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The Challenges of Effective Policing as Measures of Controlling the Phenomena of Police Corruption in Nigeria Today

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Abstract

There is a kind of consensus in the extant literature on democracy, democratization and democratic consolidation generally that maintenance of law and order is a sine qua non to the stability of any polity in all regions and climes. All societies require a body of men and women whose sole occupation is that of protecting them from the dangers of external invasion, internal subversion, or irredentist claims that may tear a society into shreds. It is important to note that right from independence in 1960, the Nigeria Police like several other colonial and post-colonial Police Forces has been grossly enmeshed in corruption, thereby curbing its effectiveness vis-a-vis its constitutional and traditional roles. If there is any institution that Nigerians detest, the Police Force will rank highest because of the negative public perception of the force. The thrust of this paper therefore, is to inquire why corruption is so endemic in the force and the effect of the malady on a nascent democracy.

Introduction

It is a settled matter in the extant literature on democracy, democratization and democratic consolidation generally, that maintenance of law and order is a *sine qua non* for the stability of any

polity in all regions and climes. All societies require a body of men and women whose sole occupation is that of protecting them from the dangers of external invasion, internal subversion in order for the society to continue to exist (Ojo, 2000:1-20). Thus, for the protective role of the Police at least internally, is so overwhelming that it has become an indispensable institution of the state by enhancing the attainment of states' goals. According to Daniel Wit (1953:6-9), the traditional efforts to maintain law and order must be included in any discussion of the governmental objective of internal security. The maintenance of order is an essential aspect of governmental authority because of its bearing on government's monopoly of extreme coercion. The inability of a government to maintain law and order is as a sign of weakness and hence, its capability to successfully pursue any of the goals set for the community. Consequently, the Police, the Prison services and courts are fundamental aspects of democracy as well as dictatorship.

It needs be emphasized that both primary forms of modern government (democracy and dictatorship) is to pursue internal security through the maintenance of law and order, but, this does not mean that their methods are the same or that their emphasis on the importance of the activity is equal in intensity. The basic differences between democracy and dictatorship however, prohibit such similarity (Ibid, p.7). Despotism governments in fear of revolutions have nearly always used secret Police to spy on their citizens. Such Police extract information by torture and eliminate supposed subversive elements by assassination or by arrest without trial. The Nazis had their Gestapo, the Soviet Union before her disintegration its KGB, and East Germany the Stasi. Amazingly, the Stasi employed 100,000 officers and possibly half a million informers to control a population of some 16 million. Officers listened to telephone conversations round the clock and kept files on a third of the entire population. (Awake, 2002:6).

In a democratic setting however, the state can not employ this kind of dictatorial methods or accept its scale of values in pursuit of the common objective of order. It can not employ methods, which debase the individual, whose well-being it proclaims to be of paramount importance. It can not use techniques to maintain order, which violate those principles of justice it holds to be vital. Hence, in a democratic

setting, "a major attribute of a policeman is that he has legitimate access to force, he possesses the sanctioned potential for applying a non-negotiable coercive force in his role as the "custodian of official order". The Police is used to undertake the coercive 'goal attainment' role of imposing upon groups of the population various objectives perceived by those who wield political power as those aggregating to the desired condition of "order and regularity" (Rotimi, 1999).

Although, the Police is a well known organization throughout the world, the Longman Dictionary of Contemporary English has defined it as "an official body of men and women whose duty is to protect people and property, to make every one obey the law, and to catch criminals. (cited in Oluyede, 1988:289). In the words of Ben Nwabueze too:

...the duty of the Police is definitely by law to be "the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of property and the due enforcement of all laws and regulations with which they are directly charged. For the effective discharge of these duties, members of the Police Force are given wide powers, including power to conduct criminal prosecutions, to arrest persons in certain circumstances without warrant; to serve court summonses, to release on bail persons arrested without warrant; and to detain and search suspected persons. (Ibid, p. 310)

Be that as it may, it must be emphasized that a corrupt Police Force can never perform all the aforementioned functions creditably. Indeed, such a force will be antithetical to democratic ethos and values. It is against this background therefore, that this paper now takes a cursory look at the Nigeria police vis-a-vis the pervasive phenomenon of corruption.

The paper is organized into four main sections. The introductory part is a brief review of the traditional and constitutional functions of the Nigeria Police. The second part dwells on the conceptualization of the key term used in the paper 'corruption' to avoid

misunderstanding. The third segment bothers on the forms of corruption in the Nigeria Police as an institution of the state and their negative implications of these toward effective policing. Part four of the paper is on the mechanisms for evolving a better Police institution for Nigeria. The paper also seeks to inquire whether corruption is native to Nigeria Police or inherent in the nature of the job of policing itself. In a nutshell, the paper infers that without an efficient Police, Nigeria's nascent democracy may be difficult to nurture and consolidate.

Concept of Corruption

As rightly observed by Chafe, (1994) 'the primary requirement for debating anything is to understand first and foremost the actual thing being talked about'. Hence, a thorough conceptualization of the phenomenon of corruption because of its cultural and ideological contextualizations is desirable. Corruption, like power, justice, peace, equality and freedom, it falls into the category of what Gallie (1962:121-146), referred to as an "essentially contested concept". Weldon (1953) too also subscribed to such concepts that they necessarily generate unsolvable debates about their exact meaning and application. Richard Little (1981:35) also points out that they may contain ideological elements which render empirical evidence irrelevant as a means of resolving the dispute. Even an apparently concrete concept like the 'state' virtually defiles precise, generally accepted definition because of its essentially contested nature too. (See Dyson, 1980:205-206). The utility of these concepts in social sciences stem in paradoxical ways from whatever it is that makes them inherently ambiguous, and it is their ambiguity which normally stimulates theoretical discussion about them. For this reason, they can not be defined in any general sense but only in relation to specific cases. (Buzan, 1983:6).

There is a kind of minimum concern about what constitute corruption. To Gboyega (1966:6) "it is any decision, act or conduct that subverts the integrity of people in authority or institution charged with promoting, defending or sustaining the democratization process, thereby undermining its effectiveness in performing its assigned roles. From the sociological perspective, Oyedipe (1986:20) maintains that "corruption is a form of behaviour which deviates from societal norms".

Put differently, it is the "unsanctioned or unscheduled use of public resources for private ends" (Levine, 1975). It might take the form of misperformance or neglect of a recognized duty, or the unwarranted exercise of power, with the motive of gaining some advantages more or less directly personal (Brook, 1970). In an indepth study, Alan Doig and Robin Theobald, aver that the diverse manifestations of corrupt transactions have been identified as ranging from:

acceptance of money or other rewards for awarding contracts, violation of procedures to advance personal interests, including kickbacks from development programmes or multinational corporations, pay-off for legislative support and the diversion of public resources for private use, to over-looking illegal activities or intervening in the justice process. Forms of corruption also include nepotism, common theft, over-pricing, establishing non existent projects, pay-roll padding, tax collection and tax assessment frauds. (See, Doig and Theobald, 1997:3).

Furthermore, Nye has a classical definition of corruption thus, 'behaviour which deviated from the formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains or violate rules against the exercise of certain types of private regarding influences.' (Nye, 1967). This definition expectedly, has in turn been criticized as being too narrow and excessively concerned with the illegality of such practices defined from a modern western point of view (these practices can be perfectly legal in other historical and social contexts, such as precolonial Africa). From this perspective, the notion of corruption may be broadened into what De Sardan, (1999:22-52) termed a "corruption complex". In other words, beyond corruption in the strict sense of the word, it should include nepotism, abuse of office, embezzlement and various forms of mis-appropriation, influence peddling, prevarication, insider trading and abuse of the public purse.

In order to consider what those various practices have in common, what attributes link them together, and to what extent they

enter into the, same fabric of customary social norms and attitudes, African culture of exchange of gifts for services rendered, readily comes to mind. In a study of corruption in Nigeria, Olopoenia identifies the following among others as forms of corruption viz:

- Bribery with its Nigerian variant of kick backs;
- nepotism;
- misappropriation;
- the use of contrived security threats to the state or the larger society to obtain approval for extra-budgetary allocation for the personal enrichment of public officers;
- charges with the maintenance of public order, the exploitation of privilege relationship with key public sector managers or the purpose of acquiring competitors business assets;
- auto-corruption;
- extortion; and
- employment patronage (Olopoenia, 1998:19-20)

The, distinguishing characteristics of a politico-economic environment in which corruption is endemic and systematic is that all of these and perhaps others not yet identified are prevalent in such societies. In such situations, many of the techniques are employed simultaneously in specific corrupt networks. They are often so interwoven, that, identifying and distinguishing them in practice becomes an herculean task for analysis (Ibid).

Meanwhile, not long ago, cynics considered corruption to be useful (or functional) for development. This is because it not only enables business people to circumvent bureaucratic bottlenecks and redtapism associated with public sector administration, but also facilitates a wider distribution of resources through party and patron-client networks. Indeed, certain authorities have argued that corruption may have beneficial developmental effects especially in those cases in which formal bureaucratic control obstruct entire entrepreneurial growth but such instances usually involve the grandiose corruption of various officials in exchange for subverting tender procedures rather than routine petty venality which is generally agreed to be developmentally harmful (See, the Economists, 2nd Aug. 1996).

Having argued that corrupt practices occur when a person gives

some form of gratification in cash or kind to influence another person's behaviour, the outcome of an event or for a job for which the officer in question is being paid, it now behoves us to proffer reasons why corruption persists in our contemporary society. In a feature article, a national daily itemized the main reasons why corruption is endemic in Nigeria, viz:

- (a) When individuals believe that when they commit malpractices, they will not be caught.
- (b) When the individuals perceive that even if they are caught they will not be sanctioned or penalized for their wrong doing, and
- (c) When they believe that even when they are caught and penalized, the penalty will be much lower in value than the gains they will derive from the corrupt practice ((*Daily Times*, October 20, 1999:15).

The economics of corruption vis-a-vis the accompanying sanctions really encourages it. For instance, a public servant who embezzles or misappropriates millions of naira and is compulsorily retired for it, may eventually smile home because if he were to stay on in service until retirement age, his pension and gratuity may be lower than the gains from his corrupt practices alike to meagre wage paid to public servants.

Forms of Corruption in the Police and Implications

Without doubt, the Nigeria Police is really enmeshed in corruption like several other state institutions. But the degree of corrupt practices in the Police appears deep into the "marrows" of the organization. If personnel of other institutions engage in corruption at all, they do it perhaps with caution while that of the Police is done more in the full glare of the public. This manifest corrupt practices in the Nigeria Police has really gone too far to mar the image of the Police in the eye of the public. If anything, the Nigeria Police is an institution that no Nigerian loves to come in contact with despite the fact that it is supposed to be a friend of the society.

Though, on the surface, the job of policing appears to be inherently corrupt on the ground that offenders will do everything

possible and could also go to any length to escape, the long hands of the law both legitimately and otherwise. However, Police regulations deal at length with the conduct of their personnel toward their job and the relationship with the members of the public. Article 324 of Police Act states that:

The standards of conduct required of a police officer are that he shall (a) offer prompt obedience to lawful orders; (b) be determined and incorruptible in the exercise his police duties. (Police Act Cap. 154)

But despite the anti-corruption stance of police regulations, there are numerous manifestations of corrupt practices involving both officers and men of Nigeria Police. Onwueme in an earlier work, classified forms of corruption in the Nigeria Police into seven viz: (1) traffic duties; (2) arrest and prosecution of crime suspects; (3) court trial in form of delay of justice, undue adjournment of cases; (4) destruction of exhibits and evidence; (5) issuance of licenses and permits; (6) falsifications and tampering with statements; and (7) Police investigations (Onwueme, 1986).

If any form of corrupt practice exposes the police more than all others, it is the traffic duty. Policemen are deployed to the highways to control traffic, check vehicle particulars and perform other Police duties as occasion may warrant. But rather than do this properly, officers and corps are always busy extorting money from motorists. In fact, in Nigerian parlance, this act is known as "we tin you carry". Motorists most especially commercial vehicle operators do play ball quickly at times without the policemen demanding to avert unwarranted delay. That this act is done openly on the highways make the Police an object of ridicule. In an exclusive report by *Newswatch* Magazine, (see *Newswatch* Jan. 27, 2003) it was reported that "...more often than not, Nigeria Police personnel are seen unashamedly and with guns tucked under their arms or pointing at motorists, demanding and collecting N20.00 from each passing commercial vehicle they come in contact with". The Inspector General of Police (IGP), is waging serious war against public extortion and so far he has admitted arresting no fewer

than 250 officers and men of the Police with the sum of close to N100,000.00 recovered from them (Ibid).²²

Beyond public extortion of money from the motorists, corruption appears to be customary to the Nigeria Police. Recently too, the IGP, stopped a group of daring civilians in the Nigeria Police and their collaborators in the bank from diverting huge sum of N171 million at the Zonal Police Headquarters, Lokoja, Kogi State, to their private pockets. The IGP uncovered the fraud during his tour of the command and he immediately ordered the arrest of those involved. After a thorough investigation by the Criminal Investigation Department of the Nigeria Police (CID) Abuja, it was discovered that the actual amount involved was N176,729.630. The money meant for Police capital projects in six states. The IGP similarly detected another fraud involving N40 million in Enugu State Command too. The money was meant for Police recruits undergoing training at the Police College, Oji River in the State. Six civilians and two policemen, believed to be their accomplices, were arrested (Ibid).²³

One other form of corruption that makes the Police become object of ridicule when in contact with members of the public is illegal bail charges. Cases reported at Police Stations most especially those ones that are bailable offences, the Police would not allow the suspect(s) to go on bail free of charge. The amount paid for bail differs from one suspect to the other, based on the social status of the suspect and the level of involvement in the crime cum the nature of the crime. If unable to pay for bail, suspects languish in Police cell for as long as possible despite the fact that no suspect is supposed to be in Police cell for more than twenty four hours, except the offence is not bailable. Even, when suspects know their rights, and attempt to claim such rights the Police will deliberately make things difficult for such person(s). Some years ago, these atrocities got to the peak, and the then Inspector-General of Police, Mr. Etim Iyang, ordered that posters with the inscription "Bail is free", should be pasted in all Police Stations throughout the country. With all that, Policemen do not comply. Right before the poster they keep on negotiating bail charges.

Cashing-in on the high rate of illiteracy in the society, Nigeria policemen most especially at weekends and annual yuletides would go

to public squares and bus stops at the major cities to arrest citizens at random. At times, commercial vehicles are chartered for their nefarious operations and crime against citizens that they are supposed to be protecting. Those illegally arrested are never allowed to go until they grease the palms of Policemen who also never make any entry of such illegal arrests. Whereas, the colonial law that curtailed freedom of movement was abrogated with the provisions of the 1963 republican constitution on fundamental human rights. It is not unconnected with this military mentality and flagrant abuse of the inalienable rights of man, in the present civilian government changed its name from Nigeria Police Force (NPF) to Nigeria Police so that its officers and men may be more civilian than 'force'.

Without gainsaying, the worst form of corruption in the force which is antithetical to sustenance of democratic values is electoral fraud. At all elections, the Nigeria Police is never left out. Thus, politicians have always been finding good allies in them. Members of the opposition parties are harassed at will by Policemen to ensure that election results are tilted to the advantage of the highest bidder. It is difficult for elections to be rigged without the active connivance of policemen, going by the past experiences (Rotimi, 1999).²⁴

Nevertheless, having identified the forms of corruption in the Nigeria Police, which are far from being exhaustive, it needs be stated that corruption in the Police at the appalling level as we have it now, has a very debilitating effect on both the Police and the society at large. Indeed, a corrupt police is as good as having no police at all. Where law enforcers are law breakers, the society becomes worse-off. For the Police to be effective and attain effective policing. It must be on the positive rating of the society. A Police with negative public perception is already hindered *ab initio* from being effective. Citizens are skeptical about giving policemen information about criminals in the society because they know that such an informant is unsafe when police used such information to extort money from the suspect. If anything, the greatest problem facing our nascent democracy in Nigeria is the unprecedented spate of civil uprising in virtually all parts of the country. The police has always been found wanting and incapable of stemming the crises most especially because of the disdain for them by members

of the public. In essence, the Nigeria Police is dysfunctional because of the culture of corruption that has eaten deep into its marrows. In a democratic era, the present form of Nigeria Police is of little utility. The next segment is on the mechanisms for evolving a better Police for the country.

Mechanisms for Evolving a Better Police

As one of the major imperatives for an enduring democracy in Nigeria, a better Police is of utmost significance. To start with, federal government which has exclusive power over the Nigeria Police need to act quickly to save the organization from itself. There is still large chunk of corps that are barely literate. Entry qualification into the force should be at least minimum of school certificate. Those that were recruited long time ago should be advised within some years to update their knowledge and take "O" level examinations. Also, the number of men and officers in the Police is grossly inadequate for effective policing of the polity. While the United Nations recommends one policeman to 400 citizens, Nigeria is still far to the recommended ratio. This low strength level has occasioned a situation in which policemen are easily overpowered by criminals. The current recruitment drive of the present administration should be encouraged. The federal government announced recently that 40,000 men would be recruited into the Police Force. Since the commencement of the exercise at state level, the period of training is indeed too short for those that will take policing as a life time career. Thus, training should be a continuous exercise at regular intervals, to enhance the performance of the corps and their officers.

In the same vein, motivation is of utmost significance to productivity. Both officers and corps should be greatly motivated if the society will be better protected. This can be done in terms of special scale outside the civil service rating because of the hazard involved in the work of policing. As part of motivation, all necessary communication gadgets and mobility should be provided to ease their jobs. Likewise in this info-tech age, the job of policing should be well computerized. The present Police lacks strong data base. As an internal control measure, the detectives in the organization should be used to

monitor the activities of those on traffic patrols and station duties, so that those who may find it difficult to put off the toga of corruption can be shown the way out of the Police. If such is done regularly and the names of corrupt ones dismissed are published quarterly it will go a long way to stem the tide of corruption in the Nigeria Police. For a better organisation to be evolved, both the society and the Nigeria Police itself needs re-orientation. The mass media may assist here. The entire citizenry should be well educated as regards their basic human rights. That to offer bribe for a bailable offence is wrong or to offer money to Policemen on the road even without soliciting for it is immoral. Above all, discipline is crucial to effective policing. If the officers are not self-disciplined, the corps become worse-off. It is only a well-disciplined Police like the military that can serve as a catalyst to democratic sustenance.

Conclusion.

It needs be emphasized that from the foregoing, the Nigeria Police is indeed the product of the society. It is an open secret that all fabrics of Nigerian society are corrupt. As rightly observed by Anya, corruption to all intents and purposes has become the bane of Nigerian leadership and society (Anya, 2000:9). Many Nigerian leaders practically see position of leadership as opportunities for personal aggrandizement. This has helped to entrench corruption particularly among the leadership class. Whereas, corruption impedes progress and development. It is difficult for citizens to be 'saints' where the leaders do not lead by example. In an indepth report by Transparency International (TI), which regularly publishes an index, developed at the University of Goettingen, under which a number of countries are ranked according to perceptions registered in a range of relevant surveys in 1996 and 1997, Nigeria was perceived as the most corrupt of the 52 countries surveyed with Denmark the least.³³ In a system that is so engrossed in corruption, the Nigeria Police couldn't have been different. If the mechanisms for evolving a better Police are taken adequate cognizance of, most especially, better training, remuneration and discipline, the Nigeria Police will be better-off. Finally, government needs to quickly address the militarized posture of the Police too. This

is a serious hang-over of decades of military rule in the country. A better Police is desired as mechanisms for democratic consolidation in Nigeria.

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