013) affirmed that security is one of the major problems of democratization which is a global issue. The police force is the fundamental security agency that the people see and have contact with on daily basis. All industrial societies use the police to control crime and contribute to public orders (mediating, arbitrating disputes, regulating traffic and helping in emergencies). The condition under which the police operate, the means they use and the end they seek to achieve varies greatly between democratic societies and non democratic societies, which also immensely affect the nature of democracy. Police is a central element of a democratic society. The police in a democratic society, must be subject to the rule of law, operate using a limited force under the law, and must be accountable. The police are the myth that stands between the total chaos and social order. The important of police in any society increases with the increase in the heterogeneity and size of the society.

In Nigeria, the police are equipped with enormous power to perform their duties which must not be abused by members of the Nigeria police force. In this respect, I must congratulate the immediate past and the present Inspector General Police (IGP) for standing to the taste of time in their administrative means towards improving the performance of the police force especially in the area of upholding the fundamental right of the citizens. When the police operates under the rule of law, they protects democracy, but when they use their power to conduct illegal search, detention, supporting powerful politicians and dictatorial leaders, depriving the innocent citizens of their right, then they destroy democracy. Law enforcement requires a balancing Act base on

the rule of law principle. The law that the police enforced, the way they enforced the law and the means they used are determined by and determinant of the nature of democracy. If the Police enforces the law that support discrimination and denying people of their human right will highly destroy democracy, and consequently alienate the people from the dividend of democracy.

In a democratic society, the police must not be a law unto themselves nor serve the interest of the few, powerful politicians, any political party, but to serve the interest of the masses. It is important to note that in true democracy, the police must be neutral and unbiased and not a partisan politician in the performance of their duties. The police serve any government in power in accordance with the law, and not to the interest of the ruling party or politicians.

More so, the police under democracy play an essential role as regard to electioneering process. Basically the police maintain public order as well as create a favourable climate in which democratic election can take place. It is the responsibility of the police to ensure a peaceful condition at the polling and collation centers during the election and to enable voters to exercise their franchise without fear or intimidation, coercion, violence or manipulation. The police also have the duty to protect lives (electorates and electoral officers) and properties of the citizens including electoral materials during voters' registration, political campaign and voting. At the time of election, the police are expected to be accessible by the public, quick in responding to distress call, always at alert, and above all, should be impartial and neutral. .

Performance of the Nigeria Police force in the Present Democratic Dispensation

Nigeria returned to democratic governance 29th May, 1999. Philemon (2013), describe the present democracy in Nigeria as "Hard earned democracy that must be protected at all cost" He noted that the police is a symbol of democracy and must be neutral. Nwosile (2004) while analyzing the performance of the Nigerian police force under this present democratic dispensation identified the following as achievement made by the police force: The Nigeria Police Force has performed greatly in the control of the Niger Delta Militancy (2001 – 2009); Protection of government key personnel and installations in the country; Several battles against men of the underworld (Armed Robbers) which has reduced the incident of bank robbery in the country; Cooperation with international police over control of crime across the border (the concerted effort of the Police border patrol team is relevant here); and Participation in several Peace keeping missions under United Nations; fight against kidnapping in the country (especially in Abia state, Delta state, Balyesa state, River state etc, between 2006 and 2012); Also in the last general election conducted in 2011, the police were commended for a good performance. In the 2012 Ondo Governorship election, 2014 Ekiti and Osun Governorship elections, the Nigeria Police force under the leadership of IGP M.D Abubakar and IGP Abba Suleiman respectively, has demonstrated their effectiveness in policing Nigeria towards a peaceful Democratic transition in Nigeria come 2015. The police force in the above elections has demonstrated a high level of neutrality, impartiality and professionalism in carrying out their election duties

Nwosile however, pointed out that: (1) the Nigeria police force in the some years past has not been able to transform itself into a people – friendly organization loved by the people; and (2) some police personnel are inadequately trained in weapon handling.

Again during the recruitment of members of the public into the Nigeria security forces, there is less emphasis on the use of psychologist and other experts in detecting and preventing persons with quick tempers and questionable character from been recruited into the fold (forces that are bearing arms). These are those security officers who kill innocent citizens the slightest provocation (giving rise to accidental discharge).

Challenges facing the Nigeria Police in Democratic Sustenance

The Nigeria Police Force, in quest to providing a safe environment for democratic sustenance has been faced with a lot of challenges, which many writers has identified as follows:

Lack of adequate and appropriate training in the Nigeria Police Force. Since there is a minimum standard of performance below which the police must not fall. The required nourishment for maintaining standard and keeping up with the latest trends in policing is appropriate training and retraining (Otitoju, 2007). The society which the police serve is dynamic, faced with geometric increase in the trend and pattern of crime. To meet up with this security challenges facing the Nigerian society, the Nigeria police force need to equip its personnel with the right quality of skill, knowledge attitude and behaviour. These qualities, can only be achieved by a rigorous, systematic and effective training and manpower development programmes. However, the Nigeria police training institutions have not been able to give out the desired quality of modern policing due to various factors as identified by different scholars: (1). Inadequate finance. There are usually no enough fund for training programme in the Nigerian police force. Specialised courses like forensic science, bomb disposal course, communication course etc. are not well financed, and in most cases the Police Force depend heavily on foreign technical assistance; (2). Lack of adequate equipment/infrastructure. There is shortage of scientific aids e.g

computer which affect modern teaching method and efficiency. Staff accommodation in the police training institutions are grossly inadequate; (3). Poor training curriculum. Police training institutions in Nigeria has been noted to be infiltrated with poor training curriculum. M.D Yusuf led committee on police reform in 2008, identified poor training curriculum as a major factor inhibiting effective training in the Nigeria Police Force; and (4). Shortage of qualified training staff in the police training institutions. This was also identified by the police reform committee of 2008, when it commented that most personnel in the police colleges are not qualified to be a trainer. Abang (2007) in observation of this challenge facing police training institutions, posit that the instructing staff of the police schools should be exposed to modern trends in training as obtained in the advanced countries, which should be an effort towards updating police training institutions.

Poor and inadequate facilities and equipments This is another challenge facing the Nigeria police force generally. The force is engulfed with inadequate facilities – equipment and Logistics. This has affected the officers and men of the police force in responding swiftly to any emergency.

Political interference and influence The police force has put in all measures to be politically neutral in all her operations. However, where the powerful politicians, political parties who have the power directly or indirectly to hire and fire, begins to control and direct the operations of the executive arm of the government, then political neutrality of the police will be lost. And this will greatly affect the performance of the police force.

Corruption This is a web that has consumed Nigeria as a whole. This factor in the same vein has affected the performance of the police force as a sub-set of the country. Corrupt has accounted for most of the abnormalities in the Nigeria society of which the police are not exception.

Inadequate welfare package The Nigeria police force in all paraphernalia has not been taken care of by the Federal Government of Nigeria. The hazard the Job is faced with is so enormous, that officers and men of the police force supposed to have good welfare packages – good take home salary, good and robust insurance scheme, good accommodation etc. this is a reverse of what happened in Nassarawa state in 2013, when the families of officers and Men who died in active service were paid #500,000 to #1,000,000 each against their DSS counterparts whose families earned #10,000,000 each. This is one of the factors that have promoted corruption in the country.

As overwhelmingly and complex as the challenges may appear, they are not insurmountable. Indeed, they can be managed and possibly be ameliorated. The following section examined how it can be achieved.

Nigeria Police and Democratic Sustenance: The Way Forward

No doubt Nigerian police has a vital role to play in bringing about societal change in Nigeria, which could be facilitated by democratization. Police must compliment the role of other sister security agencies in the match to a better Nigeria.

Some of these steps that may be undertaken are embedded in the challenges of police public itself. Once they are resolved in the positive direction, the problems could be ameliorated if not nip on board.

Adequate training: The members of the Nigeria police should be adequately trained in line with the modern democratic movement. Training based on the rudiment of the fundamental human right, rule of law, dignity of duty and the role of police in a democratic society should be emphasized in the police training curriculum. Police training institutions in Nigeria should adopt training curriculum in line with the modern political dispensation that will equip Officers and men of the Police force with the right quality of skill in rule of law, quick response to emergency, proper weapon handling and public relation management. Required equipment and infrastructural facilities and qualified training staff should be made available in the police training institutions.

The police should adopt a Reliable Recruitment Policy and Practice that will bring in the right quality of staff with the right frame of mind in the performance of their duties. The police force should engage the services of psychologists and other experts to detect and prevent persons with quick tempers and questionable character from been recruited into the force to bring in men of dignity and integrity into the Nigeria police force.

Corruption as a societal problem should be addressed by the Federal Government. Again there should be improved in the welfare package of the Nigeria Police force to commensurate with the nature of the hazard they experience in course of their job.

Lastly, political parties and politicians of any type should separate themselves from the police. The police in dealing with politicians and political parties, should apply the law to all, without fear or favour to anyone.

II. Conclusion

For the present day democracy to be sustained the Nigeria society needs a modern and the people friendly policing, that are publicly accountable, responsive to the rule of law and democratic oriented people. In the light of this, a number of recommendations have been advocated in this paper. It is the position of this paper, that once the above measures are adopted and implemented, there will be a police force that will be: subject to the rule of law and not to the wish of the powerful; intervening in the life of the citizens under a control circumstances; publicly accountable; and a police force with people's oriented attitude. And this will definitely enhance the growth and sustainable democracy in Nigeria. Development can only take place where there is peace and security

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