



Violence, the police and the community: Examining the impact of police use of deadly force in contemporary Nigeria through the prism of the end SARS Protest

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Abstract

The role of the police is described by Egon Bittner as "a mechanism for the distribution of non-negotiable coercive force based on a doctrine of intuitive comprehension of situational exigencies" (Bittner, 1970/1990:131). In reading this definition, one should also take into consideration Max Weber's observation that the State is defined by its monopoly on the use of legitimate force (Weber, 1946) and Norbert Elias's discussion of how violence becomes domesticated in western society (Elias, 1989; 1995). Across the methodical writings of diverse nation states, it remains the standard explanation of the function of the police with slight variations (Bayley, 1983; Monjardet, 1996; Funk, 1986; Schneider, 1987; Lofthouse, 1996; Waddington, 1999). Therefore, the connection amongst coerciveness and policing is not considered inherently problematic, but rather as unquestionable. Nigeria, however, still faces challenges concerning power abuse in national policing, particularly in the Special Anti-Robbery Squad (SARS). This paper addresses the policing dilemma in Nigeria under democratic leadership, recognizing the security concern that police abuse causes to Nigerians. This study examines the brutality, extortion, and violence perpetrated by members of the Nigerian Police Force using a qualitative approach and secondary data (NPF). The study recommends extensive reforms aimed at decentralizing the force's management, establishing credible and effective internal and external control, training, public awareness campaigns, and more budget for the agency.

Keywords: Violence, Police, Special Anti-Robbery Squad (SARS), Nigeria, Deadly Force

Introduction

Public concern over police brutality has increased in Nigeria during and after the protest. A wide variety of events have been publicized, ranging from allegations of disproportionate force to "aggressive" police practices, which are occasionally perceived as escalating use of force through zero-tolerance law operation. What really the general population's opinion is as to whether police use of force is a major threat in the aggregate, independent of the specific incident that prompted it criticism regarding police use of force? Examining what has been discovered through research is one method.

The rate at which police kill people varies between 6 to 30 times that at when they might be shot. They don't shoot random people, members of different classes, ethnic groupings, or criminals. Those who are shot are also less inclined to be violent and threatening than those that are unarmed and defenseless (Brenner, 1979) ^[38]. The police are hostile, and their aggression serves the objectives of the social groups of which they would be affiliated. Although they have the potential to behave unilaterally, and they do occasionally kill people by accident, they normally behave in accordance well with regulatory tenets of the policing vocational ethos.

The major goal of this essay is to describe the structure of the police mandate that justifies and legitimizes their brutality, not to explain variances in violence rates or targets. In addition, the study demonstrates how the legislation, bureaucratic policies and practices, and peer control shape, channel, and mitigate police aggression. Rather than explaining why violence is used, the goal of this paper is to show how complex the relationships between police practice, various patterns of societal order, and crime are. In many ways, it's impossible to comprehend how police respond to violent situations, whether they're creating them or seeking to regulate them, except one understands why they're so violent. The most crucial link is amongst the police and the government.

The term "police" here alludes public policing agency rather than security contractors. Corporate police companies allegedly function by approbation, often coerced by potential danger, and so they are conferred several competences by the legal provisions of the different states in which they are mainly focused. In the literature, there are a lot of different perspectives on what the rise of private police means. Some scholars believe it jeopardizes the public police's exclusivity on its use force (Johnston, 1992), while others say it strengthens the legal authority in using force in any scenario where it is warranted.

Whilst the police force is short staffed, underequipped, and undertrained, the Nigerian security forces retain a weighty stake of the responsibility for the calamity: the Nigeria Police Force's high level of incompetence, which is associated to a significant degree to great altitudes of dishonesty, is partly to blame for their underperformance in law enforcement roles and responsibilities; besides, numerous complaints have been lodged against the Nigerian police for human rights violations.. The police have indeed been particularly harsh in their fight over criminality. Illegitimate killings, deaths in detention, activities of maltreatment, and harsh, insensitive, and demeaning behavior have all transpired as a consequence of the police's increased anti-crime maneuvers all over the country. Police are under increasing pressure to incarcerate numerous armed thieves as possible as the public becomes more concerned about crime. However, the Nigerian police have leveraged the public outcry to systematically excuse human rights breaches as an inevitable aspect of the fight against crime.

The ineffectiveness of the Nigerian police in combating crime, as well as the widespread mistrust that they inspire among Nigerians, have facilitated the formation of militarized vigilante groups at the local and state levels, with the tacit and sometimes explicit support of several state authority and houses of assembly, as well as widespread popular support. Summary executions, unlawful detention, torture, and other cruel, inhumane, and humiliating treatment of accused offenders are all routinely carried out by these groups (Oyosoro, 2021) ^[35].

By taking Kidd and McIntosh's (2016) equivocal approach to the problem, this paper contributes to the ongoing contention that social media can launch revolution. To do so, we acknowledge the power of social media, using Nigeria's #EndSARS movement on Twitter as an example. We accomplish this by exposing the ENDSARS campaign's discursive topics. These themes were conceptualized in response to allegations of mistreatment made by Nigerian youths during the campaign. In reaction to the mistreatment and killings of Young people in Nigeria at by members of the

Nigerian cops force's SARS branch, the #EndSARS movement emerged from a tweet in December 2017. (NPF). SARS stands for Special Anti-Robbery Squad and is part of the Surveillance and Intelligence Directorate of the National Police Force (NPF). The unit was created to tackle criminal activities including burglary, abduction, as well as many other related offenses (Amnesty International, 2016). Nonetheless, there have been multiple instances of personnel of the unit abusing and killing people, specifically from among the Nigerian youth. We utilized the twitter posts mentioned through the twitter campaign #EndSARS as the core resource for our analysis since the outrage produced by these accusations culminated to the #EndSARS protest, perhaps given that Twitter functioned as a coordination location for the pro-tests.

Whilst this paper accentuates these components in Nigeria's Twitter scope the #EndSARS movement, it is not intentional to advance the hypothesis that online networking empowers national action, as various topical study declare. As an alternative, the drive of this investigation is to dissipate assertions that social media can stimulate "slacktivism" by illustrating the linkage among Nigeria's social and political surroundings and the Twitter compeers' obvious collapse to effectively promote progressive reform through connective achievement, as contrasting to the "Arab revolution" blueprints. According to previous research, researchers who labeled networked activism as "slacktivism" engaged in the practice of criticizing online activism or clicktivism without correctly defining the terms (Halupka, 2014) ^[26]. To avoid this issue, this study will contextualize 'slacktivism' by using themes derived from the analysis.

The epistemology of the use of the police use of force

According to Ambrose Bierce, a social critic known for his sarcasm and wit, the police are "prepared to protect and participate" (Bierce, 1958) ^[58]. He emphasizes three critical aspects of the role of the police. The term "armed" police emphasizes their capabilities of coercing recalcitrant subjects into compliance with the law. A police officer always carries a weapon, so it follows that they may use lethal force when necessary. A key aspect of understanding police functions is the ability to use coercive, deadly force.

Secondly, although the police's primary objective has always been to secure the citizenry, coercion would solely be employed in that capacity. The police have a responsibility to protect the domestic well-being of the public, and this obligation extends only to individuals who breach the legal system, are antagonistic or confrontational toward the police, or are attempting to hurt themselves. While engage with these kind of persons, police may opt to use force in appropriate and intelligent ways to protect themselves and others. From another perspective, the level of force used should be proportional to the threat and limited more to lowest possible level necessary to execute authorized police action.

Thirdly, the inclusion paradigm emphasizes the close bond that exists among the officers as well as the people they serve. Cops are drawn from the general public and tend to live and work in the communities they serve. As a result, the community has institutional and substantive encounters with the police, equipping officers with the power to limit the scope of their "existence, personal freedom, and quest for contentment" at any moment and reliant on them for enforcement agencies. Without cops, the security of the neighborhood is jeopardized. When the community does not

support the police, they forfeit their integrity.

With this three-part definition of police, it's easy to see why police brutality is such a major concern. The first is the humanistic consideration that police officers are likely to cause severe, even fatal harm to the public. Furthermore, there is the ideological conundrum that by "protecting" society as a whole, some of its internal structures, i.e. its citizens, may suffer harm. Finally, there is the institutional allegory that police officers, who are separate from society when it comes to jurisdiction, law, and responsibility, are also members of the community and act on its behalf. As a result, if the public condones the actions of a few police officers, they may be misconstrued as citizenry actions.

Recent policing developments in Nigeria have heightened worries regarding the use of force by the police to previously unheard-of heights. Community policing, which is gaining traction as a result of financial incentives from the federal government, and "aggressive" policing, which is gaining traction as a logical response to criminal problems, have emerged as policing experts' preferred perspectives. In partnership with the police, community-oriented policing accentuates the importance of the duty of the community as "co-producers" of law and order. Communities differ in terms of their characteristics and in the ways they are characterized for the reasons of community policing.

As a result, some communities seek to tighten police use-of-force regulations, while others are content with the existing principles, and yet others wish to loosen existing restrictions (Oyosoro, 2021) ^[35]. Community policing entails high level of transparency and supportiveness in crucial sectors, such as the use of force, regardless of the community's position on the issue. Increased accountability is dependent on new data, and new data sparks controversy.

The other developing approach is "aggressive" policing, which is sometimes referred to as "broken windows theory" and is focused with increasing deterrence on life quality and law enforcement infractions as a strategic matter. The development of "zero tolerance" enforcement techniques across the country reflects the effect of aggressive police. The fear is that the destruction caused by small criminals would be overstated to the degree that the use of force will become more common and excesses of force will become more regular.

Concerns about the use of force are mirrored in the media's coverage of alleged police misconduct. An accumulation of alleged use-of-force instances widely publicized in the media encourages overgeneralization by providing the idea that police brutality is widespread and that law enforcement agencies across the country are out of control. "Allegations of police abuse are prevalent in cities across the country and take different forms," Human Rights Watch (1998) says.

Prior delving into the specifics of recent study on police use of force, it's helpful to review the current level of knowledge. With a good degree of accuracy, we know on some specifics regarding police use of force. These are "facts" that should help us frame our thinking about the challenges. Other aspects concerning police use of force are only known in hazy ways, or study contradicts each other. Additional research should be conducted on these topics using more precise methods of inquiry. Lastly, there are several features of police use of force which we know nothing or very little. These are important directions for future research.

The knowledge we are most confident of, as has been the case with major policy questions, is of limited use. Even though it

does not focus directly on the crucial issues or is vulnerable to opposing interpretations in many circumstances, it does not give us what we truly need to know (McEwen, 1996). In contrast, the knowledge needed to make policy decisions is either unavailable or extremely difficult to obtain. This is the situation when it comes to police use of force. The kinds of trustworthy and solid information that propel debate from the domain of philosophical rhetoric to unbiased examination are lacking in the problems that most interest the public and lawmakers. Nonetheless, it is critical to assess our understanding so that it is obvious which challenges may be ignored which ought to be the focus of future knowledge endeavors.

Infrequent Occurrence of Police use force

According to use-of-force reports, citizens' complaints, victim surveys, or observational methods, there is little evidence that the use of force by police occurs consistently in public-police interactions. Bayley and Garofalo (1989) ^[7] concluded that police-citizen encounters involving the use of force and injury are rare. Because there is no standard method for quantifying use of force, the estimates can vary widely depending on the method used. There will be different rates for police-public interactions based on how force is defined and how police-public interactions are defined (see sidebar "Working definitions"). In particular, broad definitions of use of force, such as those that include grabbing or handcuffing a suspect, will produce higher rates than more conservative definitions. By capturing diverse requests for assistance in calls for service, police-public "interactions" are defined broadly, leading to low rates of use of force. In contrast, the definition of police-public interactions narrowly focused on criminal suspects such as arrests can lead to higher rates of violence.

Corporal coercion (which exclude manhandling) is utilized in less than one out of every five adult custody arrests, according to Garner and Maxwell (Op. Cit). While this figure does not represent an unusual occurrence, it can be regarded low, especially given the extensive description of force used. The purpose of describing police use of force as seldom or unusual is not to belittle the situation or to imply that the subject is unworthy of serious consideration. The greatest way to achieve society's goals is by peaceful means, hence we should try to limit police use of force as often as possible. However, in order to comprehend the potential scale of use-of-force issues, it is necessary to place police use of force in perspective. Even if statistics may not totally comfort everybody that police seem to be doing everything possible to reduce the use of force, the numbers do not support the idea that there is a countrywide epidemic of police brutality.

Lower end of the force spectrum and the Police use of force

Reports on excessive force are dominated by comparatively modest categories of coercion. According to Garner and Maxwell (1999) ^[25], police deploy completely unarmed strategies in around 80% of use-of-force instances, with seizing the suspect accounting for half of the time. According to Alpert and Dunham (1999) ^[2], grasping or seizing the perpetrator was engaged in 64% of use-of-force occurrences in Miami. As shown by Pate and Fridell's survey of US law enforcement agencies on use of force and civilian objections, minor types of force are often used than major forms (Pate and Lorie, 1993) ^[37].

As a result of this finding, injuries resulting from the use of force are more likely to be minor. According to Alpert and Dunham (op. cit.), the most prevalent type of injury to a suspect is a bruise or abrasion (48%), followed by laceration (22%). (24 percent). The types of police conduct that most arouse public outrage, like lethal gun violence, severe fist or baton beatings that result in admission to hospital, and choke holds that result in unconsciousness or fatality, are not common of circumstances wherein police use force (Oyosoro, 2020) ^[36]. Even if one is concerned about the number of times police resort to extreme violence, these research results confirm that most police use restraint in their use of force.

The abusive use of deadly force by the Nigeria police force

Only the security agencies are authorized to conduct policing actions throughout Nigeria, as shown in the Nigerian Constitution. "There shall be a Police force for Nigeria, which shall be called as the Nigeria Police Force, and no other force shall be constituted for the Federation or any part thereof, subject to the terms of this section," the Constitution (1999) states. Special Forces, such as the paramilitary Mobile Police (MOPOL) or the Special Anti-Robbery Squad (SARS), are part of the federal police, and the Inspector General of the Police serves as their commander in chief. Torture and similar brutal, inhuman, or humiliating treatment are strongly associated to tactics to obtain evidence of burglary or murder, which would ensure that the culprit would be imprisoned even if the authorities were unable to produce enough evidence to convict the suspect. Over 77 percent of inmates in Nigerian jails alleged to have been beaten by police, threatened with weapons, or tortured in police cells, according to a research conducted by the Nigerian Human Rights Commission and the Nigerian NGO Centre for Law Enforcement Education (CLEEN) (CLEEN Foundation, 2015). In March 2002, an Amnesty International delegation toured many prisons in Nigeria. Inmates who claimed to have lodged their complaints to either a magistrate or the prison authorities made over thirty allegations of torture and harsh, inhuman, and degrading treatment in police detention centers, according to the delegation. The allegations appear to have gone uninvestigated in none of these cases. (Article 13 of the Convention against Torture.) The United Nations Convention against Torture forbids the use of forensic evidence via torturing or inhumane condition in litigation against a defendant (Idem, article 14). The Prisoners Rehabilitation and Welfare Action (PRAWA), a Nigerian advocacy group dedicated to promoting treatment of prisoners and criminal reform, judges in Nigeria seldom overturn admissions if they are suspected of having been obtained via duress.

Until the #EndSARS push, there has previously been no movement in Nigeria to condemn police violence. The majority of civil society organizations opposed isolated incidents, whilst Amnesty International as well as other civic groups spoke out as solitary narratives. Amnesty International has recorded and protested against the use of inhumane treatment by Nigerian security agencies for many years. In November 2014, it published report "Welcome to Hellfire: Torture and Other Abuses in Nigeria." According to this study, the use of torture and many other forms of harm in police and military detention is pervasive and common in Nigeria. In the years since the report's publication, torture has remained widespread in police cells, primarily those of

SARS. The Nigerian police have been accused of torturing suspects and using their confessions as evidence in court, according to the Network on Police Reform in Nigeria (NOPRIN) and the Human Rights Social Development and Environmental Foundation (HURSEDEF), both Nigerian human rights organizations (Amnesty International, 2016). The Nigerian Police Force (NPF), notwithstanding being in tasked with upholding the norms and legislation, is beset by problems, as formerly indicated. Extortion, intimidation, poor community relations, that might promote more harassment, inappropriate employment practices (as well as substandard preparation for new members), unpleasant operational facilities for the NPF, and an insufficient reward package are just a few of the difficulties (Ayoyo, 2018; Chinwokwu, 2016; Ojo, 2014) ^[5, 20]. These are usually severe difficulties that block the NPF's capacity to function effectively. As such, it really is no surprise that certain authorities' hasty discharge of obligations has resulted in more long-term harm in society. However, it is worth remembering that the NPF have been manipulating authority since colonial era. (Akinlabi, 2017; Edet, 2017; Ikuteyijo & Rotimi, 2014; Ojo, 2014) ^[1]. Although power abuse can be seen in practically every police force around the world, the kind and scope of such abuse diverge across countries and climes. Consequently, it appears that dictatorial and fascist institutions, along with oppressive regimes, do have a greater percentage of police misconduct than progressive groups and institutions (Igbo, 2017) ^[28]. Despite the fact that Nigeria is a democratic country, power abuse has been thoroughly documented. This victimization has been linked to a practice of directly attacking Nigerian youth in recent years. On Twitter, the #EndSARS movement arose as a result of this. Nigeria is also not the only state to initiate a digital protest against police brutality. Well before the #EndSARS movement in Nigeria, there was always the Black Lives Matter (BLM) campaign, which arose in reaction to racist cops killing unarmed African Americans (Clayton, 2018; Williamson, Trump, & Einstein, 2018). The aspirations among both campaigns, nevertheless, are indistinguishable. Since the #EndSARS protest grew internationally in 2016, we believe it is also a BLM campaign (Armitage, 2016) ^[3]. Unlike the BLM, the ENDSARS campaign rallies the death of defenseless Nigerians, bribery, extortion, and other forms of police brutality perpetrated by some SARS members in Nigeria's police force. SARS, whose mission is to deter potential robbery, has been accused of carrying out extrajudicial killings, arbitrary arrests, and harassing young Nigerians, as evidenced by social media demonstrations. Nigeria's Inspector-General of Police began a review of Force Order 237, which governs the rules of engagement when battling crime, in 2019. A joint investigation was conducted with the International Committee of the Red Cross to curb the excessive use of force by Nigerian police officers. A detailed document with guidelines was created, which affirmed citizens' right to life. SARS, on the other hand, continued to mistreat people and commit extrajudicial deaths. As a result, the ENDSARS campaign went on. Many supporters of the #EndSARS movement have questioned the sincerity of investigations and the government's readiness to adopt police reform recommendations, despite appointing panels to examine complaints filed by the public against police brutality and harassment throughout all 36 states and the Federal Capital Territory (Premium Times, 9 November 2020). The Special

Anti-Robbery Squad, for example, was abolished three times in the last five years: the first one in 2014, then in 2015, and finally in 2017. As a result, the latest announcement of the police unit being abolished on October 11, 2020, has been met with mistrust (BBC, 11 October 2020). The government's lack of political will to handle wrongful imprisonment, extortion, and extrajudicial killings was proved to supporters two days later with the formation of the yet-to-be-deployed Special Weapons and Tactics (SWAT) team in place of the defunct SARS (Vanguard, 13 October 2020).

Furthermore, because #EndSARS protests began in southern Nigerian states prior to actually spreading to the entire nation, the northern political class and Buhari supporters have portrayed the movement as an attempt to overthrow the existing northern leadership (Vanguard, 23 October 2020). However, such rhetoric delegitimizes #EndSARS supporters' real grievances and demonstrations in Kano, Sokoto, as well as other northern areas of Nigeria. Traditional geopolitical barriers were broken down by #EndSARS. By portraying the campaign along a northern-southern divide, the Nigerian government risks limiting its options for ending the lawlessness enjoyed by violent police and restoring confidence and trust.

Conclusion

The Nigerian security forces have continued to execute alleged criminals extra-judicially, use disproportionate lethal force, torture alleged offenders, and subject them to harsh, dehumanizing, and degrading treatment on a regular basis. There are many reasons why the Nigerian security forces do not respect human rights; their poor performance in combating crime, the high level of corruption reported within their ranks, and the constant human rights violations committed by the security forces all pose serious threats to the country's peace and stability, instilling a growing level of mistrust and suspicion in Nigerians.

Increasing crime and violence has created a mistrust of institutions, which has led to a search for alternative solutions. As a result, militant vigilante groups accused of egregious human rights violations flourish across the country, benefiting from widespread public support, tacit or explicit support from certain state governments and houses of assembly, and an ambiguous stance from the Nigerian federal government. During the process of reforming Nigeria's security forces, Amnesty International urges authorities to put human rights respect and protection first to end the deadly cycle of human rights violations. The federal government should lead by example in terms of human rights protection and promotion, prioritizing human rights in all law enforcement and security decisions.

Over the last five years, state forces in Nigeria have increased their violence against civilians. The #EndSARS movement against this violence was more likely to be met with excessive force than erstwhile kinds of demonstrations. More over half of the incidences of state personnel employing coercive power on demonstrators in 2020 were tied to the #EndSARS agitation. Almost two dozen deaths were reported in October as an outcome from such incidences of disproportionate force, the bulk of that which occurred in Lagos on October 20 whereby Nigerian military authorities decided to shoot protesters with live rounds. Although the #EndSARS movement was sporadic in November and December, including several demonstrations among panels of inquiry formed in response to the bloodshed, little has been

happening since October. The government's investigation panels have yet to demonstrate whether they will lead to police reform and help the government regain the trust of the young.

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