

## **Police Brutality and Violation of Human Rights in Nigeria – Causes and Implications**

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**ABSTRACT:** *This research work examines police brutality and violation of human rights in Nigeria – causes and its implications. The objectives of the study is to establish some cases of police brutality in Nigeria; to investigate the causes of police brutality and violation of human rights in Nigeria; to ascertain the implications of police brutality in Nigeria and to recommend ways to prevent police violence in Nigeria. To be able to achieve these objectives, four research questions were raised, such as, are there testimonies and evidences of human rights violation in Nigeria by the police? What are the causes of police brutality and violation of human rights in Nigeria? What are the implications of police brutality in Nigeria? How can police brutality and violation of human rights be prevented in Nigeria? The study made use of descriptive analytical method to analyze data gotten from secondary source such as academic journals, Newspaper publications, Television documentaries, Internet, relevant textbooks etc. Albert Bandura Social learning theory was adopted in this research, which explains that police, violates people’s right with impunity because they watch as other officers who violate people’s rights are not well sanctioned. The research reveals that police brutality in Nigeria has led to loss of lives, torture of detainees and extortion of suspects. Some of the recommendations are; The Nigerian police commission should strictly investigate and sanction erring officers, there should be a proper police reform, men of the Nigerian police should be subjected to a thorough mental examination before engaging them to service etc.*

**KEYWORDS:** police brutality, human rights, human rights of Nigeria

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### **INTRODUCTION**

Police is an ancient outfit in human history which can be traced 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 (b. 1588) in his social contract theory. All over the world, it is the duty of the government to beshield the life and properties of its citizens and to ensure that laws and orders are maintained by all.

To carry out these functions, governments at different levels create different security units of which Police department is vested with the powers to maintain internal order in the society by investigating, arresting and charging suspects to any competent court of law. In Nigeria, the duties of 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.

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 Nigeria Coast Protectorate. In 1930, these regional police were merged to form the First National Police. Today, Nigeria Police Force is centralized.

Since the establishment of a police department known as 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. According to Amnesty International (2021), on October 20, 2020 The Nigeria Army and Police killed at least 12 peaceful protesters and injured many in Alausa and Lekki in 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 and or unwillingly surrendering either money or property to them before gaining their freedom and sometimes kill those who failed to comply to their demands.

Nigeria Police has 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. According to Kadioglu (2021), despite their atrocities, a total of zero SARS Officers have been prosecuted since 2017, which, considering the extensive evidence of torture is shocking.

Before 2020, there have been several calls for Nigerian Government to reform the Nigeria Police Force (NPF), especially its Anti-Robbery Unit known as SARS, these calls made the government to promise several reforms in 2016, 2017, 2018 and 2019. The social media protest against SARS started on Twitter by Segun Awonsany in December 2017, these calls made the then Nigerian acting President Prof. Yemi Osinbajo to issue an order to the Inspector General of Police to reform SARS and investigate allegations leveled against SARS Officers. This order made little or no impact. The changing of the nomenclature from SARS to F-SARS was the major change achieved by that directive.

By 21 January, 2019 F-SARS was decentralized and little or no effort was made to redress the wrongs done to victims whose human rights were violated by SARS and no SARS Official was charged or imprisoned for these offenses. Although, on October 11, 2020, after a heavy nationwide protests that gained international momentum, the Nigeria Police Force (NPF) dissolved SARS. Apart from the issue of SARS, The Nigeria Police generally has been accused 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. The government may have succeeded in dissolving SARS but the masses have lost trust with Nigerian Police to a greater extent.

Subsequently, this research is set to investigate Police brutality and human rights violation in Nigeria.

### **Statement of Problem**

All over the world, both developed and underdeveloped countries, there have been cases of Police brutality in one form or the other. But considering the number of daily reports on how Nigerian Police violates the rights of people is quite worrisome and alarming.

According to Amnesty International (2020), since 8 October, 2020, the Nigeria Security Forces have consistently clampdown on peaceful #EndSARS# protesters and were fired with live ammunition, beaten and arrested. Nigeria Police were seen teargasing protesters. 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 (British Broadcasting Corporation, 27 October, 2020).

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. (NDTV, 21 June, 2021). 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 (2007) stated that within June and September 2007, the Nigerian Police has killed more than 785 people while the true number of people killed by the Police between 2000 and 2007 may exceed 10,000. Mr. Peter Jakirambudde, the Africa director at Human Rights Watch expressed that it is scandalous that leading Police Officials seem to regard the routing killing of Nigerian citizens, criminal suspects or not as a point 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. First, 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. 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.*

The Nigeria Police has been accused of extorting money from the masses, especially motorists mostly on major Police check-points. The purpose for setting up those Police check-points 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. And the police officials claimed that all the 16 suspects were armed robbers who had somehow been involved in gun exchange with the police. No investigation was carried out till yet. (Human Rights Watch, 2007).

The peculiarity of violation of human rights by the Nigeria's Police Force has bridged Nigerians trust on the police. 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.

U.S Bureau of Democracy, Human Rights, And Labour in its 2020 country's reports on human rights practices in Nigeria highlighted some significant human rights abuses to include: 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's, serious restrictions on free expression, the internet and the press; serious abuses in an internal conflict, including torture and killing of civilians; 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.

Inspite of several human rights panels set by both Federal and State Government case of abuse and violation of human rights by the Police keeps increasing on daily bases. The change of SARS nomenclature to F-SARS and subsequently to SWAT has yielded no tangible result in curbing human rights violation in Nigeria by the police. In light of the above problems, this research intends to critically analyzed police brutality and violation of human rights in Nigeria- Causes and implications with the aim to proffer sustainable solutions.

### **Objectives of The Study**

This study attempts to critically analyze police brutality and violations of human rights in Nigeria. For comprehensive and clear understanding of this phenomenon, this research work is guided by the following specific objectives.

1. To establish cases of police brutality and human rights violations in Nigeria.
2. To investigate the causes of police brutality and human rights violations in Nigeria.
3. To ascertain implications of police brutality and violations of humans rights in Nigeria.
4. To recommend appropriate measures that will help in preventing future violation of people's right by the Nigerian police.

## **Research Questions**

The research questions raised in this paper are:

1. Are there testimonies and evidences of human rights violation in Nigeria by the police?
2. What are the causes of police brutality in Nigeria?
3. What are the implications of police brutality and violations of human rights in Nigeria?
4. How can police brutality and violation of human rights be prevented in Nigeria?

## **Significance of The Study**

This research work is very significant as it will enlighten the government, human rights groups and even the Nigerian police authorities on the major and minor causes of police brutality and human rights abuses in Nigeria. Also, it will provide reasons why there should be a proper police reform in Nigeria and not just for a change of name but and overhaul reform starting from the recruitment processes, training, welfare and discipline. The study will recommend how to prevent human rights violations in Nigeria by the police and the appropriate well to redress wrongs done to victims of this act. Finally, the study will help in bridging the gap on existing scholarly works on this topic and will serve the academia in different fields of social sciences and law as resource material for subsequent academic research on police brutality and violation of human rights in Nigeria- Causes and implications.

## **THEORETICAL FRAMEWORK**

To critically understand and explain the causes of police brutality and violation of human rights, and for a serious prescription for controlling it rest at least on some theories of police behavior. To be able to explain this, the social learning theory will be adopted for this academic exercise.

### **Social learning theory**

Social learning theory is a multidiscipline theory and it was developed by the great psychologist Albert Bandura as an alternative to B.F Skinner earlier work on behavioral psychology. Bandura developed this theory in 1977 and the theory later evolved into the social cognitive theory in 1986. The social learning theory postulates that social behavior is learned by observing and imitating the behavior of others within your environment.

Bandura's social learning theory is relevant in this research because it explains why police officers violate the rights of Nigerian citizens with impunity. This is as a result of the inability of the government to appropriately sanction officers who violates people's rights. Policemen tend to imitate behavior of other fellow officers who commit similar act and nothing happened. Thus, this is the reason most brutal officers will tell their victims "I will waste you and nothing will happen". And truly in most cases nothing happened. To curb police brutality in Nigeria, erring officers should be well prosecuted, this will deters others who nurses such act to step back, but failure to

appropriately sanction such officers will amount to other officers observing and imitating them and thereby violate people's rights with impunity because of "nothing will happen" mindset.

## **METHODOLOGY**

The research design is descriptive method of analysis and data were sourced from secondary sources and were analyzed qualitatively.

### **Scope of Study**

There have been numerous cases of human rights violation in different government departments, commissions and agencies, considering cost of resource materials and the vast nature of this, the research only cover police brutality and the violations of human rights in Nigeria.

### **Operationalization Of Concepts**

#### **Police Brutality**

Sherman (1998) argued that police brutality is conceptualized as the justified and unjustified use of any physical force against citizens by the police. Reiss (1971) as cited in Cao (2003) defines police brutality as any practice that degrades citizen status, that restricts their freedom, and that annoys or harasses them or that uses unnecessary and unwarranted physical force by the police.

Amnesty International (2021) defines police brutality as violations by police which might include beatings, racial abuse, torture, unlawful killings or indiscriminate use of force control agents at protests.

#### **What are Human Rights?**

According to the British Equality and Human Rights Commission (-), human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. They apply regardless of where you are from, what you believe or how you choose to live your life, they can never be taken away intentionally.

#### **Police Brutality and Human Rights**

At its worst, unlawful use of force by police can result in people being deprived of their right to life. If police force is unnecessary or excessive; it may also amount to torture or other ill-treatment. Unlawful force by police can also violate the right to be free from discrimination, the right to liberty and security, and the right to equal protection under the law. (Amnesty International, 2021).

## **PRESENTATION AND DATA ANALYSIS**

### **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 (April 2, 2019).

In 2007, dead bodies of suspected armed robbers who were paraded by the Abia State Police Command were found without facing any trial or convicted by any court of law as report by Human Rights Watch in 2007.

According to an investigation carried out by BBC (October 27, 2020) one Mr. Okoye Agu narrated that in 2014 he was beaten and paraded in public as a criminal, his teeth were pulled out, his car and handset were forcedly taken out and sold out without his permission by a Nigeria police unit known as Special Anti-Robbery Squad.

One of the most famous police brutalities 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 Lagos State Government to investigate the alleged killing of peaceful #EndSARS protesting youths in October 20, 2020 found that there were 48 casualties of which nine were confirmed dead (Punch Newspaper, 22 November, 2021). Though the Nigerian government through its Minister of Information and Culture, Lia Mohammed faulted the panel's report saying it was full of errors.

This finding agreed with Global Glow (2020) 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 mistake identities.

### **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 which they assumed a threat to their powers or positions. 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 at the process injured many. Police brutality can be political when leaders give such order like shoot aside.

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 officers whose academic qualifications are mostly limited to high school certificate, this is evident in the behavior of these junior officers with low academic qualifications.

The inability of Nigeria government and police commission to bring men of 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 act. Victims of police brutality have complained that these unethical officers will boldly tell them "I will waste you and nothing will happen" such mentality is why some of these unethical officers operate with impunity.

Again, police violation of human rights such as extortion, stealing of suspects belonging is a direct effect of poor police welfare and remuneration. Nigerian police are not well paid especially those junior officers. The implication is that they look for other means to augment their salary in order to meet up their daily needs. Though such reasons are unacceptable for one to commit crimes but must be considered when investigating the causes of police brutality in Nigeria. Most times diligent and hard-working policemen are not well recognized, rewarded and promoted, 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 on policing.

The above findings on the causes of police brutality in Nigeria collaborated with a thorough investigation carried out by Amnesty International in 2021 stating those inadequate laws, racial or other forms of discrimination are some of the causes of police brutality.

### **Effects of Police Brutality in Nigeria**

On its effects, police brutality has led to loss of several lives, torture, exploitation, rape and other inhuman treatment meted on the victims. Furthermore, the violent attitude of some policemen has affected police-civilian relationships, victims of police brutality developed lack of trust towards the Nigerian police and are unwilling to share some vital intelligent information that can help police in fighting crimes for the fear of being victimized.

The violent nature of some police officers during peaceful protests has created fear on 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 members of now outlawed Indigenous People of Biafra (IPOB), Islamic Movement of Nigeria and the #EndSARS protesters etc.

The use of teargas and other weapons on protesters have different medical implications on the victims.

The violation of human rights by Nigerian police has also dented the image of the Nigerian Police in International Community. For instance, United States of America's Government 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. Furthermore, the Nigerian police



force over the years have been ranked as one of the worst police force when compared to best global practices on policing and respect for human rights.

The inability of the Nigerian Police Commission to adequately sanction men of the force who violate suspect's right has made some of those officers to act with impunity believing that nothing will happen as the saying goes.

This finding agreed with Global Glow (2020) when it observes that police brutality has led to 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.

### **CONCLUSION**

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 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 complains 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.

### **RECOMMENDATION**

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

- 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. Police budget on training and re-training of men of the force should be increased and the money should be well utilized.

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