



SEPERATISTS' AGITATIONS AND QUEST FOR STATE POLICE IN NIGERIA

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Abstract:

An attempt to cultivate a common national identity in Nigeria met with serious obstacles from separatist agitations in Nigerian history which dates as far as 1914. This study examines the Separatists' agitations and the quest for state police in Nigeria. The study found out that Nigeria Police Force was officially inaugurated on 1st October, 1960 as a government agency saddled with the responsibility of maintaining public peace and order. The study notes that the agitation for state Police has been in the public domain since the Second Republic but only received public attention at the inception of the current democratic dispensation. The study employs primary and secondary source materials including books, journal articles and other scholarly publications to interrogate the study. It concludes that Nigeria's democracy is too young and fluid for the establishment and operation of a state police system.

Keywords: Nigeria, separatists agitation, state policing, ethnic militias, politics

1. Introduction

Nigeria is a peripheral state with over 250 ethnic nationalities speaking 400 distinct languages which in 1914 formed into a colonial state by Britain following the amalgamation of the northern and southern protectorates (Mark E.E., 2004:25). Nigeria gained independence from UK in 1960, with the hope that it would become Africa's first superpower and stabilizing democratic influence in the region. These hopes were soon dashed and the country lumbered from crisis to crisis, with the eventual overthrow of the government in a violent military coup in January 1966 (Max Siollun, 2009:11).

During the First Republic, Nigeria's stability was so generally threatened by such factors as reckless politics, refugee problems, coups d'etat, and secessionist tendencies

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such that international observers predicted the failure of a hitherto glorified model of a newly independent, democratic, multi-national state in West Africa.

Tamuno (1970) opined that an attempt to cultivate a common national identity in Nigeria met with serious obstacles from separatist agitations in Nigerian history which dates as far as 1914. Although, sometimes the agitations has to do with demands for creation of new regions resource control and later states, these took the form of secessionist movements that constituted serious threats to the stability and territorial integrity of Nigeria, depicting the failure of the efforts made to achieve natural integration in Nigeria (Tamuno, 1970:564).

In Nigeria, separatist agitations, have been traced to a plethora of factors which include ethnicity, cultural diversity, vast size, transportation and communication problems, political instability, ambiguities in the constitution, etc., all these paved way for general serious separatist agitations in Nigeria (Ibid). Mark E.E. (2004) observed that with regard to the primordial bases of association, the situation is even more complicated. Many African voluntary associations are based on ethnic identity or place of origin. However, there has been little consistency in this regards especially because ethnic and local hometown associations have been so visible in the African public arena. It is apt to state here that without proper recognition of a legitimate public sphere, voluntary associations would simply become agents of parochial interests and that being an integral part of the primordial public, they would not complement the civic public but would rather subtract from it. Some of these groups are parochial and too inward oriented with their demands having little bearing on the broader societal process (Ekeh, 1975:11).

Onimajesin (2005) argues that the structure, operation and power configuration of Nigeria's federalism is responsible for the unprecedented rise and emergence of separatist groups in the country. It is apt to note that the increase or the intensity in the crime rate and the helpless posture of the Nigeria Police Force and the other law enforcement agencies towards this have been cited by the founders and admires of the separatist groups to claim legitimacy for their groups and their agitations.

Separatists' agitations started and metamorphosed into full blown terrorism. We feel this should be understood within the framework of certain sharp practices and irregularities that often characterize Nigerian politics. When a political umpire attains power, he surrounds himself with many thugs he used in perpetrating violence and in some cases arson, during electioneering campaigns either as bodyguards or personal assistants. However, often times, these pre-election armed thugs are thrown out of job as soon as elections are over. This has often led to the proliferation of small arms and light weapons because no attempt is made to retrieve these arms (Akubor Emmanuel, 2014:112). Hence, they make use of these instruments in their possession for survival. Akubor described separatists' agitatorsas:

"Yan Kawraye; in Sokoto, they are Area Boys, in the South Western State, Egbesu is the most popular group; in south eastern states, they are known as Bakasi Boys, in Adamawa, they are suv...in Bauchi they are called yansara since,In Gombe, they exist as

yanKalare, in Kano, they are referred to as yandaba; in Borno, they are known as Ecomog; in Kastina/ Kaduna, they are referred to ico Boys; While in south West States, they operate as Oodua People's Congress (OPC)", (Ibid).

Okechukwu notes that prominent among these separatist agitators or militia groups are Oodua People's Congress (OPC) that was formed in 1994 as a militant arm of Afenifere, a Pan-Yoruba group and National Democratic Coalition (NADECO) that were in the forefront of protesting the annulment of the June 12, 1993 presidential elections. He added that the short-lived Arewa People's Congress (APC) appears to have been established to serve as a check to OPC's incessant attacks on the Hausa/Fulani people in Lagos and other Yoruba towns (Okechukwu, C.P., 2003).

1.2 O'dua People Congress (OPC)

The O'dua People Congress (OPC) came into existence sometimes in 1994 principally as a youth militant group to fight against the perceived Hausa/Fulani marginalization of the Yorubas as evident in the annulment of the June 12 presidential election popularly acclaimed to have been won by the late chief Abiola M.K.O., a Yoruba man (Omotosho, 2010:77). OPC, as a major grassroots-based militant group, had the major singular objective of ensuring the de-annulment of the June 12 election and for the General Sani Abacha military regime to hand over power to the winner who by then was incarcerated by the junta. OPC is also committed to the defense of all Yoruba people wherever they may be. The founding father of the group, Dr. Fredrick Faseun echoed that the group was created "to defend the rights of every Yoruba person on Earth" (Newswatch, 2000:6). On the other hand, Gani Adams, the factional leader of OPC depict that the major objectives of the group are to ensure self-determination and total restructuring of the Nigerian state into a true federal state. Others are structural imbalances; the military and repressive decrees, destructive constitutional structure, conscious debasement of ethnic nationalities, ethnic cleansing, insecurity of lives and properties and the degenerated educational system in Nigeria (Adams, 2000: 97 – 100). Unfortunately, the Gani Adams led factional OPC became more, militant, confrontational and later metamorphosed into a violent group. It had running battles with police and members of other ethnic groups, particularly, Hausa. This group had been involved in so many violent clashes which led to the death of so many people as well as loss of properties worth millions of naira. Despite the violent nature of this group, some people saw it as a messiah because of the vigilante services it provided (Omotosho, 2010:78). As at that time, most Nigerians were fed up with the inefficiency and ineffectiveness of the Nigeria Police Force. Owing to the failure of the police, OPC rose up to the challenges of community policing and had running battles with many criminal gangs. This action by OPC must have informed the decision of the then Governor of Lagos state, Bola Tinubu in 2001, to publicly announce his determination to involve OPC in crime fighting in his state (*Ibid*).

1.3 Arewa Peoples' Congress (APC)

The Arewa Peoples' Congress was formed in the north in response to the activities of the OPC in the south western part of Nigeria. The activity of the group is limited to issuance of threat of counter-violence against the actions of OPC perceived to have negatively affected the Hausa/Fulani (Omotosho, 2010:80).

1.4 Movement for the Actualization of the Sovereign State of Biafra (MASSOB)

The Igbo attempted a secessionist agitation between 1967 and 1970. The troops of eastern Nigerian origin serving elsewhere in the country were officially and formerly released and posted to Enugu, while troops of non-eastern Nigerian origin in Enugu moved to Kaduna and later Lagos to form the 6 battalion of the Nigerian Army. That simple and seemingly innocuous action broke the last thread and split the last institution symbolizing Nigeria's nationhood and national cohesion,... the rift between the Eastern region and the rest of the country was total (Olusegun Obasanjo, 2015:11). But this effort by Biafra failed and they were forced back into the Nigerian federal system. Then majority of the Igbos were of the opinion that they are not wanted in the Nigerian state, and that they are being treated like "second class citizens" within the Nigerian nation. They also alleged marginalization and oppression in access to political power. The Igbos believed that there was conspiracy between the two other major ethnic groups; Yoruba and Hausa/Fulani to gang up against the Igbo and limit political participation and attainment of political power by the Igbo.

However, the perceived marginalization, neglect and oppression as observed by (Omotosho, 2010:79), led to the formation of MASSOB by Chief Ralph Nwazuruike with the sole aim of securing a sovereign state of Igbo people, since the Nigerian state has failed them. MASSOB is one of the most potent and separatists agitators whose existence- the Nigerian state cannot pretend not to know. MASSOB, in its bid to ensure an autonomous Biafran state, engaged in major clashes with law enforcement agencies, especially, the Nigeria Police Force. The group really showed a strong determination, the group had designed a separate flag, currency and other national symbols for Biafra (ibid). The Nigerian government, sensing the danger this agitators posed to national security stability, arrested its leader and charged him for treason and felony. Going through what Nigeria is facing presently, one would agree with Olusegun Obasanjo's view that;

"As the ceremony was going on, especially as Philip Effiong was reading his surrender address, I was imagining in my mind the permanent state of hostility that would continue between Nigeria and Biafra if 'Biafra' had remained in existence, especially if the belated resistance of sir Louis and Professor Njoku represented the type of advisers Ojukwu relied upon." (Olusegun Obasanjo, 2015: 199-200)

The activities of the Biafra agitators, IPOB are still very fresh and ongoing in Eastern part of Nigeria.

1.5 The Bakassi Boys

The Bakassi Boys' struggles came into being at the instance of Aba traders who were seriously in need of security and protection from the menace of the men of the underworld. In this regard, police as an institution of state is seen by many Nigerians as incapable of discharging its constitutional responsibilities. This resulted into the traders resorting to self-help and providing a private army to ward off the nefarious activities of criminals. Bakassi group was financed initially by Aba traders until the Anambra State government decided to recognize it, to the extent that the state House of Assembly gave legal backing to it and later incorporated it into the state security network. Sooner than later, the group was used to settle political crisis in the state. With public outcry about the activities of the group in Anambra, it seems to have died a natural death (Omotosho, 2010:79).

1.6 Boko Haram

In Nigeria, the *Jama'atu AhlusSunnah Lid Da'awaitWah Jihad*, also known as Boko-Haram meaning "Western education is sin" (Iyabrade: 2004) or abomination emerged with the belief that western education and values are sinful (Benson, 2013:240). Adesina described *Boko Haram* as the bloodiest militant group against the innocent citizens that continually wreaked havoc on the people of the north – eastern Nigeria (Adeshina, 2013:205-216). It started in 1995 and was said to be operating under the name Shabaab, Muslim Youth Organization with Mallam Lawal as the leader. When Lawal proceeded for further education, Muhammad Yousuf took over the leadership of the group. Yousuf's leadership allegedly opened the group to political influence and popularity. The crisis that began in Borno soon spread to Kano, Yobe and Bauchi States. The victims include police stations, churches, women and children as well as mosques. Muhammad Yusuf, the 39years old leader of the group said "Democracy and the current system of education must change. Practically, Yusuf recreated the group in 2002 in the city of Maiduguri with the aim of establishing a Sharia government in Borno State (Farouk: 2016). When the northern region especially north-eastern region is mentioned anywhere in the world today, what people really think of is 'Boko-Haram'. The daily and weekly newspaper's headlines are not complete without headlines like; "Boko-Haram: Yobe attack: forty people killed in another attack". "Army recapture Sambisa forest Army repels Boko-Haram early morning attack in Sambisa forest", etc. The attacks of *Boko-Haram* which used to occur on a daily basis has however gone beyond the northeast region, the Nigerian state had been declared as being under the siege, fear and threat of Boko-Haram with palpable uncertainty seen everywhere. The most significant attacks of the *Boko-Haram* group include those of United Nations office Abuja, Police Headquarters Abuja, the building of *Thisday* newspapers, *Sun* newspapers, *Daily Trust* in Abuja, Special Anti-Robbery Squad (SARS) Office, St. Theresa's Church, Madalla Niger State, Deeper Life Bible Church Okene, and Military Cantonment, Jaji and other numerous facilities.

However, Boko-Haram is notorious for not only attacking schools, its members are also known for kidnapping western tourists as well as assassinating members of the Islamic establishments who are against its diabolical activities. Violence linked to Boko-

Haram insurgency has resulted in an estimated 10,000 deaths and several injured between 2002 and as at the present members of the group include Abubakar Shekau and its weapon expert, second in command and arms manufacturer, Momodu Bama (Osunkoya, O.A. nd:39).

However, in the words of Aremu J.O;

"No Single factor can adequately explain the complexities involved in the emergence of militant ethnic nationalism inNigeria since the 1990's."

It is apt to state that the motives behind the growth and proliferation of ethnic militias in the country reveal a number of factors accounting for this ugly development. These factors include, zero-sum nature of Nigerian politics and brazen display of unnecessary opulence by politicians: state failure and collapse witnessed in virtually all sectors; the frustration – aggression theory, theory of relative deprivation; perceived state violence and brutality in response to the plight and agitations of the separatists'; failure of non-violent methods to win concessions from government; human right violations; and the greedy rebels' mechanism.

However, it may be noted that the state's approach to security is dominated by the character of determent exhibited by unrestrained willingness to show maximum force at the slightest hint of insecurity (Douglas, 2004 cited in Aremu, J.O).The ways state responses to pressure from separatists' agitations assumed the forms of deployment of military forces that operate more like an army of occupation to demobilize the people, arrest, detention and trial of agitators on trumped up charges and execution in order to silence opposition voices. Hence, military might dramatically escalated violence as separatists' agitations emerged resorting to the use of arms and ammunitions in self-defense.

This has often provoked bloody clashes with federal troops such as the Nigeria Police Force deployed to contain violence. They have since resisted perceived state violence and brutality, giving militant muscle to their demand for resource control, secession struggle to their demand for resource control threat as well as agitation for state own police and security apparatus purposefully for recruiting and training of personnel before secession takes place.

In this case, the Nigeria Police Force did not have water tight checks that prevent influences from the environment. Police officers are products of the same society and the society tends to influence the operation of the police either negatively or positively. The cases of separatists' agitations in Nigeria have tested the ability of the Nigeria Police Force and determined its efficiency and competence or otherwise as well as societal influences on its operations (Daily Time, 1983:3). Hence the quest for state police by some governors and political umpires in Nigeria.

2. Quest for State Police

Today, policing is not just enforcing the law anymore; on the contrary, it is a part of social network in the community (Cemil C. et. al, 2015:1).

The quest for state police has been in the public domain since the Second Republic; but received further attention under democratic regime between 1999 and 2016 in Nigeria most especially among Nigerian political advocates. (A. Oyesoji). Mersin describes state policing as a police force under state authority rather than under the auspices of a city or country in the state. It is organized and maintained by a state as distinctly from those of a lower sub-division (as a state or country of the state government). Oyesoji described state policing as a territorial policing. It is a sub-natural form of policing in which there is devolution of security operations in the hands of the federating states or regions (Oyesoji: 2014: 3).

Prior to independence in Nigeria, the native authorities were in direct control of their domains, it was the primary responsibility of the Native Authority (NA) Police to maintain law and order, they served as symbols of the authority of their employers; agents of socialization, in the control of economy; agents in the fight against crime in their respective localities (Rotimi, 2000: 169-197). Through, the NA Police Department, the native authorities were able to enforce local ordinances, by-laws, rules and regulations of the localities or municipalities over which they presided. (Eme and Anyadike) This was however, abolished to give way to a unified national police force following the collapse of the first Republic in 1966. This makes Nigeria police an exclusive prerogative right of the federal government of Nigeria. In recent times, there has been a very strong clamour for the establishment and re-introduction of state police as opposed to Section 214 of the Nigerian 1999 Constitution (as amended in will).

This section in question provides that:

*"There shall be a police force for Nigeria
which shall be known as the Nigerian police
Force, and subject to the provisions of the section
no other police shall be established for the
Federation or any part thereof..."*

In the United Kingdom for example, there is no national police organization. There are 43 different forces composing the British police in England and Wales... these police departments have many features in common. They have basically similar kinds of uniforms, cars; even the badges are very similar except for the tiny distinctive symbols for different police departments in the centre of badges. Every one of the 43 police forces has law enforcement authority throughout England and Wales regardless of the local police force (Cemil C. et. al, 2015:2). Similarly, Police Services in United State of America are also centralized with different levels of police agencies; federal, state and local law enforcement agencies. There are more than 17,000 local, state and federal law

enforcement agencies and there is virtually no organic connection among them (Cemil C: 3).

Unlike Nigeria, in the United State of America, *"almost the entire control over the State Police Force is placed in the hands of a single person designated in the act as the commissioner, who is appointed by the governor for a fixed term and is removable by him, (if the commissioner so demands) offer charges have been preferred against him and a hearing granted"* (Puttkammer, E.W., 1936:730-732). This implies that ultimate responsibility remains upon the governor, who is the chief executive of the state with the mandate under the state constitution to provide protection to lives and properties within the state, and who should not be placed in the impossible position of having the police force under the control of officers not responsible to him.

The above views depict that a governor in the United State of America must not, under any condition, put the appointment and removal authority in the hands of any other government official unless the latter is himself directly answerable to the governor. More so, the commissioner so appointed is then given very nearly free hand in the organization and running of his force, again so that no division of authority may obscure responsibility (Puttkammer, E.W., 1936: 731). In the area of power and duties of the State Police Officers in the United States of America, it is provided in the general language that it shall be their duty to prevent and detect crime, to apprehend criminals, to enforce the criminal and traffic laws of the state, and to perform such other related duties as may be imposed upon them by the legislature. (Puttkammer, E.W., 1936:732).

In Nigeria, the main fear to state policing is its being hijacked by State governors for the purposes of harassing the opposition and retaining powers. Political players have always used the machinery of police to harass political opponents. This was very visible in the aborted First Republic. On the other hand, police on many occasions have declined the order of governors on policies. A former Minister of Police Affairs and Governor of Old Oyo State, General David Jembewon suggests creation of zonal police commands as a way of forestalling abuse of power by the state governors. He notes that the creation and operation of state police is desirable.

However, O.I. Eme and A.N. Ogbochie are of the opinion that because there are 36 states in Nigeria and if every state is to have its own state police, it means that there will be 37 police forces in the country. The 37th will be federal police. This multiplicity of police forces probably informed Jemibewon's idea of zonal police forces. Since Nigeria consists of six geopolitical zones. It must be noted that the police officers in each zone are people who are domiciled there. For instance, if you have Western Police Command, it must be made up of people who are residents in Western zone of the country. (I.O. Eme and A.N. Ogbochie, 2014).

In view of the above, one must begin to wonder how state, zonal or regional police force would not be hijacked with growing separatists' agitations for Niger Delta Republic; the frowning disaffection by many in the Southwest (such as the Yoruba Liberation Command) that led to the renewed call for an Oduduwa Republic. The quiescent but still palpable quest by some among the Hausa for liberation from perceived Fulani hegemony; the suggestion by many in Nigeria's middle belt for

autonomy or separation, the unfinished and percolating religious tensions and contestations between Muslim and Christians and the growing radicalization of Shin Muslims; the demanding agitations over claims of marginalization and demands for secessionist, Biafra and Boko Haram insurgency have already resulted in thousands of death, millions of refugees and internally displaced persons.

It simply means that, if anything happens in any of the zones mentioned above, and the situation is so serious that they have to seek police help from other places. It will also mean that Nigeria Police Force may however have a single Inspector - General of police and Deputy - Inspector General of Police in each political zone or region. Definitely, this will pave way for the separatists' agitators to develop security apparatus for the future of their states or regions.

The former Lagos State Governor, Asiwaju Bola Tinubu, declared that the security of Lagos State was porous thereby giving room for criminality and that there was the need for a state police force in order to effectively combat the ugly trend of crime in Lagos state. (www.ranghand.com). The quest for state police was renewed due to the massacre that took place in Dogon Nahawa, a small village in Plateau State and the bombs that rocked a meeting that was being held in Warri, Delta State. www.vanguard.com

More importantly, some Nigerians were of the opinion that section 105 of the 1963 Constitution of the Federal Republic of Nigeria provided for the establishment of Nigeria Police Force and other forces. According to section 105 sub-sections 4 – 7:

4. Subject to the provision of this section, no police forces other than the Nigeria Police Force shall be established for Nigeria or any part thereof.
5. Parliament may make provision for police forces forming part of the armed forces of the federation for the protection of harbours, waterways, railways and airfields,
6. Parliament may make provision for the maintenance of order by any local authority within the federal territory
7. Nothing in this section shall prevent the legislature of a region from making provision for the maintenance of order by any authority or local government authority established for a province or any part a province of a police for employment within that province.

Section 105 of the 1993 therefore established;

1. A central province force with jurisdiction over the entire country.
2. Specialized police forces for securing safety over specific areas
3. A police for the federal capital territory and
4. Local government province forces established by regional parliaments.

The view of the agitators for state police is that federalism which Nigeria practices requires each level of government to establish its own police force. However, this is not so in Nigeria. Thus, the provision of section 215(4) of the said constitution is seen as undermining the power and integrity of the state governors relative to the management of the Nigeria Police Force. (See section 214(4) of the 1999 Constitution).

In comparison with the 1963 Republican Constitution, the 1999 Constitution does not provide for cooperation between the federal and state governments in the management of the Nigeria Police Force. However, the contentions of the state governments is that absence of state police contradicts federalism which Nigeria claims to operate. Neither the 1999 constitution, nor the police act and its regulations provide a legal framework for the mechanisms that can guarantee formal and operational cooperation and coordination between the federal and state police forces should the need to establish federal and state police arises.

3. State Police: Implication for Nigeria

3.1 Benefits Nigerians might derive from state/zonal police

1. It will prevent rising tide of insecurity amongst other social vices in the country.
2. It will represent true federalism and reduce separatists' agitations in Nigeria.
3. It will provide job opportunities as the Nigerian youths would be recruited into state police force according to numerical strength of each state.
4. State police will check nefarious activities of criminals.
5. It will be easier to operate due to its closeness to the communities.
6. State police will contribute to effective community policing. It will also complement the federal police in the area of crime detection.
7. Culprits are not spirits. Trust which is essential in policing can be got from a kinsman in our tribally divided society. That is another advantage in having state police in Nigeria.

3.2 Repercussions Nigerians might derive from state/zonal police

1. The state police might be hindered from carrying out its duties as a result of familiar feelings and attachment in their states of origin.
2. The state police can be used by the state executive governors to wield enormous influence on their fellow citizens. State police are prone to abuse as the police personnel will be employed to ensure that political opponents are suppressed through oppressive, indiscriminate and clandestine use of powers of arrest and prosecute.
3. State governors can use state police force to intimidate their political opponents because they want more power for political needs.
4. The inequality in funding may pose a great challenge to the creation of state police in Nigeria. Therefore, it is not financially feasible.
5. State policing in Nigeria could lead to anarchy, tribalism; diversion of criminals, and criminality from one state to another.
6. Another very crucial aspect of this is rivalry or conflict of interest between state and federal government.
7. To have a state police, it will definitely require the amendment of the Nigerian constitution, which is the smallest of all the problems. It is an invitation to anarchy.

8. The strongest opposition is to come from the police force and Ex- police chiefs and what tends to policing is that they look at the creation of state police as the balkanization of their own small kingdoms.

4. Conclusion

The Federal Government should not play with any idea that could subvert Nigeria's democratic process. If the Nigeria Police Force is well positioned, motivated, adequately funded, retrained, well equipped and given proper orientation, it will be better positioned to curtail the separatists' activities and curb crimes in the country. Indeed, an effective police will make Nigerians to drop their quest for state police.

Finally, in the view of Momoh as cited by Onimajesin, (nd) none of the leaders of the separatists' agitators in Nigeria is a warlord, none of the groups possesses exclusive control over a home land, none of the separatists' groups control mineral resources that can attract foreign intervention more importantly from Western States, in the event of face off with the government of Nigeria; and the dominant hold of the minorities on the armed forces make it extremely difficult for any part of Nigeria to secede. These separatists' agitations and movements appear to constitute the greatest challenges to the corporate existence of the Nigerian State especially in terms of internal security.

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