

Strengthening Peace and Resilience in Nigeria (SPRING)

Policy Paper on State Police in Nigeria: Prospects And Challenges

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December 2025



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Acknowledgements

This report was written by Professor Etannibi E. Alemika.

The Author extends his gratitude to Ukoha Ukiwo and Ephraim Emah for their invaluable contributions in reviewing the report. He also thanks the many individuals, organisations, and groups who kindly consented to be interviewed and made themselves available for lively, valuable discussions.



This report was produced with financial support from the UK Foreign, Commonwealth and Development Office (FCDO). Its contents are the sole responsibility of the authors and do not necessarily reflect the views of the UK Government.

SPRING

The Strengthening Peace and Resilience in Nigeria (SPRING) Programme is a four-year (2024-2028) UK-funded initiative designed to support a more peaceful and climate-resilient Nigeria. SPRING is grounded in a politically informed, evidence-based approach that integrates environmental science, political economy, and conflict analysis. By addressing the root causes of conflict and vulnerability, SPRING works to reduce violence, strengthen local systems, and promote inclusive governance across conflict-affected areas in North-West and North-Central Nigeria. The programme is implemented by Tetra Tech International Development in partnership with Nextier SPD (Nextier), the Centre for Democracy and Development (CDD), and the Centre for Humanitarian Dialogue (HD).

April 2025

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Abstract

There has been an increasing demand for the amendment of the country's constitution to decentralise the police system and enable the establishment of state police. Proponents of state police argue that decentralising the police system is consistent with federalism and will address the country's lingering problems of insecurity. There has been an unrelenting agitation for the establishment of state police by governors, who lament that they lack *control over* the command of the Nigeria Police Force in their states. Advocates of state police argue that the country's lingering insecurity problem will be addressed by state police.

The demand for state police in Nigeria has received a boost in the past two years, since 2023, due to its endorsement by President Tinubu, who is an ardent advocate of restructuring – the devolution of power from the federal government to sub-national governments. The growing consensus on establishing state police is driven by the president's endorsement and the imagination of some advocates, who believe it will address the country's intractable security challenges.

Opponents of the establishment of state police argued that it may be a tool in the hands of state governors and other powerful groups within the state for repressing opposition and violating the rights of the powerless and minority groups. They cited the abuse of local police forces by politicians and parties in power in Northern and Western regions during the first republic, which led to their dissolution by the military regime in the late 1960s. Furthermore, opponents cite the emasculation of vital democratic institutions, such as the legislature, judiciary, and the State Independent Electoral Commission, at the state level by governors. Some opponents cite the separatist agitation in parts of the country, and state police may boost this phenomenon and undermine national unity and security.

The establishment of state police has social, economic and political implications. A key social implication is the fate of minorities, women and children in states where religious and cultural values favour exclusion of these groups. Economic implications include the cost of maintaining an effective and accountable police force, which may cripple the delivery of vital social, welfare and human development services in majority of the states. Two important political implications are the consequences of a police force controlled by the state governor for the consolidation of democracy and relationships between national and sub-national police forces. The prospect of a constitutional amendment to establish state police is high, and it is prudent to focus on developing constitutional and statutory provisions that will safeguard national unity and security, the rule of law, and civil rights.

In this policy paper, we examine the following issues:

1. Continuity and changes in advocacy for the devolution of policing powers and the establishment of state police.
2. Contemporary dynamics, social forces and interest groups for and against the establishment of state police
3. Socio-political, administrative, legal, and economic implications of the establishment of state police.
4. Options for engagements and interventions in the short and medium term regarding the likely implications of adopting or not adopting state police.

Information for the paper were obtained from an extensive review of the literature and interviews with retired and serving senior police officers, academics and directors of NGOs (non-governmental organisations) working in the area of police reform.

Executive Summary

Growing insecurity and political support have intensified calls for state police in Nigeria. However, decentralising policing alone cannot solve insecurity. Without strong constitutional safeguards, democratic policing principles, and national oversight, state police could worsen abuse of power, deepen inequality, empower governors to repress opponents, and threaten national unity. Sustainable security requires addressing the governance, economic, political, and socio-cultural root causes of insecurity – not merely multiplying police forces.

Context and Drivers of the Debate

- Rising insecurity across Nigeria, including banditry, kidnapping, rural violence, and organised crime.
- Public distrust and perceived ineffectiveness of the current Nigeria Police Force (NPF).
- Governors' complaints about limited operational control over police commissioners.
- Appeal to federalism and the belief that states should control their own security structures.
- Political momentum following President Tinubu's endorsement of restructuring and state policing.

Key Insights from Global Research

- There is no universal link between centralised/decentralised police and safety, human rights, or democracy.
- Federal states (e.g., US, India, Canada) vary widely in policing structures.
- Some democracies have centralised police (e.g., Denmark, Sweden, France).
- Governance quality – not structure – determines police effectiveness and respect for rights.

Potential Benefits of State Police

- Greater responsiveness to local security concerns.
- Stronger community relationships if professionally structured.
- Better adaptation to local cultural and geographic contexts.

Risks and Implications of Establishing State Police

Social Risks

- Potential targeting of minorities, non-indigenes, women, and youth.
- Ethnic profiling and cultural/religious enforcement based on dominant groups.
- Reinforcement of divisions in a multi-ethnic, multi-religious society.

Economic Risks

- Vast differences in state revenues make equal policing capacity unlikely.
- Poorer states may struggle to fund equipment, training, and salaries.
- Crime displacement into weaker states due to uneven policing quality.

Political Risks

- High risk of political capture—state police could be used against opposition parties.
- Weak checks and balances at state level increase likelihood of abuse.
- Possible escalation of separatist actors misusing state-controlled armed forces.

Operational Challenges

- Patronage-based recruitment and exclusion of non-indigenes.
- Replication of current governance failures at state level.
- Limited capacity to handle trans-border, cyber, and organised crime.
- Poor inter-state coordination could undermine national security.

Core Argument About Insecurity

Nigeria's insecurity is rooted in:

- Poor governance and corruption
- Economic hardship and inequality

- Social fragmentation and injustice
- Weak justice institutions

More police – whether federal or state – cannot fix these structural drivers.

Recommendations for Safe Implementation of State Police

If Nigeria adopts state police, strong constitutional and statutory safeguards are essential:

1. Clear Legal Framework
 - a. State police should be established only through state laws aligned with federal legislation.
 - b. A federal act should define powers, limits, recruitment, training, armament, accountability, and operations.
2. National Oversight Structure: Create a National Police Standards and Regulatory Council with:
 - a. Police and Policing Standards Directorate
 - b. National Crime Research and Information Management Directorate
 - c. Police Oversight and Complaints Bureau
3. Inclusive Recruitment Standards
 - a. Must reflect residency and diversity – not indigeneity.
 - b. Ensure participation of women, minorities, and marginalised groups.
4. Constitutional or national statutory provisions should define the roles of national and state police forces in the context of humanitarian emergencies with regards to intervention of security and humanitarian agencies to protect, rescue, shelter and care for victims and vulnerable population. It should also provide definitive provisions on coordination of access to sites and persons requiring humanitarian interventions.
5. Explicit Constitutional Safeguards: State police must be prohibited from:
 - a. Violating fundamental rights
 - b. Restricting movement or inter-state commerce
 - c. Undermining federal authority
 - d. Acting as political militias
6. Role of Civil Society, Private Sector, and Development Partners
 - a. Support model state policing laws (like ACJA/ACJL model).
 - b. Provide training, technical assistance, and oversight strengthening.
 - c. Support research, evaluation, and data-driven policing.
7. Notwithstanding the establishment of state police forces, it should be recognised that it is imperative to maintain an effective and accountable national police force with capacity and capability to effectively prevent and control serious crimes and threats to human and national security.

State police is not inherently a solution or a danger – it depends on governance, safeguards, and accountability. Without strong protection, it risks becoming a local leviathan that worsens injustice. Sustainable security requires:

- Better governance
- Economic opportunity
- Inclusive development
- Strengthened justice institutions

Police reform should be part of a broader national strategy focused on the root causes of insecurity rather than solely expanding coercive power.

Introduction

The police force is a critical institution of the state. It is the agency through which the coercive powers of the state are used to preserve the prevailing social, political and economic order and relations. The term 'police' has a dual meaning – it refers to both an agency and an official of the state responsible for law enforcement and order maintenance, generally with the power to stop and search, arrest, detain, investigate, and prosecute. In performing their duties, they may or may not bear arms of varying degrees of lethality.

The police are an enigma in society, as they can serve as a force for enhancing or eroding human freedoms and security. In its dual capacity as an organisation and an official of the state, the police is vested with wide powers to enforce the law and maintain order, which are prerequisites for preserving the rule of law and protecting human rights, cornerstones of democracy. Police are vested with wide powers, including surveillance over individuals and property, stop and search, seizure, arrest, detention and prosecution, which, when abused, erode some of the pillars of democracy – the rule of law and fundamental rights. The nature of interaction between citizens and the police reflects the quality of governance provided by the government in a country.

Police organisations, powers, effectiveness, and accountability vary across countries and over time in the same jurisdiction, as they are influenced by a country's constitution and political doctrine. There are different police systems, ranging from highly fragmented multiple forces with narrow operational duties to highly centralised systems with single or a few forces with wide areas of responsibility.

Nigeria has a hybrid police system comprising a centralised Nigeria Police Force with nationwide jurisdiction and extensive duties and powers, and multiple policing agencies with a limited scope of operation. There are regulatory and enforcement agencies at the sub-national levels – states and local government areas. In addition to police and policing organisations established by the federal and sub-national governments in the country, there are commercial security providers, community crime-watch and safety groups, as well as ethnic and religious militias (Alemika 2019). Under the law, only few federal law enforcement agencies are enabled to bear arms.

Nigeria, although a federation, stipulates in its constitution that there shall be only a national police force, known as the Nigeria Police Force, and prohibits the establishment of any other. Consequently, sub-national state and local governments are prohibited from establishing a police force with armed-bearing power.

There are three types of police reform. These are police system reforms, which often involve constitutional provision reviews; policing reforms that entail an overall review of a country's policing system with multiple public and private actors; and police reforms focused on the reorganisation of a police force. While the three are intertwined, they should not be confused with one another. The past three decades have seen growing police reforms for several reasons – mainly to improve the effectiveness and inclusiveness of service delivery, enhance cost-effectiveness (value for money), and strengthen accountability and oversight.

Over the decades, there has been an increasing agitation for the amendment of the country's constitution to enable sub-national governments to establish their own police forces. Until recently, the demand did not receive wide support. Protagonists argue that, as a federation, the national and sub-national governments should have the power to establish and maintain police forces. Antagonists argue that such national police forces that existed in the past were widely corrupt, unprofessional and were used as a tool of repression and oppression by the ruling party and government in Northern and Western Nigeria, where Native Authority Police Force and Local Government Police Force existed.

The demand for state police received support from President Tinubu, who has been an advocate for political restructuring in the country, aiming to transfer more power to sub-national governments. Notwithstanding the growing consensus, there is a need for a critical examination of the demand for state police, the implications for nation building and national unity, and a necessary constitutional, statutory, and regulatory framework for professional, effective, and accountable sub-national police forces governed in accordance with the principles of democratic policing.

1. Conceptual Clarification

The demand for and opposition to the establishment of state police is mired in several misconceptions about police and policing and their relationships to democracy and federalism. Other areas of misconceptions are equating police and policing; the relationship between the police system and democracy, rights protection and professionalism, as well as the role of police in guaranteeing public security and safety. Therefore, for clarity, it is necessary to provide a description of the following terms used in this paper, which are also vital to the debate on state police in Nigeria.

Police: Police has dual meaning. It refers to both the agency and officials of government responsible for law enforcement and order maintenance, which are generally vested with powers of surveillance, stop and search, arrest, detention, investigation and prosecution, and may or may not bear arms. Police are agents of the state, constituted into an occupational group and charged with the responsibility for the preservation of public order and the enforcement of state laws (Alemika 2009: 483-484).

Policing: Policing refers to the diverse mechanisms or measures (consciously) employed by the community to enforce its values, norms, and rules through protective devices (target hardening), surveillance, detection, and apprehension of suspects. {Alemika 2009: 483-484; Reiner 2000}. Baker defines policing as “any organised activity that seeks to ensure the maintenance of communal order, security and peace through elements of prevention, deterrence, investigation of breaches, and punishment” (Baker, 2004: 204). In traditional Nigerian society and even now in rural areas and urban periphery communities in the country, policing is undertaken by various means, individuals and groups such as traditional and religious leaders, hunters, diviners and vigilantes (Tamuno 1970, Alemika 2019). Policing involves more than law enforcement and encompasses defining and maintaining normative order, which extends beyond the law, in specific social, political, and economic contexts.

Police system: The term refers to the configuration of various police agencies within a country, including their relationships with one another. The Geneva Centre for the Democratic Control of Armed Forces (2011: 4) described the police system as follows:

A police system is composed of the multiple police forces – which together comprise the totality of state agencies explicitly and exclusively (in the sense that policing is their sole or dominant mission) – tasked with maintaining internal public security and order. A police system includes a set of relationships of command, control, and jurisdiction among forces and with the public authorities in charge of the police (police authorities). In essence, a police system is the aggregation or assemblage of police forces and their relationships within a country.

Federalism: A system of government with layers of sub-national authorities (region, state, local and municipal) with areas of responsibility and contingent powers. Federal systems vary in terms of the distribution and exercise of power, as well as the relationship between national and sub-national authorities. Federalism has been categorised into three groups as follows: cooperative, asymmetrical and symmetrical forms of federalism

- **Cooperative federalism**, overlapping and complementary responsibilities with a mechanism of coordination to optimise outcomes of efforts. “In cooperative federalism, national and state or regional governments cooperate actively. In contrast, an all-powerful federal regime imposes policies on local administrators. As a result, in cooperative federalism, all layers of the government are independent and interdependent since there is an overlap of functions and financial resources” (GCDFCAF: 15).
- **Asymmetrical federalism** – constituent units have varied and unequal powers (e.g., India and Spain).
- **Symmetrical federalism** – constituent units have similar functions and powers as well as a relationship with the national government (e.g., Nigeria and the USA).

Centralised police system: Police forces are established by either the constitution or laws and have jurisdiction throughout the country, operating under the control of the national government. Centralised police systems tend to have fewer police forces.

Decentralised police system: Police forces are established by either the constitution or law and are controlled by national and sub-national (states, regions, provinces, local) governments. There tend to be more police forces in a decentralised system.

In both centralised and decentralised police systems, there may be varying degrees of national coordination and oversight.

Community policing: An approach to policing by the police that emphasises devolution of decision-making and resources as well as partnership between the police and citizens within communities towards identification of salient crime problems and their sources, joint determination of feasible solutions and identification of sources of resources for implementing them, as well as collaboration of police and communities in implementing, monitoring and evaluating anti-crime measures.

Community policing philosophy and practice can be adopted in countries with centralised or decentralised police systems. Many people in Nigeria equate community policing with state police and, worse, forces populated and controlled by people indigenous to the state or community to be policed. This is in contrast to a key principle of democratic policing, which holds that forces should be representative of the people they serve.

2. Literature: What are police, and what are they established to accomplish?

Police are variously and differently described in the literature as either the guarantee of law and order. But without an effective mechanism for accountability and oversight, police may serve and act as a tool of exploitation, repression and exclusion.

'Police' refers to a particular kind of social institution, while 'policing' implies a set of processes with specific social functions. 'Police' are not found in every society, and police organisations and personnel can have a variety of shifting forms. 'Policing', however, is arguably a necessity in any social order, which may be carried out by a number of different processes and institutional arrangements. A state-organised specialist 'police' organisation of the modern kind is only one example of policing.' (Reiner, 2000: 1-2)

The roles and powers of the police evoke intense contestation due to their nature as tools of freedom and repression in different contexts or even simultaneously for different groups in society. To understand the reasons for the contestation requires understanding who the police are and what they do. Literature has different perspectives on the police and the consequences of their roles and powers in society. Police are variously described in the literature. In legal literature, police are defined in terms of their statutorily ascribed functions – law enforcement and order maintenance. The police are defined in sociological literature in terms of their latent (ideological and hidden functions) and their manifest (overt functions, stipulated as law enforcement and order maintenance).

In the statutes establishing the police, their duties are generally defined as prevention of crime, investigation of crime and maintenance of order. Police are granted enormous powers, which, if abused, undermine some of the cornerstones of democracy – fundamental rights and civil liberties. Police, in terms of organisation and personnel, are agents of the state, maintained and deployed by the government. As an apparatus of the state vested with coercive powers, subject to the direction of the government, police exercise their powers in different ways across classes, communities, races and social groups.

Police work, which is the gateway to litigation "is arguably the most visible species of legal life, it touches the most people, and it most probably the most controversial" (Black 1976: 1). It has been widely observed in the literature that police powers are exercised to favour groups and persons with wealth and power. According to Clark and Sykes (1974: 457), "...much of the impetus for the coercion of others came from those who had something to gain thereby and who were in circumstances where their desires could be converted into public policy. Therefore, propertied persons, government officials, and those with strong moral convictions were particularly instrumental in arming police with coercive powers".

The contestation over police powers primarily revolved around partial application of laws with tremendous benefits to some groups and dire consequences of disempowerment and repression for others (Odekunle 1979, Neiderhoffer and Blumberg 1976; Odekunle 1979; Alemika 1986, 1993). Several scholars poignantly described the role of the police in terms of preserving prevailing power and wealth inequalities in society.

Bowden argued that the police are established to "not only monitor but also to discourage and destroy challenges to the existing order of things" (Bowden 1978: 14); Police "serve as a buffer between elites and masses and perform the essential holding operations against the malcontents until military force could be applied in a punitive and salutary manner" (Bowden 1978: 19). According to Neiderhoffer and Blumberg (1976: 12), police serve as "controlling radar to keep society within structural confines. For this purpose, police are empowered to "exercise state power, if necessary, through coercion and violence" (Das, 1983: 54). Establishing a police force should be guided by a careful consideration of 'who are the police and what do they do?'

The paradox of the police as an agency of freedom and unfreedom is captured by Goldstein (1977: 1), who observed the anomalous existence of the police in a democratic society. According to him:

The police, by the very nature of their function, are an anomaly in a free society. They are invested with a great deal of authority under a system of government in which authority is reluctantly granted, and when granted, sharply curtailed. The specific form of their authority – to arrest, to search, to detain, and to use force – is awesome in the degree to which it can be disruptive of freedom, invasive of privacy, and sudden and direct in its impact upon individuals. And this awesome authority, of necessity, is delegated to individuals at the lowest level of the bureaucracy, to be exercised, in most instances without prior review and control.

Policing entities in their mission and outcomes entrench inequalities. Public police enforce laws and maintain order defined by political, economic and social power-holders, which is why the lure of police power is irresistible to those

who have control over the law-and-order enforcement agencies. Similarly, commercial policing entities are driven by profit motives, which necessitate serving those who pay for their services, thereby entrenching inequality between those who can afford it and those who cannot. Community self-policing entities are vulnerable to being captured by influential persons and groups in society and to become a tool for suppressing minorities and those whose lifestyles are contrary to the dominant patterns.

2.1. Centralised and decentralised police systems

There are several advantages and disadvantages of centralised and decentralised police systems.

- Advantages of centralised police systems include uniformity of processes, standards, operations, as well as better coordination and operations across sub-national jurisdictions, relative autonomy from local power-holders and dominant interests.
- Disadvantages of centralised police systems include inadequate sensitivity to local crime and safety concerns, delay in decision-making and weak accountability to the local community.
- Advantages of decentralised policing include responsiveness to local crime and security concerns, greater effectiveness in solving common crimes, strong relations with the community, and generally high public trust - provided that services are professional and unbiased.
- Disadvantages of a decentralised police system include varied standards and processes of operations, partisanship and capture by local dominant powers and interests, minorities may be oppressed, accountability to the local community dependent on the strength of local democratic governance, poor coordination, gaps in information sharing and cross-border operations across jurisdiction, and displacement of crime across jurisdiction.

The tendency over the past five decades has been an increasing centralisation of police services or the establishment of national oversight of local police forces. A typical example is Britain, where the Home Office has responsibilities for direction and oversight of local police forces. In the United States of America, there has been an increasing national policing presence at local levels since the event of September 11, 2001, and the establishment of the Department of Homeland Security.

The Netherlands consolidated its twenty-five police divisions into a national police force in 2013. Similarly, Scotland moved away from local police forces and established a unified police force under the oversight of the Parliament (Terpstra and Fyfe 2019). Sweden has a single national force organised and overseen by the federal government. France has multiple national police forces, all controlled by the federal government. Japan has a national police force with detachments at sub-national levels. Denmark has a national police force. China has a centralised police system.

3. Police system in Nigeria

Nigeria had a police system in which federal and local police forces co-existed, until late 1960s when they were dissolved by the military regime.

Constitution: The current Constitution provides for a centralised police system; the Nigeria Police Force with commands in the states. Section 214(1) of the 1999 Constitution provides that:

There shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force. Subject to the provisions of this section, no other police force shall be established for the Federation or any part thereof.

Control of the police: The Constitution also created the Nigeria Police Council, chaired by the President and having all state governors as members. The body has the responsibility for the organisation of the police in the country. The composition illustrates that the police is jointly under the watch of the federal and state governments. However, the Council rarely meets and there is no effort or interest by the governors to make it an efficient executive policy-making body for the country's police force.

3.1. Relationship between the Commissioner of Police and the Governor

The 1963 and 1999 Constitutions made provisions for the relationship between regional and state authorities and the Commissioner of Police in charge of the Command of the Police in the states. The provisions in the two constitutions are similar in critical dimension of the command of the commissioners of police by governors.

Chapter Seven (Sections 105–110) of the 1963 Constitution provided for the establishment of the Nigeria Police Force; control of the Nigeria Police Force; establishment of the Nigeria Police Council; functions of the Nigeria Police Council; establishment of Police Service Commission and appointments to the Nigeria Police Force, etc. The provisions are in many respects similar to the provisions in the 1999 Constitution. The areas of divergence are the provision for a sub-national police force and consultation with regional government in the posting of a commissioner of Police.

Section 105, subsections 6 and 7 of the 1963 Constitution provided as follows:

(6). Parliament may make provision for the maintenance by any local authority within the Federal territory of a police force for employment within the Federal territory.

(7). Nothing in this section shall prevent the legislature of a Region from making provision for the maintenance by any native authority or local-government authority established for a province or any part of a province of a police force for employment within that province.

The 1963 Constitution made provision for the establishment of a native authority or local government authority police forces, but not regional police. The provision enabled Northern and Western Regions to maintain native authority and local government authority, respectively, until they were dissolved in the late 1960s by the military regime.

Since 1999, state governors have consistently complained that they lack control over the Nigeria Police Force's command in their states. The provisions in the 1963 and 1999 Constitutions are similar in this respect. Section 106, subsections 3 and 4 of the 1963 Constitution provided as follows:

(3). The Prime Minister or such other Minister of the Government of the Federation as may be authorised in that behalf by the Prime Minister may give to the Inspector-General of the Nigeria Police such directions with respect to the maintaining and securing of public safety and public order as he may consider necessary and the Inspector-General shall comply with those directions or cause them to be complied with.

(4). Subject to the provisions of subsection (3) of this section, the Commissioner of Police of a Region shall comply with the directions of the Premier of the Region or such other Minister of the Government of the Region as may be authorised in that behalf by the Premier with respect to the maintaining and securing of public safety and public order within the Region or cause them to be complied with:

Provided that before carrying out any such directions the Commissioner may request that the matter should be referred to the Prime Minister or such other Minister of the Government of the Federation as may be authorised in that behalf by the Prime Minister for his directions.

A similar provision was made in the 1999 Constitution. Section 215, sub-sections 3 and 4 of the 1999 Constitution provided as follows:

(3) The President or such other Minister of the Government of the Federation as he may authorise in that behalf may give to the Inspector-General of Police such lawful directions with respect to the maintenance and securing of public safety and public order as he may consider necessary, and the Inspector-General of Police shall comply with those direction or cause them to be complied with.

(4) Subject to the provisions of this section, the Governor of a state or such Commissioner of the Government state as he may authorise in that behalf, may give to the Commissioner of Police of that state such lawful directions with respect to the maintenance and securing of public safety and public order within the state as he may consider necessary, and the Commissioner of Police shall comply with those directions or cause them to be complied with:

Provided that before carrying out any such directions under the foregoing provisions of this subsection the Commissioner of Police may request that the matter be referred to the President or such minister of the Government of the Federation as may be authorised in that behalf by the President for his directions.

(5) The question whether any, and if so what, directions have been given under this section shall not be inquired into in any court.

The constitutional provision that “*Provided that before carrying out any such directions under the foregoing provisions of this subsection the Commissioner of Police may request that the matter should be referred to the President or such other Minister of the Government of the Federation as may be authorised by in that behalf by the President for his directions*”, is the basis for agitation for state police by Governors.

The provision underscored the following issues:

- First, it empowers the Governor to give “lawful directions with respect to the maintenance and securing of public safety and public order within the State as he may consider necessary”.
- Second, it obliged “the Commissioner of Police shall comply with those directions or caused them to be complied”.
- Third, “before carrying out any such directions under the foregoing provisions of this subsection, the Commissioner of Police may request that the matter should be referred to the President”

The agitation of some Governors, since 1999, apart from the federalism principle, is hinged on the third point above, which means they do not have control over the police. A critical question is whether they or even the President should have control over the police outside a democratic accountability and oversight framework, such as the legislature, judiciary, and executive bodies like the Nigeria Police Council and the Police Service Commission. There have been very few public complaints by the governors concerning the provision requiring matters to be referred to the President. A factor in the demands for state police by governors and powerholders in states is the quest for control of police, a desire that is incompatible with the principles of democratic policing and constitutes a threat to citizens’ security and development.

3.2. Demand for the establishment of state police in Nigeria

Since 1999, when the civilian government succeeded a protracted period of military rule, there have been agitations for a state police force (Alemika 2003, 2005; Shettima 2018; Gulleng 2021). Initially, the demand was made by state governors from the South-West zones as part of political restructuring and devolution of power to sub-national governments. They were subsequently supported by governors from other southern geopolitical zones, while governors from the northern geopolitical zones were generally opposed to the establishment of state police. The endorsement of state police by President Tinubu changed the tide as most governors now support the establishment of state police.¹

Demands for the establishment of state police in the country has been driven by several factors at different times in parts of the country. Some of the key factors are:

1. Appeal to principles of federalism. In federal states, national and sub-national governments have areas of exclusive and concurrent responsibilities. Criminal justice agencies, including the police, fall under concurrent responsibilities and powers.
2. Unrelenting demand by governors for state police under their control. Governors argue that they are unable to guarantee security in their states because they do not have control over the command of the Nigeria Police in their states. This argument is not entirely accurate in light of the provisions of Section 215 of the 1999 Constitution. The highest organ responsible for the organisation of the police in the country is the Nigeria Police Council, created by the Constitution. All the governors are members, and the President is the Chairman. However, the Council rarely meets to evaluate the police organisation in the country and take appropriate actions.
3. Protracted and worsening complex insecurity across the country. This has led to the proliferation of state and non-state security services providers in different parts of the country.

¹ Marcel Mbamalu “Northern governors and the shift on state police”. Punch Newspapers, May 23, 2025; <https://puncng.com>; Governors endorse state police to address insecurity, The Guardian Nigeria News, December 12, 2024. <https://guardian.ng>; “Afenifere pressures Tinubu on state police bill”. Punch Newspapers, June 27, 2025. <https://guardian.ng>; Tayo Olu “Arewa Youths Reject Creation of State Police”. The Whistler, February 19, 2018. <https://thewhistler.ng/>; Lois Ugbede. “Restructuring: APC Committee recommends state police. Resource control, fiscal federalism”. Premium Times January 25, 2018. <https://premiumtimesng.com>

4. Ineffectiveness of the Nigeria Police Force and public distrust, due to several factors, including lack of professional human resource management (recruitment, training, deployment, promotion and discipline), poor working conditions, lack of essential tools for intelligence and investigation, low funding for the acquisition of essential policing technologies, equipment and infrastructure, capacity due to poor funding and financial management, interference in police decisions by politically and economically influential persons in society, lack of cooperation from the public and corporate and community security services providers (Kayode 1976; Odekunle 1979; Alemika 1993; FGN 2006, 2008, 2012; NHRC 2019; Tiwa 2024)

3.2.1. *Federalism and police system*

The most cogent argument for the establishment of sub-national police forces in Nigeria hinges on the relationship between federalism and the police system. In federal states, there are both national and sub-national police forces. The argument for state police on the basis of federalism has been most scholarly argued by political scientist Adekanye (2011).

Federalism is a form of political decentralisation to manage diversity in a country with a diverse population. It involves power-sharing between or among the tiers of government. In a federal system, the tiers of government have powers to make laws and establish agencies for their enforcement, as provided by the nation's constitution.

However, institutional configuration and power-sharing among constituent units vary across federations. Federalism principles and structures evolve from and are adapted to each country's historical, cultural, economic, political, and social realities, choices, and aspirations. A federal state may be characterised by a strong or weak centre relative to the federating units, but there is nothing like true federalism, except in the colloquial political rhetoric in Nigeria.

Police systems are variously classified in the literature. A country's police system reflects the nature of intergovernmental relations. In federal systems with shared power among the national and sub-national governments, there is often a decentralised police system with varying degrees of coordination from the federal authority. In a unitary system of government, a centralised police system with commands in the sub-national territories is often observed. However, a unitary system of government may maintain a decentralised police system with strong national coordination and oversight, as is the case in the United Kingdom. Bayley (1992: 511) described a police force as autonomous if "they are created, supported, and directed by units of government that cannot be directed with respect to policing by other units of government".

The Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, UNAFEI (2003: 183) classified police systems into three categories as follows:

- Centralised police system - "a police system in which there is a national police agency or police institution which is centrally commanded and controlled through a vertical chain of command and such police institution has unlimited jurisdiction throughout the territory of the country".
- Decentralised police system - "a police system in a federal, union or similar form of political or constitutional arrangement, where the responsibility for law and order and consequently the operational control, management, and superintendence of the police agencies or institutions is the exclusive responsibility of the governments of the states, or provinces; components of the federal or union arrangement as the case may be".
- Semi-centralised police system - "police system in a federal system of government or similar constitutional arrangement where the responsibility for law and order is vested in the governments of the component states, provinces or prefectures and the control of the police agencies in the states, provinces or prefectures vests in both the federal (central) government as well as the governments of the component states, provinces or prefectures irrespective of the extent and measure of control exercised by either organ".

Comparative study of police forces in federal, unitary and democratic polities demonstrates variation in police systems. It has been observed that there are "no comprehensive theories on what federalism means for police forces" (GCDCAF 2011: 4). Research shows that "forces are structured (and operate) differently in different countries even if those countries all live under a federal political order" (GCDCAF 2011: 4).

The relationship between the national and sub-national police forces varies considerably in terms of jurisdiction, national oversight of recruitment, training, organisational structure and standards, plans and operational performance, disciplinary measures, and joint operations. The differences can be attributed to the evolution of countries, the challenges and risks that they confronted or anticipated.

Political systems and institutions should evolve from the experiences, anxieties and aspirations of citizens. However, this is not often the case in countries constituted by colonial expeditions and rule, such as Nigeria, which adopted federalism to protect the identities, cultures, rights, and inclusion of ethnic, religious, cultural, social, economic, and political minorities. Post-colonial countries should redesign inherited institutions to reflect their history, as well as their temporal and anticipated national challenges, anxieties and aspirations.

While there are multi-layered and fragmented police systems in federal systems, their organisation varies in terms of level of national coordination, with federal oversight strong in some states (e.g., Spain) and weak or non-existent in others (e.g., the United States of America). In literature, police organisations in federal states are often classified as coordinated fragmentation and uncoordinated fragmentation.

There are variations in the ways that powers are shared between national and sub-national governments, which are often enshrined in their constitutions. The core attribute of federalism is aptly captured by Nwabueze (1993: 224-225) as follows:

Federalism is an arrangement whereby powers of government within a country comprising a large territory and/or diverse nationalities, are shared between a national, countrywide government and a number of regionally-based governments in such a way that each exists as a government separately and independently from the others, operating directly on persons and property within its territorial area, with a will of its own and its own apparatus for the conduct of its own affairs, and with an authority in some matters exclusive of others. Federalism is thus essentially an arrangement between governments, a constitutional device by which powers within a country are shared between two tiers of government rather than between geographical entities comprising different peoples (Nwabueze 1993: 224 - 225).

Federalism is a politically constructed framework for governance and not a natural creation with fixed features. It is often adopted where federating units “desire to be under a single government for some purpose...desire at the same time to retain or to establish independent regional governments in some matters” (Wheare 1964: 35-36). Federalism reflects and resolves the tension of integration of territorial (political) units - for purposes of efficiency and security, and autonomy for preserving group or areal/territorial identity and enhancing local self-governance.

The content of federalism in a given country is determined by several factors, especially its evolution by either centrifugal or centripetal pathways. According to Eleazu (1977: 22):

Centripetal federalism comes into being when pre-existing political units come together for whatever purpose they deem necessary, but on the other hand, a centrifugal federalism comes into being when a pre-existing political unit subdivides to accommodate differences of whatever nature that have become or are seen as irreducible to a common denominator. In each case the process of federating must develop a means of halting the (centripetal and centrifugal) tendencies which called it into being if the federation is not to be transformed into a unitary state in the one case or disintegration in the other (p.22).

The powers and functions of federating units vary across federal states (Nwabueze, 1982, 1993; Eleazu, 1977; Wheare, 1964; Watts, 1999). Power-sharing among national and sub-national governments varies considerably. This point was concisely articulated as follows:

There is no single pure model of federation that is applicable everywhere. Rather, the basic notion of involving the combination of shared rule for some purposes and regional self-rule for others within a political union so that neither is subordinate to the other has been applied in different ways to fit different circumstances. Federations have varied and continue to vary in many ways; in the character and significance of the underlying economic and social diversities; in the number of constituent units and the degree of symmetry or asymmetry in their size, resources and constitutional status; in the scope of the allocation of legislative, executive and

expenditure responsibilities; in the allocation of taxing powers and resources; in the character of federal government institutions and the degree of regional input to federal policy making; in the procedure for resolving conflicts and facilitating collaboration between interdependent governments; ... (Watts 1999: 1).

While federalism provides a strong argument for a multi-layered police system administered by national and sub-national levels of governance, it does not prescribe how such a system should be structured in terms of organisation, power, command and control and oversight. There is no consistent evidence in the literature that fragmented multi-layered police systems are more effective, responsive, and right-respecting than centralised national police systems (Bayley 1992; Lowatcharina and Stallmann, 2019; Geller and Morris 1992).

Police systems reflect the political organisation of a country. There are very few studies on the relationship between federalism and police systems. This is probably due partly to the fact that only “few countries in the world have chosen a federalist government. Out of about 200, less than two dozen countries use a federal system (among them: Argentina, Australia, Austria, Belgium, Bosnia, Brazil, Canada, Germany, India, Malaysia, Mexico, the United States, Switzerland, Nigeria)” (GCDCAF 2011: 7).

The most explicit study on federalism and police systems is probably that by the Geneva Centre for the Democratic Control of Armed Forces. 2011 on *Federalism and Police Systems*. It defined federalism as “a set of distribution of authority between the levels of governments structured by a set of institutions. It aims at realising national unity while preserving identity of the sub-national units” (GCDCAF: 7),” but noted that there are different types of federalism’ (GCDCAF: 8).

The Geneva Centre for the Democratic Control of Armed Forces (GCDCAF 2011:15) noted the fluid relationship between federalism and police system as follows:

“... federalism and decentralisation are two distinct concepts. Decentralisation organises the distribution of power within a unitary or a federal polity. It provides certain institutional mechanisms for extending the democratic accountability to lower ranks. For example, a police force can become more decentralised in unitary states by making the force accountable at the local level even if it is of central nature” ... “Conversely, a federation can decide to have one or two national forces with jurisdiction over the entire country so that they have limited accountability to the local level” (GCDCAF 2011: 15-16).

There are, according to (GCDCAF 2011: 34):

“... major differences in the number of police forces even in democratic and federalist systems. In other words, opting for a federal system does not solve the issue of the organisation of a police system. At one end of the spectrum, one can find countries like the US and Switzerland. Their political system and their police system are extremely fragmented. At the other end of the spectrum, one can find a state like Spain with two forces accounting for more than 90 % of all police personnel operating in the country”.

While federal states, such as the United States of America, India, and Canada, have fragmented police systems administered by federal and sub-national governments, unitary states, such as the United Kingdom, maintain police forces at both national and regional levels. The literature generally showed that there is no significant difference between centralised and decentralised police systems (in federal and unitary polities) in terms of efficiency, respect for human rights, ethical and professional conduct, and relationships between police chief and political heads of government (Geller and Morris 1992; Bayley 1992, 2016).

Collaboration between national and local police forces is a concern in federal and decentralised systems. Geller and Morris (1992) reported that local police forces in the USA complained that they were mostly patronised or ignored by their federal counterparts. In their study of police chiefs in Texas state of USA, Stewart (2011: 407) reported that “the majority of chiefs hold generally low perceptions of federal-local collaboration”.

If effectiveness, right protection, and integrity are the considerations for decentralisation or centralisation of the police system, the findings of Bayley (1992) offer guidance to the effect that there is no significant difference between the two systems. Bayley, in his comparative study of police systems reported that:

Neither the number of autonomous forces nor the extent of command centralisation/decentralisation within forces has any effect on human rights and political freedom. Australia, Britain, Canada, India, and the United States are all vibrant democracies, but they vary considerably in the multiplicity of forces as well as the command organisation within them ... Furthermore, authoritarian polities sometimes have decentralised police systems - for example, Prussia, The Soviet Union, and the American South before the civil rights movements, while notable democratic countries have centralised ones - such as Denmark, Ireland, Sweden, New Zealand, and France (Bayley 1992: 539).

Bayley (1992) observed that across “the five English-speaking countries of Australia, Canada, Great Britain, India, and the United States, the number as well as the coordination of forces varies sharply. ... One implication of this observation is that the concept of centralisation/decentralisation must be grounded in considerations of scale. Differences in national structures of policing depend on political settlements achieved at the time countries were formed”.

In a comparative study of the relationship between police centralisation and decentralisation, and the size of police forces in seventy countries, Lowatcharin and Stallmann (2019) found an inverse relationship between decentralised police systems and police intensity (the number of police employees). However, they found that decentralisation in advanced countries resulted in employment of officers, while in less developed countries with a decentralised police system, fewer police officers are employed. Although this finding does not address the relationship between the size of the police and crime control, it offers caution on the expectation of the decentralised police serving as an employment booster in Nigeria.

On the incompatibility of a centralised police force with federalism, a critical consideration should be given to the distinction between police and policing. A country may have a centralised police system with plural and hybrid policing, involving departments of government at the national, regional, state, and local levels, as well as commercial and community providers of security services. Nigeria, by its constitution, has a centralised police force. However, in practice, it maintains plural and hybrid policing systems (Alemika 2019). There are agencies and task forces at the state and local government levels with duties of enforcing laws on sanitation, waste management, traffic, taxation and levies, accompanied by the power of arrest and prosecution before either regular or mobile courts.

3.3. Insecurity and demand for state police

The demand for state police is often informed by the mistaken assumption that more police will necessarily lead to lower crime rates. Vast evidence from criminological research do not consistently support this assumed relationship (Kim, et al., 2024; Burhan et al, 2023), because economic, social and political factors are the causes of crime, which can be prevented and controlled through addressing socio-economic and political causative factors. More police may repress the symptoms for a short period, but the problem will not be cured and will continue to manifest.

The emerging consensus among significant groups in the country is linked to the widespread and intractable insecurity in the country. The widespread insecurity across the country has led to a growing consensus on the need for state police. Information obtained from interviews with retired and serving senior police officers, academics, and directors of human rights NGOs working in the area of police reform showed that their support for state police was hinged on current insecurity in the country, inability of the Nigeria Police Force to combat the problem and the need for increased police presence given the vast population and land mass of the country. Some who opposed the establishment of state police highlighted abuse in the past and current capture of critical democratic institutions like judiciary, legislature and state electoral bodies as harbinger of the danger of state police.

During the validation workshop on the draft of this paper, many participants supported the establishment of state police which they consider as solution to lingering insecurity in the country. Some participants were opposed to the establishment. While acknowledging that police abuse occurs under the present federal police, they argue that intensity of repression over a much wider population will occur under state police. Several concerns raised in parts of this paper were reinforced.

Some of the discussants were concerned about the cost of managing state police, where many states frequently fail to pay regularly their workers' salary. If police were unpaid but armed, wouldn't that be a challenge to their effectiveness and professionalism? Another major insight from the workshop was that a national legislation on police and policing should have explicit provisions on appointment, resourcing, command, inter-jurisdictional relations between federal and sub-national forces, and the imperative of democratic and citizen oversight of police forces at national and state levels.

3.4. Challenges of police work

There are several challenges that police encounter in the course of their duties. Some of them are structural while others are organisational. Some of these challenges are:

- i. Vulnerability to control by top-ranking elected and appointed officials in government whose interests do not always align with the democratic ethos of equal protection, dignity and freedom of citizens.
- ii. Extent of violence in society. Societies with a high incidence of violent crimes tend to witness violent law enforcement tactics by their police.
- iii. Police with a militaristic orientation tend to be equipped with more lethal weapons, which they use in law enforcement.
- iv. Police behaviour reflects the extent to which democratic values of inclusion and equal protection, dignity and freedom of citizens are reflected in governance and protected by the government.

4. Police Forces in Nigeria

An organised police force was introduced into Nigeria at the onset of colonial rule in Lagos in 1861. Prior to colonial rule, societies amalgamated as Nigeria had no formal police organisations. Instead, residents of African villages and towns bore the responsibility for policing and safeguarding their communities from criminals within and invaders from without. They depended on an array of groups for policing, amongst which were elders, priests, diviners, age-grades/age sets and hunters. Policing was carried out along with "regular jobs as farming, trading, fishing, weaving, smithery and the like" (Tamuno 1970:74).

Colonial occupation and domination require apparatuses like the armed forces, police or constabulary to enforce its rule and interests. Policing subjugated people often results in the establishment or reconstitution of security agencies to control the colonised peoples. Such forces are accountable to the colonisers and equipped to ruthlessly suppress the colonised. During a century-long colonial exploitation and oppression in Nigeria, the colonial authorities established, amalgamated and reconstituted several police forces. These forces were repressive and uncivil (Tamuno 1970; Alemika 1993; Ahire 1991).

The colonial government incorporated the coercive local policing mechanisms of indigenous chieftains. Under the Native Authority Ordinance (No. 4 of 1916) and the Protectorate Laws (Enforcement) Ordinance (No. 15 of 1924), the Native Authorities or Local Governments were empowered to establish local police forces, prisons and courts for crime control (Tamuno, 1970). Thus, a plural police system existed in Western and Northern Protectorates and provinces during the colonial era

Nigeria had federal and local police forces during colonial rule and in the first republic (1960-1966). The local police forces were reported to be corrupt, incompetent, brutal, and deployed by the government against the opposition (FGN 1967; Ohonbamu 1972; Ahire 1991, 1993; Rotimi 1993). They were dissolved in the late 1960s based on the recommendation of a Panel in 1967 (FGN 1967) by the military regime.

The 1999 Constitution stipulated that there shall be only one police force in the country, to be known as the Nigeria Police Force (NPF). The Force is structured into the Force Headquarters, 37 state commands, several specialised units, with a staff strength of 252,261 in 2020. The state Commands consist of area and divisional commands, police stations, police posts and patrol teams. The NPF is widely criticised as ineffective, corrupt, brutal and uncivil, resulting in a lack of public trust.

Several reform committees constituted by the government in 2006, 2008, 2012 and 2019 identified the recurring problems of the Nigeria Police Force as lack of policing philosophy reflecting the needs and aspirations of citizens; colonial legacy of paramilitary policing and contingent brutality and hostile police-public relations, regime policing, wasteful development for personal protection rather than public safety and order; inadequate human, financial, material

and operational resources; corruption; poor internal supervision and external oversight; inadequate remuneration, poor conditions of service and motivation. The inadequacies led to poor service delivery, incivility, a lack of accountability, and a decline in public trust and cooperation. These deficits are common in most Nigerian public services at the federal level, and especially at the state and local government levels.

4.1. Social, economic and political implications of the establishment of state police

In a fragile and fractured society like Nigeria, where ethnic and religious affiliations as well as other social divisions are weaponised in governance, state police may aggravate the repression and deprivation of minorities in different parts of the country. There is ethnic profiling and a concealed xenophobic undertone in the agitation for state police, as many proponents attribute the problem of insecurity, such as banditry, community raids by violent criminal gangs, kidnapping, cattle rustling and robbery in their states to strangers. A state police whose members are drawn solely from indigenes may operate on this assumption, which may lead to profiling and targeting non-indigenes of the state. Further, states may pass laws that target the lifestyles and livelihoods of minorities, which will be enforced by state police. Some states that established quasi-religious policing organisations demonstrate religious bias in their laws and their enforcement. Women and youth are sometimes targeted for surveillance and control to enforce a moral order dictated by powerful groups in society. In these contexts, state police may constitute a threat to national unity and fundamental rights.

A Bill in the National Assembly, originated from the House of Representatives, attempts to provide safeguards against the abuse of state police. Experience with the State Independent Electoral Commission across the country does not provide an assurance. The Commission is captured by the state and ruling party, whose candidates are returned as winning all elections. Abuse of the police in this manner will be a grievous danger to citizens' freedom and security.

There is a general assumption that personnel posted to states are mostly persons who are not indigenous to the communities. However, the majority of recruits who complete their training are posted to their states or geo-linguistic zones. The expectation of significant capability to resolve insecurity may be unrealised.

Employment and appointments into the state public service pose a concern for the state police. In most states in Nigeria, the practice is to employ only indigenes, persons who make an ancestral or aboriginal claim to the state in the public service. A police service with members drawn from indigenes rather than from diverse groups in the state may not provide equal protection to all groups. A key principle of democratic policing is that a police force represents the diversity of groups in the population. Further, proponents and opponents of state police have not addressed how the establishment of state police will affect women, youth and other minorities.

The establishment of state police requires a huge economic investment. In a country with wide inequality in revenues imply that economically advantaged states may be able to fund an effective police force while their disadvantaged counterparts will be unable to do so. There are several implications for this condition. Citizens in different states will experience varying levels of inequality in police services. There may also be what is called in criminology, crime displacement, whereby criminals relocate to jurisdictions with low police effectiveness, especially where collaboration between police forces in states is weak. In establishing state police forces, consideration should be given to economic cost and implications, as well as other factors like crime displacement and inequality of police services across jurisdictions.

4.2. Challenges of state police forces in Nigeria

State police system will encounter numerous challenges, including the following (Alemika 2024):

1. Weak democratic constraints will not be able to restrain governors and powerful people in states from abusing police powers;
2. Interference in police operational decisions by governors and party in power, and thereby undermining professionalism and collaboration between the public and the police;
3. Governor's support for state police will dwindle and the scarcity of resources will lead to ineffectiveness and unprofessional conduct of police officers;
4. Most states in the country fail to effectively deliver essential public services and goods like nutrition, shelter, health care, education, employment and social protection and welfare services; there is no reason why state police will be treated differently in respect of poor governance;

5. Using employment into police as patronage may result in unrepresentative police, which contravenes democratic policing;
6. Employment of only indigenes in the state public service will exclude residents who are not indigenous to the state, irrespective of how long they have lived in the state, which will also undermine the democratic policing principle of representativeness
7. Contemporary crimes that are of concern to citizens are serious, organised and transborder in manifestations and effects for which state police are not effective; and
8. Systematic diminishing trust in government and its agencies will negatively impact police-public relations.

4.3. Dynamics and shift in police and policing phenomena

Fundamental shift has been observed in the purpose, mentalities, organisation and authority associated with policing of which the public police is one of many diverse nodes. Mapping out the shift, Bayley and Shearing (1996) identified two developments, as follows.

First, policing is no longer monopolised by the public police, that is, the police created by government. Policing is now being widely offered by institutions other than the state, most importantly by private companies on a commercial basis and by communities on a volunteer basis. Second, the public police are going through an intense period of self-questioning, indeed, a true identity crisis. No longer confident that they are either effective or efficient in controlling crime, they are anxiously examining every aspect of their performance-objectives, strategies, organisation, management, discipline, and accountability. These movements, one inside and the other outside the police, amount to the restructuring of policing in contemporary democratic societies (Bayley & Shearing 1996: 585).

Developments outlined by Bayley and Shearing (1996) are now visibly manifested in plural policing, hybrid policing and network governance of security (nodes and providers) across the world (Shearing and Wood 2003; Johnston & Shearing 2003; Baker 2008; Alemika 2009, 2019). Thus, government must look beyond police forces in developing policing architecture for a country.

It is contested in criminological literature that the primary role of government in contemporary multi-nodal plural or hybrid policing architecture should be steering security while assigning the task of rowing to public and private security providers (Shearing and Wood, 2003). This framework requires, according to Crawford (2006) that the state establishes the following conditions:

- be explicit about the direction the goals, norms and values involved and for this to be conveyed to those rowing;
- establish mechanisms for checking, verifying and monitoring performance against the goals, norms and values set;
- use the latent knowledge, resources and capacities of those doing rowing;
- design regulatory institutions and processes of control that stimulate and respond to the regulatory capacities latent within and around those rowing (Crawford 2006: 453).

These guidelines deserve consideration in the establishment of state police in Nigeria.

5. Establishment, regulation and oversight of state police

In view of the growing consensus among the political elite, there is a very high likelihood that the Constitution will be amended to provide for the establishment of state police. It is necessary to entrench constitutional safeguards against the establishment and deployment of state police for mass and systemic violations of human rights and the emergence of rogue state police forces.

The introduction and reform of a police system or force must be anchored in a fundamental value that guides its organisation and operations. The best model of policing is democratic policing. It broadly consists of the following features:

- Effective, efficient and equitable delivery of safety and security services;
- Transparency in decision-making and accountability to legislative, judicial and executive authorities, and civic society;
- Professionalism
- Relative autonomy of the police from partisan political control;
- Integrity management aimed at minimising corruption and abuse of power;
- Fair representation of various salient identities, especially women and minority groups;
- Respect for the human rights of the citizens by the police;
- Internal democracy within the police.

The establishment of state police in Nigeria necessitates that the constitutional and statutory framework be grounded in the principles of democratic policing, which reflects the democratic system of governance.

GCDFCAF (2011:53) recommended that in the establishment of police forces at sub-national levels, due attention should be given to several factors. The factors include national crime information system, a national police force, a national police standard (appointment, recruitment, training, conditions of service, discipline, operational engagement and deployment; oversight of sub-national police force by the national government, presence and projection of capability and authority by national police force at local levels during crisis; relationship between national and sub-national police forces. Smit and Botha (1991: 37) aptly captured the requirements as follows:

In democracies, restrictions on the power of the police take the form of legislation, the sovereignty of law, individual rights, and social attitudes toward the police. Inherent characteristics of democratic police include decentralisation; the civil service nature of police; external controls exercised by the judiciary, legislature, civilian review boards, and ombudsmen; and a democratic police internal structure consisting of standardised rules and regulations, job mobility, and employee participation. A democratic police force can be ensured through effective use of recruiting tactics, vetting procedures, education, and minimum use of force.”

Smit and Botha highlighted constitutional, legal, organisational and normative pillars of a police force. They form the preconditions for the establishment and administration of the police.

In view of the growing consensus among political power-holders in the country – including the president and governors, ethnic leaders, media practitioners, and many academics - there is a high prospect of an amendment to the Constitution to make provisions for the establishment of state police. This implies that the federal and state governments have concurrent powers to establish police forces at both the federal and subnational levels. Unlike concurrent powers in respect of social services such as education and healthcare, explicit constitutional and statutory provisions for the state police are necessary, given the impact of police powers on the security, welfare, and rights of citizens.

The following constitutional provisions for establishing state police are recommended.

- Globally, there is a tendency towards strengthening national police forces as well as national or federal oversight and coordination of local police forces occurs in many developed democracies, including Britain, where the Home Office’s steering, supervisory or oversight roles continue to expand.
- Establishment of state police by a law enacted by the state House of Assembly, subject to the provisions of a law by the National Assembly specifying conditions for the establishment, organisation, command and administration of police by a state in the federation. The law shall be passed by a vote in its favour by two-thirds of members of the Assembly representing at least three-quarters of the local government areas of the state.²
- Explicit and unambiguous provisions on (a) duties, functions and powers of the state police and that it shall be a civil police organisation for the purpose of guaranteeing the security, welfare and rights of citizens resident within the state, consistent with section 10, chapters 2, 3 and 4 of the Constitution, and (b) conditions for federal intervention to dissolve state police forces which operations are inconsistent with the Constitution.
- Prohibition of a state police being organised, armed and deployed to (a) impede or prejudice the exercise of the executive, legislative and judicial powers of the Federation; (b) endanger any asset or investment of the

² The import of these requirements is that the establishment of state police shall represent wide consensus among different groups in the state, especially in those with many ethnic and religious groups.

Government of the Federation in that State; (c). endanger the continuance of a Federal Government in Nigeria; (d) impede or violate the rights of citizens guaranteed in chapter 4 of the Constitution of the Federal Republic of Nigeria; (e) continuing existence of state police forces widely used to violate the rights, and undermine the well-being of citizens and (g) impede free movement of citizens through the state and (h) impede inter-state legitimate trade and other economic activities³.

- Recruitment into the state police shall be inclusive and representative of the population based on residence, gender, and other identities, rather than state indigeneity, to meet the requirements of representation in democratic policing principles and minimise the prospects of the police force being maintained and deployed as an ethnic police force and militias against non-indigenes or other minorities.
- Establishment of National Police Standards and Regulatory Council with three key operational directorates. These are the Police and Policing Standards, National Crime Research and Information Management, and the Police Oversight and Complaints Bureau.
 - *The Police and Policing Standards Directorate* shall be responsible for educating the police and citizens on the police standards prescribed by law, monitoring compliance, and submitting quarterly and annual reports to the National Assembly and the Nigeria Police Council. It shall also oversee the appointment of the state police chiefs and deputies, monitor adherence to command, control, deployment, operations, remuneration, level of force, arms and ammunition, supervision, oversight, training and curricula, professional and operational standards; detention by state and local police forces as prescribed by an Act of the National Assembly.
 - *National Crime Research and Information Management Directorate* - a research and think-tank - shall drive and enhance research knowledge-informed policy, shall be responsible for receiving, collating, analysing and disseminating criminal statistics and information from federal and police forces, specialised regulatory and law enforcement agencies (e.g., Custom, Immigration, Civil Defence, Correctional Service, NDLEA, ICPC, EFCC, FRSC, Fire Service, criminal cases handled by Are. Magistrate and High Courts) to aid policy and decision-making by stakeholders across society; conduct biennial crime and police performance survey and report findings to the National Assembly and Nigeria Police Council.
 - *Police Oversight and Complaint Bureau* shall receive, refer to police forces, investigate and determine complaints by members of the public against the police, submit an annual report to the National Assembly, Police Service Commissions at the federal and state levels and to the Nigeria Police Council.

Constitutional or national statutory provisions should define the roles of national and state police forces in the context of humanitarian emergencies with regards to intervention of security and humanitarian agencies to protect, rescue, shelter and care for victims and vulnerable population. It should also provide definitive provisions on coordination of access to sites and persons requiring humanitarian interventions.

5.1. Roles of development partners: Civil Society Organisations and Organised Private Sectors

Development partners, civil society organisations and the private sector can play significant roles in the establishment of state police through the following:

- During the constitutional amendment phase, advocate constitutional and statutory provisions that will enhance security, rule of law, public order and safety, fundamental rights of citizens, and enhance nation-building, national unity, and collaboration between national and sub-national police forces.
- Following the constitutional amendment that enables the establishment of state police, development partners may support the development of a model state police law for adoption and adaptation by states. This process will be similar to the development and enactment of the Administration of Criminal Justice Act (ACJA) at the federal level and domesticated by most states as the Administration of Criminal Justice Law (ACJL) since 2015. Such a model law will enhance standards and collaboration among state police forces. The model law should be aligned with the Police Act (2020) to enhance collaboration.

³ This is an amplified version of Sections 4(5) and 5(3) of the Constitution, in respect of the limitations on powers of state legislative and executive powers.

- In the establishment phase, provide technical and material assistance to ensure effective take-off in compliance with constitutional and statutory requirements and aligned with the democratic policing principles.
- In the long run, provide material and technical support to build the capacity and capability of the forces, support research, monitoring and evaluation of the performance (effectiveness), cost (efficiency) and conduct (rights-based policing, civility, services to persons in distress, trustworthiness, integrity) of the forces.

Private sector can set up a foundation for the training of strategic leadership cadre of the police forces; fund research into police and policing; support capacity building of oversight agencies as well as criminal information database management, adopting and implementing code of conduct that may enhance police work (e.g., installation of surveillance camera linked to a central police monitoring and control centre in their premises to deter criminals and enhance police response time to crime incidents and aid investigation).

6. Conclusion

There is an extensive body of literature demonstrating that there is no inherent link between the type of police system and democracy, human rights protection, the rule of law, national security, and development. Democratic countries, such as Australia, Britain, Canada, India, and the United States, maintain varying degrees of decentralisation in their police systems. Democratic countries such as Denmark, Ireland, Sweden, New Zealand, and France maintain centralised police systems (Bayley, 1992). In both systems, human rights are relatively protected (Bayley 1992: 539). The centralised police system does not constitute a hindrance to economic and technological development. China and Japan maintain national police forces and are technologically advanced countries. The Netherlands consolidated its twenty-five police divisions into a national police force in 2013 (Terpstra and Fyfe 2019). Similarly, Scotland moved away from local police forces and established a unified police force under the oversight of the Parliament (Terpstra and Fyfe 2019).

Security challenges in Nigeria, more than any factor, are fuelling the demand for state police. However, insecurity is fundamentally caused by governance, economic and socio-political failures. These cannot be solved by the proliferation of security agencies and personnel. They require economic, political and socio-cultural solutions. Increasing and equipping police agencies may provide relief, but it will be short-lived because they will only bandage the symptoms rather than cure the ailments.

The search for solutions to the problem of insecurity, which has progressively worsened since 2009, should focus on identifying the determining social, political and economic structures, relations and conditions, and thereafter identify and implement relevant and effective measures. Failure to do this may lead to the adoption and implementation of wrong, wasteful, dangerous, and counterproductive measures, which may be antithetical to national interests and security.

Effective and accountable police guided by democratic policing principles may offer relief or a band-aid to insecurity. However, a sustainable security framework requires solving the social, economic, and political determinants or root causes of insecurity and a lack of patriotism and nationalism. Ensuring compliance with the provisions of the Constitution in sections 1, 2, 7, and 10, as well as chapters 2 and 4, will guarantee sustainable national security, development, patriotism and nationalism.

Economic, political, and social insecurities arising from dysfunctional socio-political and economic factors cannot be solved by more police but by better governance, economic development and justice, democracy and equality, civil liberties and civic allegiance to the country. There is need for caution to ensure that decentralisation of police and the establishment of state police become an entrenchment of a local leviathan.

Insecurity caused by bad governance resulting in mass poverty, deprivations, denial of qualitative shelter, food and nutrition, health care, education, employment and social protection cannot be solved by police and police systems. Security can be guaranteed only by more good governance and not by more police, militarisation and a police state.

Governments often resort to securitisation by projecting reactions by citizens to their social, economic and political exclusion and deprivation as crime and threat to security. However, addressing deprivation-induced grievances requires that government fulfil its obligation by ensuring better management of resources, curbing corruption and enhancing transparency, effective and fair distribution of essential goods and services like health care, housing, education, food and nutrition, water and sanitation, transportation and energy, protecting fundamental rights and rule of law and other duties which are prescribed in sections 7 and 10, chapters 2 and 4 of the Constitution of the Federal Republic of Nigeria,

which constitute the core of the contract between the Nigerian state and citizens, which are either neglected or violated with impunity.

Solving Nigeria's insecurity requires compliance by government to these constitutional provisions and prescriptions and not more forces, arms and ammunition, securitisation and repression. Countries like Norway, Switzerland, Iceland, Denmark, Australia and Netherlands Sweeden, that continuously rank highest in Human Development Index indicating citizen-centred governance and development are not among those with large security forces and high military spending, yet they are the most liveable and peaceful societies because they guarantee the economic, political, social and environmental security of citizens.

The establishment of state police in Nigeria should be guided by constitutional and statutory provisions with strong national direction, coordination, and oversight to guard against it becoming a threat to national unity, the rule of law, and fundamental rights. Notwithstanding the establishment of state police forces, it should be recognised that it is imperative to maintain an effective and accountable national police force with capacity and capability to effectively prevent and control serious crimes and threats to human and national security. Nigeria will need to reform the Nigeria Police Force, which is the lead agency for internal security management, to attain and maintain effective intelligence, investigation and operational capacity and capability to address serious national and transnational organised crime; coordination of policing within the country and engagement in transnational policing organisations and efforts.

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