SECURITY ARCHITECTURE, INTERNAL POLICING, AND AGITATIONS FOR STATE POLICE

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ABSTRACT

The Nigerian security environment is uniquely marked by notable threats with diverse implications for peace order and stability. Old and emerging threats have steadily risen in an epic proportion. In all the regions of the country, insecurity has skyrocketed in an unprecedented proportion. The Nigerian security architecture appears overwhelmed and incapable of securing the country in the face of these daunting security threats, it begs the question: can the security architecture neutralize the myriad of threats the country suffers? The paper seemingly looked at the current dynamics of the Nigerian security architecture, internal policing and its inherent fault lines, and the call for state police. The paper adopted the qualitative method, content, and thematic analysis. Ultimately, the paper found out that there are numerous security challenges across Nigeria with old and emerging threats assuming an existential dimension. Also, the internal police mechanism has sadly proved inadequate to contain these threats. Consequently, there have been agitations for state police that will complement the operational capabilities of the existing security architecture. The paper recommended that state police could provide an invigorated dynamism, logistics, and manpower to the current security outfit.

Keywords: Security architecture, internal policing, agitation, state police.

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INTRODUCTION

The seeming security challenges in sub-Sahara Africa have risen exponentially. State failure in Libya, the resurgence of global terrorism, and the incessant quest for grazing lands and waters which culminated in the conflict between pastoral and farmers have risen the stakes and questioned the operational capacity and capabilities of law enforcement to effectively combat these threats. Burkina Faso, Chad, Niger Republic, Cameroon, etc have been beset by one security turmoil or the other. In all these states bordering Nigeria, the nature of insecurity primarily is on account of large-scale systematic and leadership failure. Nigeria's porous borders and a large swath of land not properly governed, have tragically created difficulties to impose security on the highly dispersed population. The influx of cattle, weapons proliferation, organized crimes, illegal mining activities, maritime crimes across the gulf of guinea, and terrorist financing have steadily infiltrated the Nigerian shores from across Africa, and now pose unprecedented security challenges to Nigerian Defence and security architecture.

The Nigerian security architecture, once a formidable force capable of subduing foes and taming all forms of hostilities against internal insurrection and external aggression, has steadily and yet, increasingly come under huge scrutiny, whether they are capable of neutralizing the innumerable security challenges the country now faces. Security threats and challenges have astronomically risen. The response appears disproportional. Old threats have assumed a more violent dimension. Emerging threats have skyrocketed, incubating a frightful regime of terror with destructive capabilities, creating a vicious circle with the tale of horror hovering around. Terrorism, militancy, kidnapping, banditry, religion and sectarian violence, secession, the proliferation of small arms and light weapons, large swath of land poorly governed, porous borders, drug, and human trafficking, maritime crimes, etc, have overwhelmingly posed a monumental challenge to the Nigerian security architecture. Critical infrastructures, values, assets, territorial integrity, lives, and properties, have increasingly come under destructive attacks. The cost of blood and treasury have risen.

Over time, the centralization of the security architecture and command structure, poor funding, and mismanagement of funds, inadequate manpower and logistical supports, endemic corruption, the poor image profile and perception, the overwhelming population explosion, and the inadequacies of the police and other law enforcement, have profoundly created the crisis of confidence between Nigerians and the police. The confidence deficit, demonstrated in the lack of mutual trust between the security architecture and the Nigerian populace has further deteriorated the internal security capabilities. Modern policing is driven by three strategic elements –people, technology, and systems; internal security architecture that is not driven by the concept of citizens' consent and partnership does not adequately guarantee citizens' safety.

Amidst the seemingly intractable internal security contradictions, the quest, agitation, and call for more robust, well-equipped, technologically driven state police that will ultimately infuse a new dynamism in the fight against insecurity has been advanced as a panacea. According to Eme & Anyadike (2012), the creation of state police is seen as a step towards actualizing the sustained campaign for community policing. Community policing is a philosophy that promotes organizational strategies, which supports the systematic use of partnership (between security agents and the society) and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

It promotes synergy between the policed populace and law enforcement. It reinforces the position that a collaborative approach between the law enforcement agency, on one hand, individuals and community heads on the other hand can laudably promote the operational efficiency of the police. The rationale is to build trust and reinvigorate collaborative thinking to make the police capable of fighting the myriad of insecurities. Essentially, in the face of current internal security challenges and the resonating national discourse on police efficiency, this paper explores the Nigerian security architecture, highlights the imperative of internal policing, and discusses the need

for state police in advancing the capacity of the state to meet its statutory obligation of providing security to the citizens.

NIGERIAN SECURITY ARCHITECTURE

A nation's security architecture comprises the totality of its constitutional and legal framework, and institutions that form and provide safety and security services for its citizens and the defense of its territorial integrity. In the views of Saleh (2020), the efficacy of a country's security architecture largely depends on the politically led governance system; influenced by a constitutionally mandated defense, security, and intelligence community system, and institutions that are organised, skillfully trained, well equipped, professionally led, and psychologically motivated.

The management of national security in Nigeria is exclusively conferred on the President, the chief executive, and commander in chief of the armed forces. The Nigerian national security architecture, however, operates at two levels - external and internal security. Principally, internal security responsibilities are vested in the Nigerian Police Force (NPF), the Nigerian Security and Civil Defence Corps (NSCDC), the Nigerian Immigration Service (NIS), the Nigerian Customs Service, the Nigerian Correction Service (NCS), Nigerian Fire Service (NFS), the State Security Service (SSS) also called Department of State Security (DSS) and the Federal Road Safety Corps (FRSC) (Mbachu 2011a).

Ultimately, addressing and securing the state from external threats, fundamentally is the responsibility of the Nigeria Armed Forces, under the Ministry of Defence (MoD). The agencies under the Ministry of Defence comprise the Defence Headquarters (DHQ), the Nigerian Army (NA), the Nigerian Navy (NN), the Nigerian Air Force (NAF), and Defence Intelligence Agency (DIA). The Office of the National Security Adviser (ONSA) oversees the DIA and NIA (Mbachu, 2011b).

The key instruments of law that highlight the basic components of Nigeria's inter-agency regime are the Constitution of the Federal Republic of Nigeria (1999), the National Security Strategy (NSS), the

National Counter Terrorism Strategy (NACTEST), and the National Disaster Response Plan (NDRP) 2001. The 1999 Constitution, being the groundwork, created a National Security Council (NSC), which has advisory responsibility to the President on all matters related to public security, including matters related to any organization or agency established by law for ensuring the security of the federation. He however asserts that the composition of the council reflects its inter-agency scope. The members of the NSC include the president and the Vice President who chair and deputize the council respectively, the heads of the Ministry of Defence, interior and foreign affairs, the National Security Adviser (NSA), and the Inspector General of Police (IGP). Other members of the council are subject to the President's discretion. Each of the officials oversees the agencies that make up the nation's security architecture.

Tellingly, the recent insecurity in Nigeria has blurred the line between what constitutes the operational responsibility of the armed forces as well as paramilitary security outfits. The armed forces are hugely involved in multidimensional internal security operations. In some cases, the doctrinal approach of joint warfare where all the security operatives are involved has increasingly blurred the line between what traditionally constitutes the role of the Nigerian police and the Nigerian army. Abraham and Iro (2014), argue that there is a blurring of the lines between the police and the military with police units adopting increasingly militarized behaviors and the military taking on policing roles. This is because of the militarization of both policing and internal security because the police often do not have a monopoly on the use of force to maintain the state's control over society.

Critically, the statutory role of the military is a defense against external aggression, while the Police play the lead role in managing internal threats to national security Arase (2018). Nonetheless, in exceptional cases of severe disorder, section 217 (2) (c) of the Constitution provides that the military could be deployed to suppress insurrection and act in aid of civil authority. The President, Commander-in-Chief of the Armed Forces of Nigeria, relying on this provision, has deployed the military to complement the Police in

serious internal security challenges of magnitudes that have practically snowballed beyond the operational capacity of the Police including riot control, combating armed robbery, kidnapping, oil bunkering, agrarian farmers/pastoralists crises, militancy, insurgency, and natural disasters. This process is what has been conceptualized as Military Aid to Civil Power (MACP) when it involves the use of firearms and Military Aid to Civil Authorities (MACA) which refers to the engagement of the military to support civil powers in the management of disasters or humanitarian situations not involving the use of firearms.

INTERNAL POLICING: AN EVALUATION OF THE ROLE OF THE POLICE

Police could be seen as a professional body of men and women constitutionally created, organized, funded, and equipped to perform the duties of law enforcement in the country. In the views of Alemika (1995), policing involves coercive and/or ideological regimentation of social life through the activities of police and sundry state intelligence and security forces, and through other measures strategically designed to address and suppress behaviors, actions, and orientations that threatens the prevailing social order. Nwolise (2014) asserts that policing involves conflict resolution -conflicts emanating from inequalities in society leading to trade disputes, demonstrations, riots, etc.

In a state, there are many law enforcement agents but the principal one in the criminal justice system is the police. As far as the internal security system of any state is concerned, the police are constitutionally empowered to maintain the internal security of life and property (Sanda, 2013).

The Constitution of the Federal Republic of Nigeria 1999 as amended, principally outlined the constitutional duties of the Nigeria Police Force. By the virtue of sections 215(3) and (4) of the Constitution, the Nigeria Police Force shall maintain and secure public safety and public order, ensure internal stability, and prevent threats to national security. Essentially, Arase (2018), posited that the Police in most nations represent the foundation which fundamentally, is the

groundwork on which internal security management is built. Seemingly, the extent of internal security is linked to the operational effectiveness of the Police in any country. Generally, the strength of the social contract between the Police and the citizens on one hand, and between the government and the Police on the other hand is conditioned and influenced by mutual reinforcements, cooperation, and financial support. It is also predicated on the synergy between the police, the extended policing family (other law enforcement community), and the Military. The Police Force, through its operational mandates, is to intensify efforts toward ensuring that the social contract is enhanced and the police remain combat effective force that will readily undo threats to internal security.

POLICE OPERATIONAL MANDATES.

The constitution of the Federal Republic of Nigeria, as stated earlier, clearly outlined the functionalities of the police force. The functions and potentials for successful law enforcement hinge on the Police's notable ramping up of efficiency, large community support network, adequate funding and deployment of technologically driven combat effective force, adequately equipped with capabilities and capacity to undone criminal syndicate(s), and ensure that through synergy with the judiciary, lawbreakers are prosecuted. The operational mandate of the police force is the ability of police officers to discharge the following universal mandate of internal security:

Crime Prevention: Crime is any abhorrent act that is at odds with the laws of the state. Essentially, one of the cardinal responsibilities of the Nigerian Police Force is the prevention of criminalities in societal social relations and interactions. Crime is intolerable and the police have to deploy their capabilities to thwart crimes in their operational areas.

Crime Investigation. Secondly, another fundamental role of the Police Force is the establishment of facts to determine the culpability or innocence of suspects in a criminal examination. In most civilized nations and justice systems, a suspect is assumed innocent until is proven, or otherwise guilty by a competent court of law with legal jurisdiction to conduct a thorough and impartial investigation of crime.

Criminal prosecution. In the criminal justice system, one major duty of the police is to arrange for the prosecution of culpable suspects after due investigation of the crime. In the tripartite chains of the criminal justice system, the police institution is the first contact, when an arrest has been made and the suspect is found guilty of the alleged offense, police will make necessary arrangements to link the suspect to the next level of the criminal justice: the judiciary (Sanda, 2013)

1951, 1979, and 1999 constitutions of the Federal Republic of Nigeria, in sections of these constitutions, provide that: "There shall be a police force in Nigeria which shall be styled the Nigeria Police Force and subject to provisions of the constitutions no other police force shall be established for the federation or any part thereof." Following those constitutional provisions, the Police Act of 1967 section 4, copiously spelled out the functions of the police. These include:

(1) The prevention and detection of crimes;
(2) The apprehension of offenders;
(3) The preservation of law and order;
(4) The protection of life and property;
(5) The due enforcement of all laws and regulations with which they are directly or indirectly changed; and
(6) To perform such military duties within and outside Nigeria as may be required of them by, or under the authority of this or any Act. These, principally, are the roles the Nigerian Police Force is saddled with (Agwanwo 2014) However, can we safely say that the Nigerian Police Force has fundamentally performed its constitutional duties?

The operational capacity and efficiency of the Nigerian Police have recently come under scrutiny, as to whether the police is capable of containing the plethora of security anomalies the country now faces. Old threats and emerging threats to internal security have steadily risen in scope, scale, and frequency. The demographics of the country have risen. There is a mismatch between the rise in population growth and a corresponding economic opportunity. Poverty and inequality, cybercrimes, kidnapping, human and drug trafficking, armed robbery, cultism, separatist agitation, terrorism, militancy, oil bunkering, religious violence, farmer-herder conflict, and maritime crimes, have

alarmingly skyrocketed. The security of lives, cherished economic values, and possessions, have been adversely affected. Why then is internal policing ineffective in the face of these numerous security challenges? The following reasons aptly explain why :

OVER-CENTRALIZATION OF THE NIGERIAN POLICE

One of the plausible explanations for the ineffectiveness of the Nigerian Police Force has to do with the over-centralization of its command structure. Section 214, sub-section 2 of the 1999 Constitution stipulates that the Nigerian Police Force shall be under the command of the Inspector General of Police. The stipulations of section 215 of the same constitution posit that before a state police commissioner carries out an order issued by his governor, he may request that the matter be referred to the president or such minister of the government of the federation as may be authorized on behalf of the president for his directions (Odeh & Umoh, 2015).

Operational control of the Nigerian Police Force is bestowed on the Inspector General of Police who in turn reports to the president. Located within the exclusive list, the Federal Government, thus, exercises absolute control over the security institution, whereas the heads of other political units that make up the federation are helpless in issues on the routine maintenance of law and order in their constituencies. This is made even worst by the military intervention in the Nigerian Police functions, which has exacerbated the administrative bottleneck of the command structure.

However, the over-centralization of Nigerian security architecture has profoundly crippled rapid responses to security dialectics across the country. This, in part, relates to the historical antecedent and philosophical proclivity of security services. Jemibewon (2001) buttresses that the Nigerian Police Force was a creation of a colonial regime, to deal with the troublesome natives. Having originated from the West African Frontier Force, the Police was highly centralized and mandated towards ensuring compliance with the imperial Acts of 1807 and 1833 which historically abolished slavery and

slave trade, and also achieved the cardinal goals of "divide and rule" and facilitating the passage of raw materials to the metropole.

However, over five decades since Nigeria became a sovereign political entity, the country's security architecture remains centralized structurally, with damning consequences for the management of crime and insecurity at the grassroots. This demonstrates the outcry for the restructuring of the Nigerian federal structures to accommodate the recent security dynamics. Scholars have lent credence to the relevance of state police or multi-layer policing, as it is obtainable in other federal structures like the United States, Canada, Switzerland, etc. Proponents like Danung, Okoronkwo, & Miner (2020), Oke, Braimah, & Masajuma (2021), Oyombio & Obisung (2021), notable figures like the current Vice President, Prof. Yomi Osibanjo, Mr. Peter Obi, former governor of Anambra State, South East Nigeria, a former president of the Nigerian Bar Association (NBA), Olisa Agbakoba, Dr. Mike Ozekhome SAN, and host of others have argued that for insecurity to be adequately addressed, decentralization of the police, where states will have constitutional backing to establish, maintain and equip her police force, is a step in the right direction.

POOR FUNDING, MISMANAGEMENT OF FUNDS, AND CORRUPTION

In an intolerable proportion, the Nigerian police are massively underfunded. Shamefully, insufficient funding is one of the major challenges affecting policing in the country. The poor funding has seemingly affected the purchase of arms and ammunition and protective gear, promotion of the welfare of police personnel, provision of logistics and gadgets needed for effective policing in the 21st century, and poor welfare packages and incentives for police personnel.

Arguments for the poor policing system in Nigeria have always been associated with the scenario of inadequate budgetary allocation to the force by the federal government, leading to a lack of equipment and motivation for effective national policing Ugwu, Ngige, and Ugwuanyi (2015). Added to poor funding is the gross mismanagement of funds by the high-ranking personnel of the Nigerian police. Ibrahim (2015) noted

that the head of the police force is involved in the multi-fraud scheme, the dismissal of Tafa Balogun, the IG on January 17, 2005, on corruption-laden charges which brought out many of his bloody deals to the open leaves much to be desired in terms of police image.

According to a report by Punch (2005), the former IG opened fictitious bank accounts into which bribe money and police service money were laundered. The report highlighted the account names and numbers into which the various sums were traced: Olatrade Nigeria Limited, account number: 02201191; Renovations Construction Limited: 02201473; Caledonia Telecoms: 02201472; Yeboa Investment Limited: 02201475; Yeboa Nigeria Limited: 02201474; Aworo Nigeria Limited: 02201278; Inspector General's Imprest Account: 02201436. A huge chunk of the N1.4 billion, which the Independent National Electoral Commission (INEC) paid to the police for security during the 2003 general elections, somehow found its way into the account of Olatrade from the IG's shady dealings.

Again, according to a report by the Vanguard Newspaper (2018), former IGP Sunday Ehindero was accused of mismanaging N557 million naira. These challenges have sadly undermined the performance of the Nigerian police force, giving rise to poor policing in the country.

INADEQUATE MANPOWER AND LOGISTICS

One of the plethora of challenges undermining the operational capability of the Nigerian Police Force to profoundly police the country is inadequate manpower. Recently, the population of Nigeria is growing in geometric proportion. The level of unemployment and poverty is staggering. Crime is on the rise. The manpower needed to effectively police the country is massively inadequate and shamefully ill-equipped. According to the Nigerian Police (2022) the force boost of 371,800 Sworn officers, 5,556 Police Posts, 2,020 Divisions Headquarter,1,730 Police stations, 1,212 Police Village Posts, 328 Area Commands, 217 Commands, and 37 Zonal commands.

The ratio of Police Officers to citizens is incredibly wide. Within the number of law enforcement, a significant proportion is security

attaché to some politicians, wealthy business guys, religious leaders, or traditional leaders. The population figure of the country stands at about 200 million people or more. This explicitly demonstrates the sheer challenges crippling policing in Nigeria.

Added to insufficient manpower, the police and other security agencies have been grappling with the challenges of inadequate accommodation and transportation, poor communication networks, poorly funded training institutions, and insufficient criminal intelligence gathering capacity (Alan, Boubacar, and Funmi, 2008). These challenges have grossly undermined the operational effectiveness and capacity of law enforcement in Nigeria. These challenges have resulted in excessive corruption among them. For example, the Nigeria Police has a global reputation for brutality, corruption, and arbitrariness. The activities of the disbanded Special Anti Robbery Squad (SARS) prominently projected the Nigerian Police Force in a worst negative light. (SARS) has been accused of unlawful arrests, robbery, the invasion of youth's privacy by searching phones and laptops, kidnapping, rape, humiliation, extortion, and extrajudicial killings of their victims.

To buttress this point, Kelechi Madu, Canada's first black Minister of Justice and Solicitor-General at the Government of Alberta, recently gave a detailed account of how the Nigerian police allegedly murdered his cousin – Chrisantus Nwabueze Korie – in 2013 (Ikeji 2020). Also, according to Ekunife, Akpan, Oparah, and Thomas (2021), Amnesty International has accused the SARS officials of regularly detaining young male Nigerians illegally and extorting money from their relatives.

In terms of global ranking, the Nigerian Police Force occupies a bottom position. This has led to an entrenched culture of militarism in social relations with the civilian population, which undermines peaceful, amicable, and consensual resolution of problems, thereby encouraging frequent recourse to arms and a culture of violence. For instance, according to a report by Vanguard newspaper, in 2017, the International Police Science Association, IPSA, World Internal Security

and Police Index, and WISPI, ranked the Nigeria Police Force, NPF, 127th out of 127 countries in the world.

LACK OF CITIZENSHIP COOPERATION

Almost unanimously, there is a consensus among Nigerians as it is concerned about how best the police have treated unarmed civilians. Perception of the Nigeria Police by Nigerians reveals that Nigerians have a poor and negative relationship with their police force, resulting in a trust deficit. The unprofessionalism of the security agencies and the deployment of coercion have resulted in the infliction of pain upon the offenders. Sometimes, even innocent citizens on the streets are brutally assaulted, raped, and robbed of their valuables by some men of the Nigerian Police. Policing the community is manifested in police brutality, corruption, and human rights abuse. When ordinary people recount their odious and harrowing encounters with the Nigerian police, one is bound to conclude that the Nigeria Police has become a terror group of sorts.

According to a public opinion poll conducted by NOIPolls in 2019, significant empirical data has revealed a high prevalence of illegal police activities as indicated by the majority (78%) of Nigerians interviewed. This perception may have been influenced by the daily interface between the police and the general public across the 36 states and the Federal Capital Territory. 57% of the respondents disclosed that they are aware of some police illegal activities in their locality and residents from the South-South zone (68%) accounted for the larger proportion of Nigerians in this category. Interestingly, 83% of those who are aware of some police illegal activities mentioned that the collection of bribes is one of the most common illegal activities of Nigerian police personnel. Other police illegal activities cited in the poll include arresting innocent Nigerians (42%), intimidating innocent Nigerians (41%), and killing of unarmed Nigerians (12%) amongst other mentions.

Chris, Frederick & Florence (2021) observed that today, it is possible for citizens to be bundled into police detention on trumped-up allegations and kept incommunicado for days and weeks without being

pressed with any valid charges or presented to any court of competent jurisdiction for trial. Most observers are bewildered as to the egregious level of police hostility to the Nigerian populace. These hostilities manifest in varying dimensions ranging from mounting unauthorized checkpoints, road blocks, and toll gates to extort money from road users, eliciting payments before and during the investigation of cases reported to them, taking bribes for bail, active connivance with criminal elements to commit heinous offenses, stuffing and snatching of ballot boxes, misrepresentation of illiterate complainants, brazen display of indiscipline in form of rejection of lawful posting, soliciting for sex and raping of female detainees. These irregularities among the officers and men of the Nigerian Police Force have in no small measure, affected the perception of the citizens. In Port Harcourt for instance, a Police officer abducts and rapes a woman for not wearing a face mask (The Guardian, 2020). This fault line has overwhelmingly constrained the smooth cooperation and trust perception between members of the public and the police force.

FAULTY DEPLOYMENT OF POLICE PERSONNEL

The deployment of police officers to unfamiliar terrain and redeploying them when it seems they are acclimatizing, thwart their efficiency. When an officer is posted to a particular place, he or she has not been to before, it requires time to familiarize himself or herself with the atmosphere. In most cases, it is challenging as they have to learn and understand not only the vernacular spoken in their host community but also the culture for effective performance.

Again, another frailty in policing the Nigerian public seemingly is the area of deployment; where law enforcement officials have been commoditized, commercialized, and privatized and made ordinarily inaccessible to the masses.

According to former Inspector General Mohammed D. Abubakar, speaking while assuming command on 13th February 2012 in Abuja, Police duties have become commercialised. Our men are deployed to rich individuals and corporate entities such that we lack the manpower to provide security for the common man (Owen, 2014).

The former Inspector General of Police, during his maiden press conference in Abuja as Inspector General of Police, on 7th August 2009, Mr. Ogbonna Onovo disclosed that there have been huge illegal deployments of Police personnel to private individuals by some high-ranking officers of the Nigeria Police largely for pecuniary motives. This, of course explicitly captures the deployment of Police personnel in Nigeria to serve the high and mighty, while the rest of the society remain vulnerable amidst the daunting insecurity.

IMPERATIVES OF STATE POLICE IN NIGERIA: AN ANALYSIS

Conceptually, it's pertinent to underscore that state policing is not uniformly operated across the globe. State police are seen as a system in which the state government employs police officers to police the state (Agawanwo 2014). This conception implies that state police do exist primarily in countries with a federal system. From another perspective, state police are a kind of sub-national police formation, which is established, organized, and maintained, under the direct control and jurisdiction of a particular state (sub-national unit) of government (Egunjobi 2016). While this definition is broad, it does not accommodate the fact that in countries such as the United States of America and Canada, the Counties and Municipalities also have their autonomous police forces. This is argued by Aremu who asserted that state policing, operationally, is when policing and all its operations and logistics are controlled by other governments other than the national or federal government (Aremu 2014). Essentially, this demonstrates that the state police is a force under the component unit of the political entity, which exists to enhance the quality of life of the citizens.

State police do exist to enhance the decentralization of the police force. The justification advance in favor of state police is that it is in concert with the principle of federalism Nigeria claims to operate. As a federalist state, Nigeria is divided between the central government called the Federal Government, and the 36 States. Law-making function at the center is the responsibility of the National Assembly while the State Houses of Assembly perform similar functions subject to the limit permissible by the legislative list contained in the second schedule of

the constitution; an extension of the principle of federalism to which Federal and State courts exist. Thus, while there are federal courts with powers and jurisdiction as spelled out in the constitution, state courts are allowed to exist side by side with them, and their jurisdiction is spelled out. The executive powers of the federation are under section 5(1) vested in the president while that of the states are vested in the governors. The exercise of executive powers in both cases extends to the execution and maintenance of the constitution and all laws made by either the national or state assemblies, as may be appropriate.

An analysis of the above constitutional provisions depicts that each of the federating units is meant to be a complete government of its own, with powers to make laws, enforce them, and punish offenders through the judiciary. Yet, under the Nigerian legal system, the only institution saddled with the responsibility of enforcing laws is the Nigeria Police Force, a national outfit. The police are agents of the state, established for the maintenance of order and enforcement of the law (Alemika & Chukwuma, 2010). Without a coercive power, a state no matter how big or rich is just like any other organized society. It may be able to bark but it certainly cannot bite. Architects of the 1999 Constitution of Nigeria seemed to have appreciated the problems that were likely to be faced by the federating states operating without coercive powers when they inserted a clause allowing the government of a state to give any lawful directives to the commissioner of police in charge of a state concerning the maintenance of public safety and order.

Advocates of state police argue that it is illogical to ascribe the managerial capability of an institution like the police to a particular tier of government alone (Danung et al, 2020). They observe that the decision to completely cede policing to the federal authorities in Nigeria was premised on the wrong assumption that the federating states in Nigeria lack the power to maintain a disciplined force, especially against the backdrop of the experience of the First Republic. Experience has shown that the Federal Police are not insulated from the vices that afflicted the Native Police while they existed. Indeed, they argue that vices such as corruption, indiscipline, oppression, and extortion to mention but a few that contributed to the demise of the Native Police

still hinder the Federal Police in the discharge of their constitutional role.

Proponents also draw attention to the issue of over-centralization of responsibilities on the federal government as a reason for the clamor for state police. With about 68 items on the exclusive legislative list to contend with, the Federal Government of Nigeria is already overburdened with responsibilities Aganwo, 2014, Eme & Anyadike, 2012.

As a result, it is argued that recently, security in a holistic sense is seen as the protection of the federal capital, the seat of power alone. Also, the individual state now spends hugely to supplement the operation of police personnel deployed to their domains to secure lives and property. If a state spends hugely on matters relating to security, then it should be able to exert some form of control.

In another view, Vice-President Osinbajo, arguing for state police, notes that:

> …we cannot realistically police a country the size of Nigeria centrally from Abuja. State police and other community policing methods are the way to go. The nature of our security challenges is complex and known. Securing Nigeria's over 900,000sq km and its 180 million people requires far more men and materials than we have at the moment. It also requires a continuous reengineering of our security architecture and strategy. This has to be a dynamic process. For a country of our size to meet the 'one policeman to 400 persons' prescribed by the United Nations would require triple our current police force; far more funding for the police force and far more funding for our military and other security agencies (Onyedi, 2022: 37).

What seems clear from the Vice-President's remark is that Nigeria is too large for its security matters to be overcentralized. One argument for the establishment of state police is based on the need to reduce crime to its barest. Crime occurs in every community and is

perpetrated by those who in most cases, come from that community or locality. To deal with a crime, therefore, there is an urgent need to ensure that "locals are absorbed and posted to their various localities to fish out the criminals.

Yomi in an interview with *TELL* (2011, 15) asserts that "a place would be better policed by people from that area because they speak the language. This helps in getting information and gathering intelligence and by extension, the prevention of crime". Yomi, based on the personal experience he had, continues: "when I was a commissioner of police in Abia State and the language was Igbo and I was Yoruba, I always needed an interpreter if I was going to deal with an illiterate who does not understand English". This argument buttresses the indispensability of state police.

The nominal role of the Chief Security Officer of the state that is the governor plays makes state police quite essential (Agwanwo 2014). The constitution stipulates that the state governors are the chief security officers of their states. In reality, the state governor is nothing but a glorified chief security officer, who lacks the legal capacity to function as such. Instead, the state commissioners of police are the real chief security officer of the state where they are serving. The commissioner of police is appointed by the inspector-general of police to protect lives and property and to ensure social order in their respective state of assignment. The CP takes instruction from the IG and not from the governor of the state where they are serving. This dynamic necessitates the creation of state police.

However, the agitation for the creation of state police has received enormous criticism as part of the call for the restructuring of the Nigerian federal structure. The call against the establishment of state police in Nigeria is championed by eminent people such as the then President, Dr. Goodluck Jonathan, the President, Muhammadu Buhari, the former Inspector General of Police, and a host of others. One of the concerns they raised was that the party in power can use the state police as an instrument against the opposition. Another argument is revolving around the multiplicity of state police with the different

formations which will make it difficult to control. Others argue about funding, which then will make operational efficiency quite difficult.

However, with the numerous security threats Nigeria faces, a state police is an idea whose time has come. Although there may be challenges in their operational effectiveness, with reforms to correct anomalies, state police can stand the test of time.

CONCLUSION AND RECOMMENDATIONS

Steadily in scope, scale, and frequency, insecurity has assumed a more destructive dimension. Armed robbery, kidnapping, and other criminal gangs have intensified their nefarious and sinister activities. Banditry is troubling North West and North central. Terrorism is bedeviling North East, and the farmers' and herders' conflict is taking a heavy toll on the civilian population. All the security outfits do now is bark without the ability to bite. The question most Nigerians ask every day is: who will be the next victim?

The security outfits whose constitutional duty and responsibility is to prevent crime appear helpless. Seemingly, it is along this trajectory that the quest for state police to decentralize the security architecture becomes agitative. This requires improved security budgets, decentralization of the police structure, improved human rights, communication and technological equipment, better training and orientation, and constitutional and political restructuring. Ultimately, the following factors will enhance the operational capabilities and capacity of law enforcement, which will consequently improve security.

i. The current deplorable condition of the Nigerian security outfits means a decentralized and well-equipped police force that is obtainable in some developed countries that can rescue Nigeria. State Police will adequately infuse a new dynamism, sense of purpose, and renewed enthusiasm in the fight against forces at odds with the safety and cherished possessions of the people.

ii. To avoid the abuse of State Police Forces, the document backing the state police should provide for the establishment of ad-hoc committees at state and local government levels. The committees should constitute eminent citizens such as retired judges, religious leaders, respected

opinion leaders, journalists, and representatives of the labour unions. Their duties should include the recommendation of the appointments of police chiefs at the state level, as well as monitoring the general activities of the police. The state legislature should be empowered to approve and ratify the decisions of the committee.

iii. Also, like the Police Service Commission functions as the regulatory body of the federal police, as a matter of necessity, the state police should replicate that with Police Regulatory Board which will regulate and standardize police training so that a minimum national standard is maintained throughout the state police forces.

iv. The formation of vigilante groups mainly to secure the people of particular communities or states against armed robbery, and other forms of criminality from within has recorded huge success in combating insecurity at the community level. Such groups include the Bakassi Boys in the Southeast, the Egbesu Boys amongst the Ijaws, the Odua's People's Congress, OPC, amongst the Yoruba, and the Hisbah and Civilian Joint Task Force (CJTF) in the North as well as other community-based armed groups (CBAG) in the past; and more recently like Amotekun, Community Volunteer Guard in Benue State, Ebube Agu in the East, have overwhelmingly enforced the conviction that security can be promoted with the formation of state police.

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