

Analysis of Corruption in the Nigerian Police Force

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ABSTRACT: This paper examined corruption inside the Nigeria Police Force as an ethical relapse that confronts the organization. It provides an overview of the historical incidentals and founding of the Nigeria Police Force as an institution with the accountability of protecting life and property, and maintaining peace and order in the country. The paper categorizes various forms of police misbehavior, such as bribery and extortion, mass arrests and detention, illegal bail charges and dishonesty within the leadership of the police. This deviant behavior has destabilized the integrity of the force, with the result that public perception of the police force is negative and national security and development is weakened. Even with several anti-corruption plans that have been devised to curb police misconduct, it remains tough to decrease corruption inside the force. This paper claims that implementing documented strategies in the workplace requires a deeper moral consciousness of their civic duties on the part of the police. This would promote the common good and increase the effectiveness of community policing. To support this view, the dissertation critically analyses the inadequacies in the anti-corruption strategies from an ethical perspective, and reveals the contending ethical implications facing the strategies. In search for solution to curb police corruption, the paper proposes incorporating in policing certain virtues, such as good character, respect, diligence and communalism. This approach could provide insights to complement the existing anti-corruption mechanisms that aim to reduce police misconduct. Therefore, there is a need to look into worthy values garnered from an African indigenous understanding of morality, in order to address the ethical issues facing the police force in Nigeria.

Keywords: Corruption, Nigeria, Police, force

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I. INTRODUCTION

A Single task opposing national development and economic growth in Nigeria is corruption. The previous military regime of 1983-1998 vindicated their takeover of the government on the basis of corruption. In addition, the former President, Olusegun Obasanjo, during his first term investiture speech acknowledged corruption as “the country’s biggest problem, that pervades all aspects of human life: from the home to both public and private institutions” (Igbuzor, 2008 and Adebayo 2005). The corruption has become a widespread phenomenon that has deeply permeated into the core of society and has almost become the normal way of life. Corruption in general has eaten so deep into Nigeria’s body politics that its exercise is seen more like a societal norm than an exception (Preye and Weleayan 2011). Societies have internalized the belief that hard work, honesty and integrity, which contribute to the essence of human kind, are no longer worthy principles since one can do very little to get or earn so much. Corrupt practices in Nigeria include bribery, fraud, embezzlement, extortion, favoritism and nepotism (Aluko, 2009). These practices have affected national development, political stability and good governance resulting in severe hardships, a high rate of unemployment, the aggravation of poverty and inequality, and poor service delivery, for instance in the provision of electricity and water. The Nigerian Police Force (NPF), in spite of the major role they are required to play in protecting the public and in the maintenance of law and order, are often viewed by the public as a corrupt institution. This is because there are daily reports in the media of abuse by the police. The corrupt practices within the police department in Nigeria is so endemic that despite the numerous efforts made by the government in policy and regulatory control, corruption remains difficult to manage. The failure of the government strategies to reduce corruption makes the issue of police misconduct an ethical challenge.

The Present paper is to analyse corruption in the Nigeria Police Force and proffer possible solutions for improvements in the way police perform their civic duties.

II. CONCEPTUAL FRAMEWORK AND LITERATURE REVIEW

Corruption creates distrust and tension between the police and members of the public. As the level of misconduct appears to be on the rise, the phenomenon of corruption within the force becomes an interesting area

of study to research. In response to public concern about police misconduct, some authors argue that police institutions have deviated from their constitutional role by engaging in behavior that is eroding the integrity of the force (Oluwaniyi, 2011; Adebayo and Ojo, 2009; Hills, 2008 and Eyrarn, 2011). The common view shared amongst these authors is that the maintenance of law and order and the protective role of the police is being compromised due to the inability of the police to ensure national security. Some of the reasons behind this failure include corruption, bribery and mismanagement. The concern for police misconduct requires a study of the constitutional roles of the police force in Nigeria. The primary functions of the Nigeria Police Force are: to prevent, investigate and detect crime; apprehend offenders, preserve law and order, protect property, enforce all laws and 3 regulations with which they are directly charged, and to perform military duties (Section 4 Police Act, 1967). To carry out these responsibilities, the police were officially granted extensive powers: 1. To conduct prosecutions (section 19 of the Police Act 1967.) 2. To arrest with or without warrant in accordance with statutes creating particular offenses (Sections 21-22 of the Police Act; Section 10 of the Criminal Procedure Act). 3. To serve summons issued by court any time during the day (Section 22 of the Police Act). 4. To grant bail to persons arrested without warrant (Section 23 of the Police Act). 5. To search and seize property believed to have been stolen (section 24 of the Police Act). 6. To detain and search (search 25 of the Police Act). 7. To apprehend deserters (Section 10(e) of the Criminal Procedure Act). 8. To take finger-prints (section 26 of the Police Act). 9. To interpose for purpose of preventing crimes (Section 53 of the Criminal Procedure Code and Section 112 of the Criminal Procedure Act). 10. To arrest "any person who has no ostensible means of subsistence and who cannot give a satisfactory account of himself" (Section 10 (i) of the Criminal Procedure Act), a provision which has been widely used to harass the unemployed, homeless, etcetera. 11. To regulate assemblies including issuance of permission for assemblies and processions (Public Order Act 5 of 1979). These responsibilities outlined above are granted to police to ensure they discharge their duties more effectively. The functions and powers granted to the police are guided by a standard of conduct. Section 339 of Police Act (CAP 359 of the Laws of the Federation of Nigeria, 1990) states that: The standards of conduct required of a police officer are that he shall: 1. Offer prompt obedience to lawful orders; 2. Be determined and incorruptible in the exercise of his police duties; 3. Have a strict regard to the correctness of his general behavior; 4. Take a proper pride in his appearance both in uniform and out of uniform. To unpack the details of the Code of Conduct Olusola and Adebukola(2012) say that: The code of police conduct in Nigeria requires officers to have a thorough understanding and knowledge of the laws, and of police orders and instructions, and to develop among others the attributes of courtesy, forbearance and helpfulness in his 4 dealings with members of the public; patience, tolerance and control of temper in trying situations; integrity, in refusing to allow ethnic or personal feelings or other considerations to influence him in the exercise of his/her (sic) duties and strict truthfulness in his handling of investigation; and in the giving of evidence. It is clear from above that the Code of Conduct is meant to lay down key guidelines for the focus and responsibilities of the force. Members of the police force are to understand the policy guiding the institution they are serving, and also to operate under the conditions stipulated in the Code of Conduct.

The code acknowledges that a police officer has to demonstrate integrity and also show loyalty towards the institutional values. The code could also be interpreted to mean that a police officer is not allowed to involve him/herself in any form of misconduct such as demanding or accepting money or gifts to carry out his or her professional duties. In addition, the code stipulates that police officers cannot abuse their position of power, or undermine public trust invested in institution. Essentially the policy was designed with clear rules and regulations to control police conduct. In spite of the above, adherence to the standard of conduct is relatively low as "few police officers in Nigeria demonstrate the consciousness and intellectual capacity to discern that lawful order must be judged in terms of statutes and constitutional guarantees rather than a simple command of a superior officer or of the government of the day" (Alemika, 1993). This suggests that in upholding constitutional principles, not all members of the force are obliged to be submit to the regulations and standards stipulated by the code of conduct.

In describing the nature of police corruption, is when police officer acts in a manner that places his personal gain ahead of duty, resulting in the violation of police procedures, criminal law, or both" (Gerald 1989). In a similar manner, Lawrence (1978) defines police corruption as "illegal use of organisational power for personal gain" . He further says that this definition is "the most useful for studying police corruption as a form of deviance that can be both individual and organizational". Therefore, police corruption becomes any conduct that involves the misuse and abuse of official power for private benefit. Police corruption is the lack of integrity; it is also one of the most significant obstacles to positive police-public relations in today's society (Kevin 2002). These types of corrupt practices are likely to compromise the public's confidence and raise questions about their integrity. In a document written by the Human Rights Watch (HRW 2006), police corruption appears to occur both passively and actively. Passive corruption occurs if a police officer is approached with a favour or a request. For instance, someone may offer gratification bribe, such as money, gifts or liquor, in exchange for a favour from the police officer, such as not reporting a crime so that the police officer receives a reward without having specifically sought it. In such a case, there is an assumption that the police

officer is 'bought' in return for a favour. On the other hand, active corruption occurs if a police officer appears to initiate the act of bribery by approaching an offender with the purpose of selling a favour in order to protect the offender. This is usually carried out through intimidating, threatening or blackmailing. In this case, the police seem to 'sell' his/her position of authority for personal gain. The description of police corruption above has a direct practical relevance to the nature of corruption in the police force.

Oluwaniyi (2011) successfully analyses people's perceptions of police corruption and its consequences for citizens and the Nigerian state. She recommends a total reformation of the police sector. Such reform includes an increase in salary that would reduce extortion and bribery. Punishment of corrupt people must be based upon the severity of crime committed. Accountability and transparency should be enforced with the utmost regard for the rule of law and justice in order to reduce the opportunities that perpetrators of corruption (and their accomplices) have to engage in corrupt practices. Hills (2008) in her recent work, *The Dialectic of Police Reform in Nigeria*, suggests that reform can make a normative and organizational difference, but that, in the absence of fundamental socio-political change, its effect tends to be superficial, localized and temporary. Therefore, reform means more effective policing, as well as community based partnership. For this reason, police reform is best understood as a dialectical movement.

III. METHODOLOGY

Data was derived from a selective review of literature from written sources such as books, dissertations, periodical and archives, articles from newspapers, magazines, published documents and papers presented in seminars and conferences. In addition, electronic source such as the internet will be used.

IV. RESULT AND DISCUSSION

4.1 Issue of Misbehavior and Negligence of Duty

The spate of disciplinary offences against Superior Police Officers (SPOs), has been on the increase considering the large number of cases investigated arising from petitions and complaints which daily inundate force Headquarters. The commonest amongst these cases include corruption, lack of supervision, negligence of duty, and abuse of office, insubordination, and disobedience to lawful order and incivility to members of the public. Serious other cases include criminal offences bordering on stealing/theft, armed robbery, rape, forgery and altering, misappropriation of funds, obtaining under false pretenses, extortion and demanding by menaces. In some instances, capital offenses as murder, arson and libel against the state are included. Some SPOs are known to have bought stolen cars, engaged in smuggling activities, dealt in dangerous drugs and planted exhibits on unsuspecting victims. The rate at which these incidents occur is not only alarming but an embarrassment to the force. The pity of it all is that these disciplinary offences are committed by those who are supposed to be the shining examples to subordinates.

4.2 Widespread Corruption

There is widespread corruption within the force including those in the leadership positions are not innocent of misbehavior. It can also be argued that the manner in which the junior police officers carry out their duties suggests that they are not accountable to any authority. For instance, in an exclusive report by News watch Magazine (2003) it was reported that "----more often than not, Nigeria police personnel are seen unashamedly with guns tucked under their arms or pointing at motorists, demanding and collecting N20,000 from each passing commercial vehicle they come in contact with" (Adebayo and Ojo, 2009). This means that demanding and collecting bribes in the roadways seems to be a regular police activity.

4.3 Illegal Bail charges

Beyond public extortion of money from the motorists, another form of corruption common among the police is illegal bail charges. In some cases of arrest that do not require bail charges, the police will not allow the suspect to leave without paying bail. The amount paid differs from offence to offence and is based on the social status of the suspect. If unable to pay, the suspect will remain in the police station for as long as possible. Illegal arrest and detention without trial are regarded as violations of fundamental rights pertaining to personal liberty and to human dignity.

4.4 Compromising of Responsibilities

According to Oluwaniyi, "the Police Force is a major institution charged with the responsibilities of preventing crime, protecting life and property, enforcing law and order, and maintaining peace and order and regulatory activities" (2011). This suggests that members of the Nigeria Police Force are expected to enforce the values of the institution, which are to protect human rights, life and property, to be respectful and accountable to the community, to use their power in a responsible way and to serve with integrity and honesty. Yet in recent

times, in Nigeria, the ability of police to promptly and competently carry out their duties and responsibilities is being compromised due to corruption.

4.5 Embezzlement of funds

Another form of corruption is the embezzlement of funds by the heads of the police department. McCracken (2007), defines embezzlement as “the fraudulent appropriation of money or property held in trust and a deficiency caused by a breach of trust”. Similarly, embezzlement is “the taking or conversion of money, property or valuable items by individuals who are not entitled to them but who, by virtue of their positions or employment, have access to them” (UNODC cited in Ogundokun, 2005). Clearly this is an inappropriate use of power for personal gain by the police in higher positions of power. Hurburun (2011), adds that embezzlement is “the act of dishonestly appropriating or secreting assets, usually financial in nature, by one or more individuals to whom such assets have been entrusted”. From the above discussion, it is clear that the police leadership is guilty of embezzlement and fraud in the performance of their duties. Since 1999, there have been problems with the leadership of each successive Inspector General (IG) of police. Admittedly, more than five IG’s have been appointed, an indication of constant change in the leadership of the force. The IG’s are supposed to ensure integrity in the police force, but the Inspector General’s, in most cases, been charged with embezzlement of police funds.

4.6 Poor remuneration

Poor remuneration can create an opportunity for corruption. Aremu, Pakes and Johnston (2011), reiterated that police recruits in Nigeria are the lowest paid in Africa, and that they are not paid on time. As a result, police officers, who are exploited by way of poor wages, are likely to engage in corrupt practices in order to meet their financial needs. Poverty, combined with poor remuneration, is likely to increase the potential for dishonest behaviour. Expanding on the consequences of poor wages, Shearing and Stenning (2009), say that: Police officers who are not paid enough to look after themselves and their families, and are not provided with essential resources (Vehicles and/or petrol, for instance) for effective policing, inevitably resort to corruption and other assorted forms of deviance, including brutality and extrajudicial ‘justice’, to supplement their incomes and satisfy the demands of their superiors and political masters. Clearly, the above quotation implies that a poor salary does not only prompt corruption but also impoverishes the ordinary police officer. The monthly salaries seem inadequate to cater for the basic family needs, such as accommodation, food, school fees and hospital bills. The need to satisfy these basic demands leaves an individual police in a difficult situation and may result in engaging in corrupt practices in order to survive. However, the salaries of those employed in similar institutions, such as the army and civil defence force, are also relatively low and yet these others forces seem to maintain a certain level of integrity. Poor remuneration is therefore unlikely to be the underlying cause of corruption. It appears that it is easy for people to get involved in corruption, regardless of their level of income. Does this explain why past Inspector Generals of police were involved in corruption despite their higher salaries?

V. RECOMMENDATION

1. There is need to incorporate in Police certain virtues, such as good character, respect, diligence and communalism. This approach could provide insights to complement the existing anti-corruption mechanisms that aim to reduce police misconduct.
2. In order to achieve effective policing, it may be necessary to integrate traditional ethical conduct (with which the police are familiar) into the codes and standards governing their conduct and responsibilities.
3. Any Police man found guilty of misbehavior and negligence of duty should be suspended without salary for 6 months in order to serve as a deterrent to others.
4. A ticketing system whereby tickets with a specific financial penalty based on the offence committed are issued to offenders. In addition, police officers may have to be given a certain percentage of the amount; this will serve as a way of encouraging them to be proactive in checking the bribery and corrupt activities among the force.
5. Nigeria Police should be well remunerated.

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