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Examination of the Effects of Police Brutality and Abuse of Human Rights in Nigeria

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Abstract

The primary function of the police is to enforce law and order in the society for the protection of human rights. It is unfortunate that these people who are meant to be the watchdogs of the society have now turned into its most ruthless predators. There are ample reported cases (and much more unreported) cases of police brutality and violations of human rights in Nigeria. This has resulted in the masses losing trust in the police system as a government agency. The objective of this paper is to examine the effects of police brutality and human rights abuses in Nigeria. Evidences and testimonies abound on police brutality and abuse of human rights, which are discussed in detail in this paper. The study made use of doctrinal research method through the use of primary source such as statutes and regulations as well as secondary source such as books, academic journals, newspaper publications, television documentaries, Internet materials, etc. The causes of police brutality and violations of human rights include systemic corruption; inadequate welfare package for police officers; lack of training and re-training; etc. In order to prevent the recurrent incidences of police brutality and violations of human rights, there should be a police reform by subjecting prospective members of the Nigeria Police Force to thorough mental health evaluation and organizing a compulsory training on policing standards for police officers on a regular basis; the paycheck of the police officers should be raised to be at par with current economic realities; there should also be incentives given to police officers who are of the optimum professional behaviour at the end of a given period.

Keywords: Police, Brutality, Abuse, Human Rights, Nigeria

1. Introduction

The Police is an ancient outfit in human history traceable to the era when the masses surrendered their rights to a great Leviathan in exchange for security as it is well captured and explained by Thomas Hobbes in his social contract theory.[1] Globally, it is the duty of the government to protect the lives and properties of its citizens and to ensure that laws and orders are maintained by all.[2] To carry out these functions, governments at different levels create different security units of which the Police department is vested with the powers to maintain internal order in society by investigating, arresting, and charging suspects to any competent court of law.[3] In Nigeria, the duties of the Police force are not different from what is obtainable in other parts of the world. But the *modus operandi* differs especially on the issue of Human Rights, respect of law, police ethics, sanctions, and public relations.[4]

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[1] CW Morris, *The Social Contract Theorists: Critical Essays on Hobbes, Locke, and Rousseau* (Rowman & Littlefield, 2000) 29.

[2] World Bank Publications, *Making Politics Work for Development: Harnessing Transparency and Citizen Engagement* (World Bank, 2016) 13.

[3] DH Bayley, *Patterns of Policing: A Comparative International Analysis* (Rutgers University Press, 1990) 5.

[4] SG Ehindero, *The Nigeria Police and Human Rights* (Ehindero Nig Ltd, 1998) 4.

Before independence, the Nigeria Police Force operated on regional levels in 1820. The Hausa Paramilitary was established in 1879 and by 1896, the Lagos Police was formed. By 1894 the Niger Coast Constabulary was already in existence in Calabar under the Nigeria Coast Protectorate. In 1930, these regional police were merged to form the First National Police.[5] Today, the Nigeria Police Force is centralized. Since the establishment of a police department known as the Special Anti-Robbery Squad (SARS) in 1992 there has been several reports of human rights violations by this police unit whose duty is to investigate, arrest and prosecute crimes related to robbery.[6] According to Amnesty International,[7] on October 20, 2020, the Nigeria Army and Police killed at least 12 peaceful protesters and injured many others in the Alausa and Lekki areas of Lagos State. SARS has been accused of human rights violations such as unlawful arrest, routinely torturing its detainees, forcefully coercing detainees (their victims) into gratifying, lodging, or inadvertently surrounding either money or property to them before gaining their freedom and sometimes killing those who failed to comply to their demands. The Nigeria Police have also been accused of failing to charge most of these suspects to court; rather they subject them to all sorts of inhuman treatment ranging from illegal torture or confession under duress.[8] Despite their atrocities, no SARS officer has been prosecuted since 2017, which considering the extensive evidence of torture, available is shocking.[9]

Before 2020, there had been calls for the Nigerian Government to reform the Nigeria Police Force (NPF), especially its anti-robbery unit, popularly known as SARS (Special Anti-Robbery Squad).[10] These calls made the government to promise several reforms in 2016, 2017, 2018 and 2019.[11] The social media protest against SARS began on Twitter by Segun Awonsanya in December 2017.[12] These calls made the then-acting President, Prof. Yemi Osinbanjo to issue an order to the Inspector General of Police to reform SARS, rename it Federal Special Anti-Robbery Squad (F-SARS), and investigate allegations leveled against SARS Officers.[13] This order made little or no impact. On 21st January 2019, F-SARS was decentralized.[14] The change of the appellation from SARS to F-

[5]Ibid., 5.

[6] S Malumfashi, 'Nigeria's SARS: A brief history of the Special Anti-Robbery Squad' (22 October 2020) <https://www.aljazeera.com/features/2020/10/22/sars-a-brief-history-of-a-rogue-unit> accessed 17 April 2022.

[7] Amnesty International, 'Police Violence' <https://www.amnesty.org/en/what-we-do/police-brutality/> accessed 5 January 2024.

[8] JC Onwunyirimadu, 'Police Brutality and Violation of Human Rights in Nigeria – Causes and Implications' (2022) 10 (2) *Global Journal of Politics and Law Research*, 14.

[9] U Kadioglu, 'Police Brutality in Nigeria and the #EndSARS Movement' <https://www.google.com/amp/s/hir.harvard.edu/police-brutality-in-nigeriaand-the-endsars-movement/amp>accessed 5 January 2024.

[10] A Salaudeen, 'Nigerians want police's SARS force scrapped' (15 December 2017) <https://www.aljazeera.com/news/2017/12/15/nigerians-want-polices-sars-force-scrapped/> accessed 9 March 2024.

[11] Amnesty International, 'Nigeria: SARS overhaul is positive step but reforms must be robust' (14 August 2018) <https://www.amnesty.org/en/latest/news/2018/08/nigeria-sars-overhaul-is-positive-step-but-reforms-must-be-robust/> accessed 9 May 2024.

[12] B Adebayo, 'How a social media movement against police brutality prompted Nigerian government to act' (20 August 2018) <https://edition.cnn.com/2018/08/20/africa/nigeria-police-brutality-report/index.html> accessed 10 April 2024.

[13] Sahara Reporters. 'After Osinbajo's Order, Police Rename SARS 'Federal Special Anti-Robbery Squad' (FSARS)' <https://saharareporters.com/2018/08/14/after-osinbajos-order-police-rename-sars-federal-special-anti-robbery-squad-fsars> accessed 18 April 2024.

[14]Reuters, 'Nigeria's acting president orders overhaul of controversial police unit'<https://www.reuters.com/article/us-nigeria-police-idUSKBN1KZ217/> accessed 18 April 2024.

SARS would practically be the major change achieved by that directive.[15]A minimal effort was made to redress the wrongs done to victims whose human rights were violated by SARS; no SARS official was charged or imprisoned for these offenses.[16] Following a period of intense nationwide protests that gained international momentum, the Nigeria Police Force (NPF) dissolved SARS on 11th October 2020. Apart from the issue of SARS, the Nigeria Police has a history of infringing the rights of its citizens ranging from extrajudicial killings of suspects, invasion of privacy, torture and blackmailing of suspects, extortion, rape and forced disappearances of people.[17] The government may have succeeded in dissolving SARS but the masses have largely lost trust in the Nigerian Police.[18]

2. Police Brutality and Human Rights Violations in Nigeria

All over the world, both in developed and underdeveloped countries, there have been cases of Police brutality in one form or the other.[19] But considering the number of daily reports on how Nigerian Police violate the rights of people is quite worrisome and alarming. According to Amnesty International,[20] since 8th October 2020, the Nigerian security forces have consistently clampdown on peaceful #EndSARS# protesters and were fired with live ammunition, beaten and arrested. Nigeria Police were seen fighting off protesters with tear gas. One of the victims of police brutality in Nigeria, Mr. Okoye Agu, narrated that in 2014 he was beaten, paraded in public as a criminal, suspended upside down, and had two of his teeth pulled out; Also, his car and handsets were sold out without his permission by Special Anti-Robbery Squad (SARS) Officers.[21]

On April 2, 2019, CNN reported that there was a fatal shooting by Nigerian Police that led to the death of one Mr. Kolade Johnson who was shot by the Nigeria's Anti-Cultism Police Unit during a raid in Lagos on that fateful Sunday. Another case of violation of human rights by the Nigeria Police was on June 20, 2021 when a Police Inspector stormed a residential estate in Enugu State and indiscriminately opened fire on the people and the incident led to the passing of five civilians while four persons were seriously injured. The cause for the attack is not yet known.[22] No matter what motivated the so called inspector to kill and injure unarmed civilians is a gross violations of the victim's right to life. Human Rights Watch[23] reported that between June and September 2007, the Nigerian Police killed more than 785 people while the true number of people killed by the Police between 2000 and 2007 may exceed 10,000. It is frankly scandalous that leading Police officers seem to regard the routine killing of Nigerian citizens, criminal suspects or not, as a point

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[15] O Olaigbe, 'Nigerian Police Brutality Continues Even After #EndSARS' (20 October 2022) <https://inkstickmedia.com/nigerian-police-brutality-continues-even-after-endsars/> accessed 19 April 2024.

[16]Ibid.

[17] O Ojo, 'Two years after #EndSARS, police brutality persists in Nigeria' (4 March 2023) <https://www.thecable.ng /two-years-after-endsars-protest-police-brutality-persists-in-nigeria/> accessed 8 April 2024.

[18]Amnesty International, 'Nigeria: No justice for victims of police brutality one year after #EndSARS Protests' (20 October 2021)<https://www.amnesty.org/en/latest/news/2021/10/nigeria-no-justice-for-victims-of-police-brutality-one-year-after-endsars-protests/> accessed 10 May 2024.

[19] A. W. Westley, 'Violence and the Police' [1953] *American Journal of Sociology* (59) (1) 23.

[20] Amnesty International, 'Demand Justice for the Violent Repression of #EndSARS protesters' <https://www.amnesty.org/en/getinvolved/take-action/nigeria-end-impunity-for-police-brutality-end-sars/BBC> accessed 6 January 2024.

[21] BBC, 'Nigeria Police Brutality Inquiry Hears Graphic Testimony'<https://www.google.com/amp/s/ www.bbc.com/news/worldafrica-54706977.ampbbc.com> accessed 1 February 2024.

[22]Kadioglu (n 9).

[23] Human Rights Watch, 'Nigeria Investigate Widespread Killing by Police' <https://www.hrw.org /news/2007/II/18/nigeria-investigatewidespread-killings-by-police> accessed 1st February 2024.

of pride. Human Rights Watch further stated that extortion, embezzlement, and other corrupt practices by Nigerian Police undermine the fundamental human rights of Nigerians in two key ways.[24] Firstly, the most direct effect of police corruption on ordinary citizens stems from the myriad human rights abuses committed by police officers in the process of extorting money.[25] These abuses range from arbitrary arrest and unlawful detention to threats and acts of violence, including physical and sexual assault, torture, and even extrajudicial killings. Secondly, the Nigeria Police have been accused of extorting money from the masses, especially motorists mostly at major Police checkpoints.[26] The purpose of setting up those Police checkpoints is to combat crimes but most times these checkpoints are converted to a lucrative venture for the police who routinely demand bribes from drivers.

Cases of police brutality in Nigeria are very worrisome. An investigation carried out by Human Rights Watch in 2007 reveals that in August 2006, the Nigerian Police arrested and publicly paraded 12 armed robbery suspects in Umuahia, Abia State; the 12 suspects were later found among a pile of 16 dead bodies deposited in a nearby local mortuary.[27] The Police officers claimed that all the 16 suspects were armed robbers who had somehow been involved in a gun exchange with the police. No investigation has been carried out to date. The flagrancy of human rights violations by the Nigeria Police Force has weakened the public trust in the system. Many Nigerians hoard sensitive secret information from police because of the fear of being victimized by the police. Respect for fundamental human rights will help the police to regain the public trust.[28] In the 2022 Country Reports on Human Rights Practices,[29] the United States Bureau of Democracy, Human Rights and Labour highlighted the significant human rights abuses in Nigeria as including harsh and life-threatening prison conditions; unlawful and arbitrary killings by both government and non-state forces, forced disappearances of suspects, torture, and cases of cruel, arbitrary detention by the government, problems with the independence of the judiciary's unlawful interference with people privacy, serious restrictions on free expression, the internet and the press; serious abuses in an internal conflict, including torture and killing of civilians; the existence of criminal label laws; substantial interference with the rights of peaceful assembly and freedom of association; severe restrictions on religious freedom; inadequate investigation and accountability for violence against women, serious acts of corruption and trafficking in persons.[30]

Despite several human rights panels set up by both the Federal and State Governments over several cases of abuse and violation of human rights by the Police keep increasing daily. The change of SARS nomenclature to F-SARS and subsequently to SWAT has yielded no tangible result in curbing human rights violations in Nigeria by the police.[31]

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[24]Ibid.

[25] K. Roth, 'World Report 2022: Nigeria' <https://www.hrw.org/world-report/2022/country-chapters/nigeria> accessed 18 April 2024.

[26]Ibid.

[27] Human Rights Watch, 'Nigeria: Investigate Widespread Killings by the Police' (n 23).

[28] LS Miller and M. C. Braswell, *Effective Police Supervision Study Guide* (Elsevier Science, 2014) 38.

[29] US Department of State (Bureau of Democracy, Human Rights and Labour), '2022 Country Reports on Human Rights Practices: Nigeria' <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/nigeria/> accessed 10 May 2024.

[30] Amnesty International, 'Police Violence' (n 7).

[31]C Nwanze, 'Nigeria Police: The need for comprehensive reforms' (6 August 2023) <https://www.premiumtimesng.com /opinion/614690-nigeria-police-the-need-for-comprehensive-reforms-by-cheta-nwanze.html?tztc=1> accessed 20 April 2024.

3. Cases of Police Brutality in Nigeria

There have been established cases of police brutality in Nigeria. Among them is the case of Mr. Kolade Johnson who was killed during a police raid in Lagos as reported by, CNN.[32] In 2007, dead bodies of suspected armed robbers who were paraded by the Abia State Police Command were found without facing any trial or being convicted by any court of law as reported by Human Rights Watch in 2007. According to an investigation carried out by the British Broadcasting Corporation (BBC),[33] one Mr. OkoyeAgu narrated that in 2014 he was beaten and paraded in public as a criminal, his teeth were pulled out; his car and handset were confiscated and eventually sold by the Special Anti-Robbery Squad.

One of the most infamous cases of police brutality in Nigeria is the #EndSARS protest in October 2020 at Lekki, Lagos State where several international bodies and agencies like CNN, BBC, Amnesty International and Human Rights Watch accused the Nigeria security agencies for indiscriminately shooting the #EndSARS protesters. In November 2021, a nine-member panel established by the Lagos State Government to investigate the alleged killing of peaceful #EndSARS protesting youths, on 20October 2020, found that there were 48 casualties of which nine were confirmed dead.[34] The Nigerian government through its Minister of Information and Culture, Lai Mohammed, has however faulted the panel's report for it being replete with errors.[35] This finding agreed with Global Glow[36] when it stated that there have been cases of victims who have experienced sexual assault, injuries, and death; often the result of stray bullets and possible mistaken identities.

4. Causes of Police Brutality in Nigeria

The clampdown on protesters by the police is most times not the fault of those policemen on duty. Often, orders are given by political leaders to teargas any protest that they assume is a threat to their powers or positions.[37] One can recall that the #EndSARS protest started on a peaceful note before some alleged hired hoodlums infiltrated the protest, unleashing violence on genuine protesters and in the process injuring many. Police brutality can be political when leaders give such orders as 'shoot at sight.'[38] Police brutality is a result of faulty recruitment processes. In Nigeria police officers hardly undergo mental medical examination before engaging them and most times medical results presented by the new recruits are not thoroughly vented to authenticate the reliability of such document. Furthermore a greater number of Nigeria policemen are junior

[32] CNN, 'The fatal shooting of a Nigerian man brings more demands to shutdown a controversial police unit' <https://www.google.com/amp/s/amp.cnn.com/cnn/2019/04/02/africa/nigeriapolice-shooting-outrage-intl/index.html> accessed 12 January 2024.

[33] BBC, 'Nigeria Police Brutality Inquiry Hears Graphic Testimony' (n 21).

[34] Punch Newspaper, Nigerian Police Officer Shoots 5 People Dead in Rampage'<https://punch-newspaper.com>accessed 6 January 2024.

[35] N Princewill, 'Nigerian government rejects report on Lekki toll gate shooting as 'fake news'' (24 November 2021) <https://edition.cnn.com/2021/11/24/africa/nigeria-rejects-endsars-report-intl/index.html> accessed 19 April 2024.

[36] Global Glow, 'Police brutality in Nigeria: An unending Nightmare' <https://globalgirlsglow.org/police-brutality-in-nigeria-anunending-nightmare/> accessed 10 January 2024.

[37] Human Rights Watch, 'Corruption Fuelling Police Abuses' (17 August 2010) <https://www.hrw.org/news/2010/08/17/nigeria-corruption-fueling-police-abuses> accessed 18 April 2024.

[38] Daily Nigerian, 'My 'shoot at sight' order intact – Buhari' (10 June 2021) <https://dailynigerian.com/shoot-sight-order-intact/> accessed 23 April 2024.

officers whose academic qualifications are mostly limited to secondary school certificates; this is evident in the behavior of these junior officers with low academic qualifications.[39]

The inability of the Nigerian government and police commission to bring men of the Nigeria Police Force who violate the citizens' rights to justice is another factor that promotes police brutality. If erring officers are well prosecuted or sanctioned, it will serve as a deterrent to other officers not to engage in such acts. Victims of police brutality have complained that these unethical officers will boldly tell them, 'I will waste you and nothing will happen'.[40] Such mentality is why some of these unethical officers operate with impunity. Again, police violation of human rights – such as extortion, and stealing of suspects' belongings – is a direct effect of poor police welfare and remuneration.[41] The members of the Nigeria Police Force are not well paid, especially those junior officers. The implication is that they look for other means to augment their salary to meet their daily needs. Though such reasons are unacceptable for one to commit crimes, they must be given practical consideration when investigating the causes of police brutality in Nigeria. Most times, diligent and hard-working policemen are not well recognized, rewarded, or even promoted as and when due.[42] This could demoralize an officer from discharging his or her duties in a professional manner. Police brutality can also be linked to inadequate policies and programmes for retraining and enlightening policemen on global best practices in policing.[43] The above findings on the causes of police brutality in Nigeria corroborate an investigation carried out by Amnesty International in 2023 which reports that inadequate welfare package for members of the Nigeria Police Force is one of the causes of police brutality.[44]

5. Effects of Police Brutality in Nigeria

Police brutality has led to the loss of several lives, torture, exploitation, rape, and other inhumane treatments meted out to the victims.[45] Furthermore, the violent attitude of some policemen has affected police-civilian relationships, victims of police brutality developed a lack of trust towards the Nigerian police and are unwilling to share some vital intelligent information that can help police in fighting crimes for fear of being victimized. The violent nature of some police officers during peaceful protests has created fear in the masses that are willing to peacefully protest against some of the unfavorable government policies, this has infringed the fundamental rights of the people to freely protest against government bad policies. There have been reported cases of police clampdown on members of now outlawed Indigenous People of Biafra (IPOB), the Islamic Movement of Nigeria and the #EndSARS# protesters, etc.[46]

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[39] FO Agbefe, F Ikenga and O Atare, 'The Impact and Challenges of the Nigeria Police Force in the Maintenance of Internal Security in Nigeria' [2023] *Journal of Research in Humanities and Social Science* (11) (2) 30-31.

[40] Ibid.

[41] PW Naankiel and FEF. Ayokhai, 'National Security, Human Rights Violations and Police Reforms in Nigeria's Fourth Republic' [2016] *Nigeria Police Academy Journal of Humanities* (1) (1) 12-13.

[42] Ibid.

[43] Ibid.

[44] Amnesty International, 'Nigeria: Three years after #EndSARS at least 15 protesters languish in Lagos jail' (20 October 2023) <https://www.amnesty.org/en/latest/news/2023/10/nigeria-three-years-after-endsars-at-least-15-protesters-languish-in-lagos-jail/#:~:text=Despite%20consistent%20claims%20of%20carrying,almost%20absolute%20impunity%2C%20said%20Amnesty> accessed 19 April 2024.

[45] R Aborisade and J. Fayemi, 'Police Corruption in Nigeria: A Perspective on its Nature and Control' [2015] *Nigerian Journal of Social Sciences* (17)(2) 245-262.

[46] Onwunyirimadu (n 8) 15.

The use of tear gas and other weapons on protesters have different medical implications on the victims. The violation of human rights by the Nigerian Police has also dented the image of the Nigerian Police before the international community. For instance, the US government has, on several occasions, refused to sell arms to Nigeria, citing human rights violations by those security agencies whose duty is to protect the life and property of the people not to use those weapons against them.[47] Furthermore, the Nigeria Police have over the years been ranked as one of the worst Police forces when compared to best global practices on policing and respect for human rights.[48] The inability of the Nigerian Police Commission to adequately sanction men of the force who violate the suspect's rights has made some of those officers act with impunity believing that nothing will happen as the saying goes. This finding is in line with the observation by Global Glow[49] that police brutality has led to an insatiable feeling of distrust as cases like this keep occurring. Relationships between Nigerian police and Nigerians are largely characterized by suspicion, prejudice, brutality, and violence.

6. Conclusion and Recommendations

Based on the data collected and carefully analyzed, the researcher, therefore, concludes that there are implications of police brutality and violation of human rights in Nigeria. It was discovered that police brutality has led to the loss of several lives, torture of suspects, rape, blackmail, extortion of suspects etc. The violation of human rights by the police has created mistrust between the citizens and police, it has also dented the image of Nigeria in the International Community. The study also revealed that despite several complaints and evidences leveled against some officers, no major sanction has been made by the authorities. Most times victims of police brutality are not well compensated.

Having thoroughly investigated and analyzed cases, causes, and implications of police brutality and human rights violations in Nigeria, the following are suggested for the authorities, NGOs and the public for prevention of further police brutality and violations of human rights in Nigeria.

a. There should be a proper police reform and this reform should not be a mere change of name and uniform as it has been in the past, but a total overhaul of the Nigeria police. Such reforms should strictly be implemented not just on papers.
b. Periodically, the Nigerian police should subject their men to mental medical examination, to ascertain their mental fitness in handling life weapons.
c. On the recruitment process, more university graduates should be recruited into the Nigeria police force unlike the current practice where Nigeria police is dominated by ordinary level graduates, the educational expulsion of these officers matters a lot.
d. The Nigerian police commission should strictly investigate and sanction erring officers; this will serve as a deterrent to other officers.
e. Officers who discharged their duties in a professional manner should be encouraged, celebrated, and well rewarded. This will make other officers imitate the virtues of those celebrated policemen.

[47] D Oladipo and M. Stone, 'Proposed U.S. arms sale to Nigeria on 'hold' over human rights concerns -sources' (30 July 2021) <https://www.reuters.com/world/africa/proposed-us-arms-sale-nigeria-hold-over-human-rights-concerns-sources-2021-07-29/> accessed 18 April 2024.

[48] Vanguard, 'Our Police World Ranking' (13 February 2020) <https://www.vanguardngr.com/2020/02/our-police-world-ranking/#google_vignette> accessed 18 March 2024.

[49] Global Glow (n 36).

f. Men of Nigerian police should be well paid and promoted at when due, this will go a long way in solving their daily needs and prevent the temptation of engaging in illegal deals.
g. Appointment and promotion in the police force should be strictly on merit.
h. The budget for training and re-training members of the police force should be increased and the money should be adequately utilize.