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**EXPLORING THE ROLE OF POLITICAL ETHNICITY IN POLICE USE OF FORCE
IN NIGERIA: A CIVIL SOCIETY PERSPECTIVE**

By

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Declaration

I, **Samuel Ajogwu Igba**, declare that this thesis is my own unaided work, both in conception and execution. It is being submitted for the degree of Doctor of Philosophy in the Department of Political Sciences at the University of Pretoria, South Africa. It has not been submitted before for any degree or examination at this or any other university.

Samuel Ajogwu Igba

Pretoria, September 2022

Ethics statement

I, **Samuel Ajogwu Igba**, have obtained, for this research, the applicable research ethics approval and declare that I have observed the ethical standards required in terms of the University of Pretoria's Code of Ethics for researchers and the Policy Guidelines for responsible research.

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Abstract

The discussion on policing in multicultural societies is embedded within a wider context of political responses to diversity in state-building. Historically, nations were characteristically formed based on common ancestry, religion, and language, but today's modern nation-state attempts to transcend these antiquated characteristics of a nation by bringing together increasingly diverse people. Policing multiethnic societies, like other sectors of governance, presents unique challenges for the state, including the need to appear impartial towards all citizens regardless of individual ethnicities. This is so because there is a tendency, in multiethnic societies such as Nigeria, which is the interest of this thesis, to experience the phenomenon called political ethnicity which is, according to Claude Ake, the politicization and transformation of ethnic exclusivity into major political cleavages. Using a qualitative research methodology of semi-structured interviews with members of Civil Society Organizations working in the area of police use of force in Nigeria, the research sought to understand police officers' attitudes towards those against whom they use force. The data was analyzed critically and findings suggest that political ethnicity exists as a structural challenge, and consequently in force users attitudes towards those they use force against. It is observed that political ethnicity in structural and operational processes presented the opportunity for political ethnicity to fester. Political ethnicity manifests in police administration: recruitment, the appointment of heads of security forces, and mounting roadblocks in specific locations that seemingly target specific ethnic groups. It is displayed through ethnic profiling, ethnic bias, and ethnic politics.

Key words: Political Ethnicity, Police Use of Force, Legitimacy, State-Building, Nigeria, sub-Saharan Africa, Nigerian Police Force.

List of acronyms

#EndSARS	#End Special Anti-Robbery Squad
CSO	Civil Society Organization
DSS	Department of Security Services
ESN	Eastern Security Network
FCT	Federal Capital Territory
FG	Federal Government
Force PRO	Force Public Relations Officer
ICCPR	International Covenant on Civil and Political Rights
IPOB	Indigenous People of Biafra
ISWAP	Islamic State in West Africa Province
NHRC	National Human Rights Commission
NOPRIN	Network on Police Reform in Nigeria
NPF	Nigerian Police Force
OHCHR	Office of the High Commissioner for Human Rights
PSC	Police Service Commission
SARS	Special Anti-Robbery Squad
UDHR	Universal Declaration of Human Rights

Chapter 1: Introduction

1.1. Introduction

The discussion on policing in multicultural societies is embedded within a broader context of political responses to diversity in state-building. Historically, nations were formed based on common ancestry, religion, and language. Today's modern nation-state attempts to transcend these antiquated characteristics of a state by bringing together increasingly diverse people (Anderson, 1983). The modern state is described by Weber (1921) as based on an entity's ability to successfully claim the "monopoly on the legitimate use of force," amongst other characteristics. Since the emergence of the modern state from the 1648 Treaty of Westphalia, it has become apparent that the politicization of ethnicity is a significant cause of conflict and an area of contestation within the modern state. Claiming and exercising the monopoly on the legitimate use of force is often challenging in multi-ethnic societies as a result of political ethnicity – because of the contestations between the diverse ethnic groups (Ben-Porat, 2008; Wulf, 2007:22). Ake (1993:2) describes political ethnicity as the "politicization and transformation of ethnic exclusivity into major political cleavages." Political ethnicity challenges practically achieving some of the aspired and ideal characteristics of a modern state, such as a sense of a unified national identity within the population. This affects the political stability of any given modern state.

This research focuses on political ethnicity's role in achieving a legitimate claim to the use of force by a modern state, particularly in policing in multi-ethnic societies, with a particular focus on Nigeria. Studied from the perspective of Civil Society Organization's (CSOs), policing is chosen as a unit of analysis for analyzing the use of force in this context as opposed to the military because of the close interaction between the police and civilian population that entails engaging with the day-to-day functioning of the societies they police. In contrast, the military is only deployed in cases of extreme threat to state security (Weiss, 2011). While policing is the unit of analysis, it will be studied in this context from the perspectives of CSOs, as CSOs provide unique perspectives that represents the voiceless in society, and are staffed by informed and educated people amongst other reasons (Evans and Lewis, 2018:2). The CSOs purposively selected to participate in this study have worked in the security sector in Nigeria for years, consisting predominantly of human rights lawyers, as well as activists. The average years in the field of the participant being 12, with

the least having three, and the most having 27 years experience working in the security sector as part of NOPRIN. CSOs were chosen as participants because the police were inaccessible.

As discussed in section 1.8 of this chapter and elaborated in chapter 3.2, state legitimacy is derived from various factors, including through claiming the monopoly on the legitimate use of force (Weber, 1921; Tilly, 1985). In sub-Saharan Africa, specifically Nigeria, the international community has also determined state legitimacy through international recognition. Be this as it may, the international community backs the state to use legitimate force within its territory (Englebert, 2007). To ensure that states use force responsibly in a manner that is human rights compliant, the international community established a variety of instruments for regulating the use of force. Under international law, the International Covenant on Civil and Political Rights (ICCPR, 1996) addresses human rights and state responsibility in diversity-related matters. It does this in Article 26, which stipulates equality before the law irrespective of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. This research studied the police use of force in a multi-ethnic society in relation to how the rights mentioned above are violated or protected.

Policing is a controversial issue in diverse societies where cultures, religions, and competing national identities challenge the existing order and where the police have yet to develop the capabilities to engage with diversity and overcome their biases and prejudices (Ben-Porat, 2008). Several factors can drive police use of excessive force. In diverse societies with multiple ethnicities or races, there is a tendency for the use of force by police to be triggered by these factors, as is the case with racial profiling of African Americans in the United States (US) (Chaney and Robertson, 2013). As a unit of analysis in this study, policing can be studied to further explore the legitimacy of the claims to the use of force and the role of political ethnicity in police use of force in Nigeria. This research aimed to draw the link between political ethnicity and police use of excessive force in Nigeria.

Traces of a link between political ethnicity and how police exercise the use of force can be found throughout world history (Alemika, 1993; Eynde et al., 2016:). Throughout the history of colonialism in most sub-Saharan African states, and until the present day, existing literature has shown contestations between the claims to the legitimate use of force and political ethnicity. The links between claims to the monopoly on the use of force, police violence, and political ethnicity

have been most glaring during elections in Nigeria, as security forces have been linked with partisan politics in and around election periods and during election violence. CLEEN Foundation (2010:7) notes that security forces in Nigeria took part in sectionalism along ethnic lines – this was demonstrated during the first military coup in 1966. The police were widely alleged to be participants in pervasive incidents of electoral fraud in the subsequent general elections, particularly that of 1983 (CLEEN Foundation, 2010:7).

Moreover, in Nigeria, the activities of the Special Anti-Robbery Squad (SARS), a unit of the Nigeria police were met with mass anti-SARS protests across Southern Nigeria, which led to the unit being dissolved in October 2020 (Orjinmo, 2020). This was met with pro-SARS protests across Northern Nigeria, demanding that SARS be reinstated (NPO Reporting, 2020; the Herald, 2020). Amongst other factors that might have resulted in the above reactions from the different regions, political ethnicity can be singled out because an analysis of victims of SARS, as reported in the media, indicates that there are more victims of SARS across the Southern regions as compared to Northern Nigeria (Arotiba, 2020; DBN Soties, 2020). This research explores the tendency for individual police officers to misuse force against members of certain ethnic groups as opposed to others. The study also explores a culture (within a broader culture of impunity for excessive use of force) brought about by political ethnicity, which leads to police violence outside the limits of national and international law and against certain ethnic groups.

Using a qualitative research methodology that relies on semi-structured interviews with members of Civil Society Organizations working in the area of police use of force in Nigeria, the research provides knowledge of police officers' attitudes towards those against whom they use force. The themes identified include political ethnicity encompassing ethnic bias, ethnic profiling, and ethnic politics. Other themes include human rights abuses such as unlawful detention, extortion, torture, and extrajudicial execution. A final set of themes include appointment of heads of security forces, police recruitments, posting of police officers, and the mounting of checkpoints and roadblocks in specific regions that seem to target a specific ethnic group. These themes, and embedded subthemes, generated from participant responses were used to present narratives of police use of force in the context of political ethnicity in Nigeria. The themes were also linked to the overall discussion of state-building in multiethnic societies in Africa. The findings from the interviews were tested for validity and reliability using documentary analysis of National Human Rights

Commission of Nigeria (NHRC) annual reports from 2019 to 2021. The driving question that this research sought to answer was thus, what role does political ethnicity play in police use of force in Nigeria?

1.2. Research problem

Within the context of policing, it can be observed that the claim to the monopoly on the legitimate use of force in sub-Saharan Africa, and more specifically, in Nigeria, although essentially legal, lacks legitimacy as a result of ethnic exclusivities being transferred into how and when police use force (Ake, 1993:2; Alemika, 1993; Eynde et al., 2016). Legal here means that it is permitted and constitutional, fits within the law and is compliant with a legal framework. Legitimate in the sense that it is reflective of the aspirations of the people, and has been carried out following a correct, fair, genuine, moral, and ethical path. It has proven challenging to transform this legality into legitimacy (Englebert, 2007:62-63; Jackson, 1986).

Moreover, since the state is perceived as legitimate based on how much of the public good it can deliver, security being one public good delivered through the police as a state apparatus, there is a tendency for failure to provide this good to result in citizens questioning police legitimacy, and the state's legitimacy to a greater extent. In the above sense, state failure within the context of sub-Saharan Africa can also be linked to political ethnicity as it is suggested by anecdotal evidence from journalistic reports, including NPO Reports (2020) and the Herald (2020), and academic literature such as Ake (1993:2), Alemika (1993), and Eynde et al. (2016). This is because there exists a tendency for individual police officers to use force improperly against certain ethnic groups. Ethnic politics exacerbate this in society, producing a culture that leads to a form of police violence that falls outside the narrow limitations of national and international law.

Political ethnicity is salient and deadly in multiethnic states. Mitigating its challenges leave gaps for state-builders, as both international and local policies have failed to be effective. The International Convention on Civil and Political Rights (ICCPR) (1966) addresses state responsibility in matters relating to diversity in Article 26, which stipulates equality before the law irrespective of race, color, sex, language, religion, political or another opinion, national or social origin, property, birth, or other status. Both empirical and anecdotal evidence exists that highlights violations of human rights through police use of excessive force around the world (Amnesty

International, n.d). This problem can be linked to a handful of factors; however, following the above contextual background, political ethnicity is singled out in this research as one possible factor that warrants further exploration in policing ethnically diverse sub-Saharan African states such as Nigeria.

1.3. Research aim

The research aim of this study is to demystify the ethnic dimension of police use of force in the state-building context. By doing this, the context for developing human rights policies and exploring ways of legitimizing the use of force in multi-ethnic states in sub-Saharan Africa will be set.

1.4. Research objectives

Bearing in mind that several factors can drive police use of force, this research explores the role of political ethnicity in the claim to the legitimate use of force in the context of state legitimacy in Nigeria. This will be done by:

- Explaining the type (section 6.5) and extent of human rights abuse (chapter 5) by Nigerian police.
- Investigating the causes of this abuse, with particular reference to political ethnicity (6.4).
- Investigating the extent to which this abuse occurs and/or is experienced differently across the different regions of the country, with particular reference to political ethnicity (6.2)
- Investigating structural aspects of the Nigerian police which may encourage their involvement in human rights abuse (chapter 7)
- Analyzing the implications of the existence/non-existence of political ethnicity on state-building in Nigeria.

1.5. Research questions

The primary research question driving this research is: What role does political ethnicity play in police use of force in the context of state-building and state legitimacy in Nigeria?

Sub-questions include:

- What types of human rights abuses are perpetrated by officers of the Nigerian Police force?

- In the context of political ethnicity, what causes human rights abuses in police use of force in Nigeria?
- What are the similarities and differences in how police use force across the six geopolitical zones, with particular reference to political ethnicity?
- What structural aspects of the Nigerian Police Force encourages excessive use of force?
- What are the implications of the existence/non-existence of political ethnicity on state-building in Nigeria?

1.6.Delineation

This research explores the role of political ethnicity in the claim to the legitimate use of force in Nigeria. The study gathers information on police use of force in relation to political ethnicity from available literature and members of CSOs working across the six geopolitical regions of Nigeria. The regions include Northwest, Northeast, Northcentral, Southwest, Southeast and South-south. The information gathered from interviews with CSOs from each selected region is compared as another approach to corroborate, refute, or confirm findings to identify the different patterns of indiscriminate use of force across the six geopolitical zones. Comparisons were also made between the responses from respective CSOs actors with the same purpose. The comparison is warranted because each region comprises significantly different cultures and ethnic groups. As a result, the comparison is made bearing in mind the unique, diverse ethnic composition and dynamics of each region included in this research.

1.7.Justification

Policing is a challenging part of larger peacebuilding and state-building project in any given modern state (Ben-Porat, 2008). It becomes an even more difficult part of the state-building project due to political ethnicity when the society is multi-ethnic (Ake, 1993). By studying the role of political ethnicity in police use of force, the research contributes to the discipline of Political Science by focusing on the nexus between security and diversity as an area of state-building that is unclear and under-researched in Nigeria. Although evidence supports the theory that individual force users are influenced by their ethnicity in their use of force (CLEEN Foundation, 2010:7), there is little academic research into this area due to methodological challenges and access to data on police use of force.

This research also contributes to Peace and Security Studies because a combination of police use of force with an environment of ethnic diversity has often resulted in the eruption of violent conflicts and deaths. In this regard, it can be observed that the police summary execution of Mohammed Yusuf, founder of Boko Haram, triggered over a decade of violent deaths caused by the transformation of Boko Haram into an insurgency and terrorist organization (Adibe, 2019; Walker, 2012). The research contributes to the existing body of knowledge regarding police use of force in multi-ethnic societies by clarifying the ethnic dimension of police use of force and identifying human rights violations in order to set the stage for exploring ways of legitimizing the use of force in multi-ethnic states like Nigeria.

To understand the role that political ethnicity plays in the use of force by police in Nigeria, this research analyzed interview responses from members of Civil Society Organizations across Nigeria. The justification for this choice of research participants comes from the fact that Civil Society provide a voice to the voiceless and are often staffed by educated, knowledgeable and experienced individuals, and can connect with communities (Evans and Lewis, 2018:2). Lynch (2008:712) notes that CSOs as sources of information for interpretive research require attention to intersubjectivity detail because of the many angles to the work of CSO actors that may influence the researcher's ideologies. More on this is discussed in section 1.12. Moreover, for this study, as is mention in 1.1., The CSOs that were purposively selected to participate in this study have worked in the security sector in Nigeria for years, consisting predominantly of human rights lawyers, as well as activists. The average years in the field of the participant being 12, with the least years three and the most years 27, of working in the security sector as part of NOPRIN. In lieu of participants from the Nigerian Police Force, CSOs provide exploratory insights on police use of force in Nigeria.

1.8.Literature overview

This section gives a brief overview of the literature review for this study, of which a more detailed discussion is presented in chapter 3. The research adopts a traditional literature review aimed at critiquing and summarizing existing literature on the subject (Cronin et al., 2008). Considering that the discussion on police use of force in ethnically diverse societies falls under a broader discussion of state-building, the literature review for this research begins by identifying where, within the state-building literature, police use of force is located. The literature review contains

three sections: state-building and legitimacy, state-building and the monopoly on the legitimate use of force, and the legitimate use of force in ethnically diverse societies in Africa from the perspective of civil society and specifically in Nigeria.

A starting point to any given discussion on the legitimate use of force in state-building is Max Weber's (1921) "*Politics as a Vocation*," in which he describes the concept of monopoly on the legitimate use of force as the basis for the modern state. He defines the state in terms of the use of force, noting that "a state is a human community that (successfully) claims the monopoly on the legitimate use of physical force within a given territory" (Weber, 1921). According to this understanding, a modern state's existence is determined by its ability to use force in a manner that its population acknowledges to be legitimate. The absence of this ability results in anarchy in any given political society and undermines the idea of a state.

Charles Tilly (1985), in "*War Making and State Making as Organized Crime*," further buttresses Weber's assertion by laying down the central importance of violence to state-making. He describes four activities that state agents carry out under the general heading of organized violence, including war-making - eliminating or neutralizing their rivals outside the territories in which they have clear and continuous priority as wielders of force; State making - eliminating or neutralizing their opponents inside those territories; Protection - eliminating or neutralizing the enemies of their clients, and; Extraction - acquiring the means of carrying out the first three activities – war making, state making, and protection. Tilly (1985), however, criticizes this reality of state-making, comparing it to racketeering and piracy, noting that the distinction between "legitimate" and "illegitimate" force makes no difference to the fact that it is violence. The ability to monopolize violence distinguishes a state's use of force from other organizations or individuals. Tilly (1985: 171) states that if legitimacy depends on conformity to an abstract principle or the assent of the governed (or both at once), these conditions may serve to justify, perhaps even to explain, the tendency to monopolize force; they do not contradict the fact. These broad definitions of state legitimacy are not to be conflated with police legitimacy but are emphasized in this research to show that state legitimacy is a necessary condition for the justifiable use of force by the police in any given state (Jackson and Bradford, 2010:1).

In Africa, the modern state has faced challenges since its inception as Jackson (1986:248) argues that it has remained embryonic as a result of the fact that both in Europe and the Americas, the

internal legitimacy of sovereignty came to rest, at least in theory, on a principle of popular consent; “national self-determination,” African states did not go through this process. Englebort (2007:62-63) further buttresses this point by noting that legitimacy in Africa is *de jure*, as mentioned in section 1.2. As a result, state legitimacy in Africa, including Nigeria, is continually questioned. The root of the questioning can be traced to the contestations amongst ethnic identities in states due to the colonial legacy and inheritance of failure to manage diversity. Aliya et al. (2005) trace ethnic rivalries in Africa to colonized periods and the different strategies used in colonizing Africa. They concluded by stating that the British approach of indirect rule led to a more fragmented society in African states, which fostered ethnic rivalries between groups. In Nigeria specifically, the governance solution to the problematic nature of the state has been federalism, introduced by the British and customized by subsequent military governments. The nature of the state in Africa, Nigeria, and federalism in Nigeria are further discussed in chapter 3.5. and 3.6.

Many Social Scientists, including Anthropologists, Sociologists, and Political Scientists such as Cohen (1978), Jenkins (2008), Sharp (1988), and Weber (1921), have come to acknowledge ethnicity as a socially constructed phenomenon. The reality of ethnic groups cannot be neglected; however, Ake (1993) argues that “ethnic groups are, to be sure, inventions and constructions in some measure, but they are also decidedly real, even in the sense that states are said to be. Nonetheless, ethnicity is not a fossilized determination but a living presence produced and driven by material and historical forces. It begins, becomes, and passes away.” Although ethnicity in and of itself is not a cause of conflict in society, as it is inevitable for ethnic groups to be constructed based on the explanation above, when ethnic exclusivities are politicized and transformed into major political cleavages, then ethnicity becomes a significant cause of conflict in states. Ake (1993) gives a practical example of this phenomenon:

“Politicization changed to political ethnicity when the nationalist movement, which was united mainly by common grievances, started to disintegrate on the verge of independence as its leaders maneuvered to inherit power. In a situation in which class consciousness was rudimentary, those leaders who came from numerically large ethnic groups could not resist the temptation of using an ethnic ideology to consolidate a substantial political base.” (Ake, 1993:2)

After independence was acquired throughout Africa in the 1950s and 1960s, political ethnicity became a significant trend that brought about conflicts, including the Nigerian Civil War 1967-1970. There is ample literature that discusses the role of political ethnicity in policing in sub-Saharan African states, including Nigeria, but specifically, those that mention the role of the claim to the monopoly of the use of force are few. Amongst the few, Alemika (1993), in “*Colonialism, state and policing in Nigeria*,” discusses policing throughout the colonial history of Nigeria and how it affects present-day policing in Nigeria. He argues that policing during British colonization was done through polarization, i.e., Hausa policemen were used to police Yoruba communities. Alemika (1993) referred to a letter to Newcastle on December 31, 1863, where Freeman stressed the advantage of using the alien Hausas to police a Yoruba population.

Moreover, during colonialism, indigenous peoples and rulers who refused to collaborate with the colonialists or surrender their sovereignty were killed or maimed, and their villages were burnt and looted by colonial police forces and constabularies (Tamuno, 1970). Alemika (1993) mentions several incidences to support this argument, including the incidences of anti-tax protests in Warri Province (1927-28) and women anti-tax protests in 1929-1930 in parts of Eastern Nigeria in which fifty-five women were killed (Tamuno 1970: 225). Alemika (1993) demonstrates that the police in Nigeria have been used since the colonial era by the government as instruments of oppression and for protecting unjust socio-economic order and undemocratic political structures. He notes that the police in Nigeria are corrupt and that police in Nigeria suffer a crisis of legitimacy and poor functional performance. Ikuteyijo and Rotimi (2012), in their paper titled “*Community Partnership in Policing: The Nigerian Experience*,” discuss, amongst other issues, the tense relationship between the police and ethnic militias in Nigeria. By ethnic militias, they refer to groups such as the OPC in Southwestern Nigeria, the Bakasi boys in Southeastern Nigeria, Egbesu boys in South-south region, as well as the Movement for the Emancipation of the Niger Delta (MEND). These groups, formed with ethnic undertones, Ikuteyijo and Rotimi (2012:129) argue, carried out specific community policing duties and were at some point encouraged by the government, but the operations and constitution of these groups caused them to clash frequently with the police. The groups used crude crime detection techniques and meted out instant judgment to suspects/victims.

In present-day Nigeria, observations suggest that there are discrepancies in the way that the Special Anti-Robbery Squad (SARS), a unit of the Nigerian police force use force from region to region within the country. This can be observed from the names of victims predominantly from the south, as revealed during the #EndSARS protests in 2020 (Arotiba, 2020; DBN Soties, 2020). As mentioned in section 1.1, in October 2020, after years of illegal detention, extortion, and summary executions of Nigerians by SARS operatives, there were mass anti-SARS protests across Southern Nigeria, which led to the unit being dissolved in the same month (Kazeem, 2020; Orjinmo, 2020). This was met with pro-SARS protests across Northern Nigeria, demanding that SARS be reinstated (NPO Reports, 2020; the Herald, 2020). On the one hand, it can be argued that protests in Northern Nigeria were the political reaction of some Northern Nigerians who feared the #EndSARS protests were a plot to destabilize the administration led by President Mohamadu Buhari, who is from Northern Nigeria. This can also indicate discrepancies in how SARS officers use force within the predominantly Yoruba and Ibo Southern Nigeria compared to the largely Hausa Northern parts of the country. This illustrates a relationship between the use of force by police and the North versus South ethnic politics in Nigeria. Answers to the first three research questions were drawn from some of these examples, and elaborated on in chapter 6, 7 and 8. These examples represent the kind of role that political ethnicity plays in police use of force in Nigeria.

As mentioned at the start of this section, literature on the role of political ethnicity in the monopoly on violence aimed at observing its role in police use of force is scanty and this justifies the need for this research. Literature on empirical narratives and case studies that discuss police use of force in ethnically diverse sub-Saharan African states, specifically Nigeria, was drawn from academic journal articles, previously concluded studies, government reports, and the media. The consulted literature is also focused on discussions around the topic from within Nigeria. No information was collected from police officers for this research. The reasons for this are explained in section 1.12. In order to study the police as a unit of analysis, the literature review served as a supplement for primary data collected from members of Civil Society Organizations across Nigeria. More detail on the nature of these CSOs is provided in section 1.12.

1.9. Conceptual framework

A conceptual framework is a structure that the researcher believes best explains the natural progression of the phenomenon to be studied (Camp, 2001). It can be a graphical depiction or

written representations of the key factors, concepts, or variables and how they are connected (Adom et al., 2018). The key concepts in this research include political ethnicity, the claim to the legitimate use of force, and legitimacy. This section lays the background for a broader discussion of this study's conceptual framework, detailed in chapter 2.

The first concept of central importance to this study is political ethnicity, a term Ake (1993) used to explain how the interactions between politics and ethnicity affect African societies negatively. He described political ethnicity as the “politicization and transformation of ethnic exclusivity into major political cleavages.” This research establishes a nexus between this phenomenon and claims of Nigeria's legitimate use of force and legitimacy. These nexuses exist in different dimensions, ranging from individual officers' inclination to use force improperly against particular ethnic groups to a broader culture that causes a form of police violence that falls outside the narrow limitations permitted by international law, instigating ethnic conflicts. Political ethnicity in this study encompasses ethnic politics, ethnic bias, and ethnic profiling. These terms are elaborated on in chapter 2.2.

Closely linked with political ethnicity in state-building is the term legitimacy. Legitimacy is essential in discussing challenges such as political ethnicity in multiethnic states. Glaring manifestations of political ethnicity can bring about contestations between the government and oppositions who feel dissatisfied. Examples of these are the various rejection of elections, civil war, and post-election violence witnessed in Nigeria since the end of colonization in 1960 (Throup, 1993; Ogundiya, 2009). For this research, Tilly's (1985) description of legitimacy is adopted, namely, “the probability that other authorities will act to conform the decisions of a given authority.” The state's legitimacy in multi-ethnic societies is often problematic as the state is met with opposition from groups intending to undermine its legitimacy (Throup, 1993; Ogundiya, 2009). Violent acts by militias, insurgencies and terrorist organizations can threaten a state's legitimacy regarding using force.

As already mentioned, for a modern state to function correctly, scholars such as Englebert (2007), Tankebe (2013), Tilly (1985), and Weber (1921) have emphasized the central importance of the claim to the monopoly on the legitimate use of force. According to Weber (1921), states are founded on the ability to claim the legitimate right to use force. Weber notes that "the state is a relation of men dominating men, a relation supported by means of legitimate (i.e., considered to

be legitimate) violence." States can only exist if those dominated obey the authority claimed by the state. Weber is concerned with the questions: when and why do people obey? Upon what inner justifications and upon what external means does this domination rest? Hence, defining the concept of legitimacy becomes paramount to answering these questions. Although Weber (1921) described instances and principles that guide the acceptance of legitimate leadership, Tilly's earlier definition of legitimacy (1985) is adopted in this research to show what is meant by the legitimate use of force.

Another essential concept in this research is the use of force. In this study, the use of force by police is defined as efforts by law enforcement, such as the police, to compel or suppress an individual or group into submission through the threat of or use of physical harm. By defining the use of force this way, actions that constitute the use of force include arrests, torture, teargassing, shooting at, and killing suspects. The definition is a union of several scholarly and practitioner definitions of the term, including Mastrofski (2002:228) and Amnesty International (2016). Under this concept, other concepts such as permissible use of force are discussed in chapter 2 on the conceptual framework.

1.10. Research paradigm: interpretivists worldview

This research adopts an interpretivist worldview that focuses on a deep, subjective understanding of reality through social interactions. Accordingly, "interpretive researchers assume that access to reality (given or socially constructed) is only through social constructions such as language, consciousness, shared meanings, and instruments" (Dudovskiy, 2016). Because knowledge of the role of political ethnicity in any aspect of society is difficult to obtain using other more positivist approaches (Just, 2017; Sanders et al., 2014), considering the scope, time constraint and resources, as well as the subjectivity of data, this research adopts this interpretivist approach. This study focused on understanding political ethnicity in relation to police use of force through a subjective understanding of the meaning individuals brings to them.

The interpretivists researcher uses their social skills as social beings to try to understand how others understand their world, with the belief that reality is perceived through intersubjectivity, consideration of meanings, and understanding of experiential and social aspects of research (Alharahsheh and Pius, 2020:42; O'donoghue, 2006:11). In the case of this research, social interaction in the form of semi-structured interviews are used to understand how CSOs dealing

with issues of police use of force understand or perceive the role of political ethnicity in police use of force. The research paradigm is discussed in detail in chapter 4.2.

1.11. Research approach: qualitative research

A qualitative research approach focuses on exploring and understanding the meaning individuals or groups ascribe to social problems (Creswell, 2009:3). As such, this research studied how members of Civil Society Organisations view police use of force in relation to political ethnicity. Qualitative research uses diverse forms of data collection (Gaudet and Robert, 2018; Ravindran et al., 2020), but this research focused on semi-structured interviews as the significant source of primary data that is supported by literature as well as media, academic articles, and policy reports. The information is then separated into themes and critically analyzed following a critical analysis method of qualitative research (Holland and Novak, 2017:4). The qualitative research method lends itself to be guided by a conceptual framework, as demonstrated in section 1.9 of this chapter. The conceptual framework establishes the links between political ethnicity, claims to the monopoly on the use of force, and legitimacy.

As “an approach for exploring and understanding the meaning individuals or groups ascribe to a social or human problem” (Creswell, 2009:3), this research explored understanding police officers by adopting an ethnographic qualitative research method. Ethnography often means being eclectic and gathering material through informal conversations, formal interviews, archival work, and documentary analysis (Gaudet and Robert, 2018; Ravindran et al., 2020). Using a qualitative ethnographic research design, the research analyzed semi-structured interviews of members of CSOs to gain knowledge on perceived police officers’ attitudes towards those they use force against and whether it is influenced by political ethnicity.

In addition, interviews with each member of CSOs in Nigeria working in human rights and policing were analyzed and compared to corroborate and find similar/contrasting perspectives. This is in keeping with Merriam and Grenier’s (2019:15) and Fusch et al. (2018:20) suggestions that researchers are encouraged to use more than one data collection method for triangulation, as multiple methods enhance the validity of the findings. Information was gathered from documents such as annual police reports and existing literature, print, digital, and electronic media. Sampling took the form of a purposive selection of 18 civil society actors of CSOs working in the area of

policing from the six geopolitical zones of Nigeria. The information gathered from interviews and literature are critically analyzed using a critical analysis approach.

1.12. Research design: case study research design

A case study investigates a unit of the natural world such as an individual, an institution, a group, or a community to answer specific research questions (that may be fairly loose, to begin with) and which seeks a range of different kinds of evidence, evidence which is there in the case setting, and which has to be abstracted and collated to get the best possible answer (Gillham, 2000:1). The unit studied in this research is the Nigerian Police Force, to understand how/if political ethnicity has played a role in individual force users' attitudes towards those against whom they use force. In studying the police in relation to negative phenomena such as tribalism, racism, and ethnicity, researchers have expressed difficulties such as access to accurate information from informants (Sollund, 2005; Punch, 1985). However, some researchers, such as Brooks (2020), have been able to construct acceptable standard methodological approaches, from which this research drew inspiration.

Brooks (2010) examines how South African Police Service officers understand and experience 'democracy' through interviews. Brooks (2010) used semi-structured interviews with a total of 36 officers at four police stations in the Johannesburg metropolitan area, paying due attention to the diversity of the Johannesburg area. In terms of the composition of those interviewed, thirty-one of the thirty-six officers interviewed were non-commissioned officers (in the ranks of Constable, Sergeant, and Warrant Officer). Noncommissioned officers, overall, comprise the majority (83 percent) of all SAPS officers.

This research draws on Brooks's (2010) approach and purposively selected 18 members of CSOs working in the area of police use of force in six geopolitical zones in Nigeria. Due attention was paid to the diversity of Nigeria as a state, as well as the scope of the research. This research, however, is a broader study aimed mainly at exploring and generalizing only based on the population of the study. Because political ethnicity is a negative phenomenon that can affect the image of an organization/group/institution such as the police force, access to the Nigerian police was denied through the Force Headquarters in Abuja. Be this as it may, the research still drew on Brooks' methodology in purposive selection of participants. However, the participants were not police officers.

Civil Society Organisation (CSO) actors have become vital in generating transformative research insights (Göbel et al., 2021:342). According to Lynch (2008:712), using CSOs as a source of information for interpretivist research requires attention to context and intersubjectivity. This is because there are many paths to research on CSO actors that depend on the researcher's ideological proclivities, training, and degree of adherence to academic conventions. Researchers analyzing CSO actors often take one of two stances (Lynch, 2008:712), one that celebrates the CSOs, and another that critiques them. The first stance tends to be based more on the liberal understandings of democracy and accountability and a critical stance toward the state. This research is simply interpretivism and sought to better understand the state's security sector by explicitly exploring the role of political ethnicity on police use of force. This required inputs from the particular security agency being studied. However, some insights could also be deduced from CSO actors. This type of research generates findings that demonstrate the norms that underpin governance processes and their legitimation, or the identities which influence the construction of state interests (Lynch, 2008).

1.13. Data collection: semi-structured interviews

The form of data collection adopted in this research is semi-structured interviews. Semi-structured interviews allow researchers to explore subjective viewpoints and to gather in-depth accounts of people's experiences (Evans and Lewis, 2018:2). As a form of data collection, interviews in this research engaged 18 members of CSOs working in the area of police use of force, in a semi-structured manner. The 18 individuals were purposively selected to represent the six geopolitical zones in Nigeria, three from each respective zone. Access to interview executive directors of selected CSO was made possible by the Network on Police Reforms in Nigeria. NOPRIN is a network of 67 CSOs from Nigeria committed to promoting police accountability and respect for human rights. Established in 2000, NOPRIN provides an opportunity for civil society involvement in police reform and the enhancement of safety, security, and justice. In line with Roulston's (2018:233) observation that semi-structured interviews use sequenced questions that leave room for follow-up questions about what the interviewee has already said, the researcher focused on systematically listening and understanding responses to interview questions to develop follow-up questions. Responses were observed for themes that were analyzed critically.

Interview questions for this research were semi-structured. "The semi-structured interview involves prepared questioning guided by identified themes consistently and systematically interposed with probes designed to elicit more elaborate responses" (Qu and Dumay, 2011:246). Thus, the focus is on the interview guide incorporating broad themes to be covered during the interview to help direct the conversation toward the topics and issues the interviewers want to learn. Generally, interview guides vary from highly scripted to relatively loose. However, the principles all serve the same purpose: to ensure the same thematic approach is applied during the interview.

1.13.1. Sampling

The term sampling is questionable by qualitative researchers as appropriate for doing qualitative research (Flick, 2007), however, it refers to how researchers select the cases, groups, and materials in a defined way to make generalizations in one way or the other (Flick 2007). In this research, sampling refers to how the CSOs members interviewed were chosen. This was done through a purposive sampling of 18 individual members of CSOs working in the area of police use of force, each from six geopolitical zones in Nigeria. Flick (2007) argues that "sampling in qualitative research can follow different logics. We can distinguish a more formalized sampling from more purposive and flexible ways of doing it." Purposive sampling is a way of setting up a collection of deliberately selected cases, materials, or events for constructing a corpus of empirical examples for studying the phenomenon of interest in the most instructive way (Flick, 2007).

1.13.2. Data analysis

To be consistent with the qualitative approach of this research, the study adopted a kind of critical analysis that Holland and Novak (2017:4) describe as critical qualitative research, a form of critical analysis that uses qualitative social-scientific methods to collect data and use a combination of qualitative and critical analyses to interpret and understand the data that was collected. This research studies the role that political ethnicity plays in individual force users' attitudes towards those against whom he/she has the opportunity/duty potentially to use force. This is done to challenge the taken-for-granted or hidden power structures to offer alternative perspectives and explanations for social reality. To achieve this, a critical analysis method was adopted. The critical analysis method focused on embracing multiple perspectives, giving space to unheard voices, and stimulating social criticism.

According to Holland and Novak (2017:2), “critical analysis is a heterogeneous approach to theory and practice that examines the historical and socio-political dimensions of texts (e.g., spoken and written words, nonverbal communication, images).” In this regard, texts from interviews, as well as existing literature in the form of academic writings, print, and electronic media resources that discuss political ethnicity and the police use of force in Nigeria, was collected and examined critically.

1.13.3. Analyzing semi-structured interviews using thematic analysis

Before interviews were subjected to critical analysis, responses to the questions were first interpreted in keeping with the research approach adopted for this study. Because the research explores how people – Civil Society Organizations – make meaning of their experiences and construct their social worlds (Evans and Lewis, 2018:3), responses to interviews are grouped into themes for thematic analysis. “Thematic analysis is the process of identifying patterns and themes within the data” (Evans and Lewis, 2018:3). Moreover, themes and patterns were identified from the data collection stage and continued through the transcribing phase. Consideration on what constituted themes in this research included words and sentences that express connotations of police use of force in a manner that might be influenced by political ethnicity.

Thematic analysis is more than just counting words or phrases in qualitative research, it focuses on identifying and describing implicit and explicit ideas within the data; in the case of this research, the data refers to responses from interviews with members of CSOs dealing with issues of police use of force in Nigeria (Guest et al., 2012). The goal was to develop a story from the texts of interest (Neuendorf, 2018:213) that were categorized into themes in the analysis in chapters 6 and 7 of the research.

1.13.4. Validity and reliability

According to Sollund (2005), in police research, it is essential to rely on multiple sources of information and approaches. In the broadest context, validity refers “to the integrity and application of the methods undertaken and the precision in which the findings accurately reflect the data, while reliability describes consistency within the employed analytical procedures” (Noble and Smith, 2015). To ensure validity and reliability, Noble and Smith (2015) advise qualitative researchers to acknowledge biases in sampling and to engage in ongoing critical reflection of methods to ensure sufficient depth and relevance of data collection and analysis. In keeping with

this approach, as already stated in previous sections, information from interviewing each CSO member was compared to provide the opportunity for a subjective, critical analysis of the phenomenon. Moreover, the purposively selected population for the sample (six geopolitical zones in Nigeria) accounts for the acknowledgment of some sampling bias. Secondary data was also analyzed alongside existing literature from academic articles, and media. This assisted with triangulation. Triangulation helps generate different perspectives for comprehensive findings (Kuper et al., 2008). Furthermore, a documentary analysis of annual reports made available in the public domain by the Nigerian National Human Rights Commission was also carried out in order to ensure the validity and reliability of the research. Because Nigeria is a big country with over 200 million people, and 36 states, the results of this study were only generalized based on the population samples. The study remains exploratory.

1.14. Ethical considerations

Ethical considerations are integral in all research containing human participants as they prevent any harm that may come to the participants. In Social Science research, harm may come from disclosing private information about participants and producing erroneous research results because of biases (Sollund, 2005; Tripepi et al., 2010:95; Aas, 2021:839). Moreover, plagiarism is also an ethical consideration that must be observed in research (Hine, 2011:3). The following are the measures that were taken to avoid these ethical pitfalls.

1.14.1. Bias

Ethical considerations oblige the researcher to disclose the purpose of the research to the human participants (Sollund, 2005). In the case of this research, experts have argued that research in Comparative Politics and International Relations is prone to selection bias (Collier and Mahoney, 1996:56). According to Tripepi et al. (2010:95), “A selection bias comes from any error in selecting the study participants and from factors affecting the study participation.” The research used a purposive selection of participants representing Nigeria’s six geopolitical regions. While the analysis in this research would have been better triangulated with participation who are actual police officers whose behaviors are being studied, access to this group was emphatically denied. Consequently, only interviews with CSO members were used as a primary data source. This leaves the research prone to selection bias. To mitigate this challenge, analysis was generalized based on selected population samples alone.

1.14.2. Privacy, informed consent, anonymity, and risk of harming the participants

In their relationship with human participants in the research process, researchers should consider the principles of respect for personal autonomy, benevolence, and justice (the University of Pretoria, nd). Informed consent is of relevance to criminal justice research because many study subjects are frequently involved in law-violating or norm-violating behaviors, the exposure to which could have negative personal consequences (Esbensen, 1991). According to Aas (2021:839), persons who are included or affected by a social research project should, in principle, give their freely informed consent to participation in the project in advance, and consideration of privacy must take precedence over research considerations on a general basis. Researching police use of force in the context of political ethnicity has the potential to expose sensitive aspects of police public relations; consequently, to ensure the privacy of participants, informed consent forms with an anonymity clause that prevents the researcher from disclosing the identities of the participants were completed and signed by the participants. Moreover, as the subject of study falls within a professional body as central to national security as the police, all published codes of practice and ethical guidelines were followed.

1.14.3. Plagiarism

Because the study is also composed of a desktop study and a literature review of secondary literature samples of materials available in the public domain, plagiarism is another ethical consideration (Hine, 2011:3). All materials consulted in this study are duly referenced in this regard.

1.14.4. Data management

To ensure interviewee confidentiality, a pseudonym is used. The research results are documented in the form of a Doctoral Dissertation. At the end of the research, raw data was safely stored on the researcher's computer in a password-encrypted folder. Raw data is also uploaded onto the University of Pretoria Repository, where access is restricted to the University of Pretoria through the ITS and strictly for legal and ethical purposes, as well as for technology migration where necessary. The data will be stored for fifteen years following University of Pretoria regulations. Access to the data by any other internal or external parties should be requested and administered following the relevant University guidelines and procedures regarding the Promotion of Access to Information Act (PAIA) (Act 2 of 2000).

1.15. Chapter outline

The research contains nine chapters, of which chapter one is the introduction and has the research problem, aims, and objectives, as well as a literature overview and research approach.

Chapter two offers a conceptual framework that operationalizes the concepts in the research, while chapter three contains a comprehensive literature review establishing the nexus between the central concepts of the research and providing critical reviews of existing literature on the topic.

Chapter four comprehensively elaborates on the methodology to provide the basis for the final chapters on analysis and conclusion. Chapter five is a discussion of the background of the case study and links to international and local human rights standards, while chapters six and seven present a comprehensive analysis of the data and findings. Chapter eight presents a documentary analysis and discussion of intersectionality in identities as observed during the #EndSARS protest. Chapter nine and the final chapter offers a conclusion and summarizes the research and findings. It also discusses the study's limitations, the original contribution, and recommendations for further studies.

Chapter 2: Conceptual framework

2.1. Introduction

This chapter elaborates and describes the various concepts introduced in chapter 1.9., forming the critical categorical variables in this research. This chapter sought to, among other things, clearly define political ethnicity and the use of force so that these concepts are easily identified during data collection, observation, and analysis. The key concepts in this research include political ethnicity, legitimacy, the monopoly on the legitimate use of force, and the use of force.

The first key concept in this research is the concept of political ethnicity, which encompasses four other terms, including ethnicity, tribalism, ethnic politics, and ethnic profiling. A second pertinent concept in this research is legitimacy. Even though legitimacy is extensively discussed in the literature review chapter, it is discussed in this chapter to explicitly state its function in relation to other concepts in the research. It plays the role of an independent categorical variable whose presence or absence is assumed to influence the role of political ethnicity in police use of force in Nigeria. In the context of this research, legitimacy is closely followed by another concept, namely, ‘the monopoly on the legitimate use of force.’ This concept is discussed as a core, sometimes a necessary function of law enforcement, specifically the police, and a broader variable that determines how police use force in multiethnic societies. In this context, the security apparatus of states, such as the police, must be accountable and effective or face challenges from citizens. In multiethnic societies, police effectiveness and accountability might be difficult to achieve because of political ethnicity.

The use of force is also discussed in this chapter separately from the monopoly on the use of force. It is defined, and the boundaries between permissible and excessive use of force are also defined. This made them easily identified in the data that was collected. It is noted that although implementation of international laws and policies are limited by the structures and realities of multiethnic African states, what is deemed permissible use of force is guided by several international legal and policy instruments containing the principles of proportionality and necessity.

2.2. Political ethnicity

As defined in chapter 1.1, political ethnicity is “the politicization and transformation of ethnic exclusivity into major political cleavages (Ake, 1993).” In this chapter, the term is elaborated to

make it possible to define what actions constitute or demonstrate political ethnicity in the context of this research. It is noteworthy that political ethnicity differs from ethnicity or tribalism but encompasses, ethnic politics, ethnic profiling, and ethnic bias. Ethnicity refers to the presence of different social or cultural groups or identification with such a group, and tribalism arguably emphasizes demonization and the exclusion of others (Mafeje, 1971; Nothwehr, 2008). Ethnic politics, however, talks explicitly about the actions of political actors in state-building, which are influenced by ethnicity and tribalism (Bardhan, 1973; Okogu and Umudjere, 2016). Moreover, ethnic politics is a situation whereby politicians mobilize the support of people based on ethnic identities (Adegbami and Uche, 2015:64). Ethnic profiling occurs when an individual's race, ethnicity, or origin is used as a base for suspicion by law enforcement (Schutter and Ringelheim, 2008). These concepts form subsets of political ethnicity in this research.

From the above, it is also noteworthy that of these four terms, ethnicity, tribalism, ethnic politics, and ethnic profiling, ethnicity is a less damaging term as it simply refers to the existence of different groups; consequently, it is not further discussed in this chapter. For the sake of operationalizing political ethnicity as a categorical variable in this research, political ethnicity is identified wherever tribalism, ethnic profiling, and ethnic politics occur and influence police use of force.

2.2.1. Tribalism as political ethnicity

In this research, tribalism is described as emplacing demonization and exclusion of others. A description of the term is developed from a combination of discussions from scholars in the field, including Mafeje (1971), Nothwehr (2008), and Okogu and Umudjere (2016). Mafeje (1971) separates the word tribalism as a descriptor of the precolonial African societal groupings from tribalism as a tribal ideology in modern society. According to Mafeje (1971:258), the former connotes a descriptor of the actions of members of a tribe “striving to maintain its basic structure and local autonomy, even under changed economic and political conditions.” At the same time, the latter and more pertinent term to this research is a descriptor of a phenomenon mired by tribal ideology, a situation whereby an individual, on behalf of their “tribe, invokes tribal ideology to maintain a power position, not in the tribal area, but the modern capital city, and whose ultimate aim is to undermine and exploit the supposed tribes” (Mafeje, 1971:258). A tribe, in both cases, refers to a “relatively undifferentiated society, practicing a primitive subsistence economy and

enjoying local autonomy” (Mafeje, 1971:258). Okogu and Umudjere (2016) offer a more precise definition for the term as “a cultural term, a way of thinking or behaving in which people are more loyal to their tribes than to their friends, countries or social groups.” Although still widely used outside academic writing, the word tribe has become somewhat outdated in state-building discourse. The word has been argued to be one of many colonial connotations depicting lesser developed societies and slavery. Lowe et al. (1997) have argued that ‘tribe’ is a weak concept that cannot clearly define groups within Africa. If tribes are social groups that share a single territory, language, political unit, religion, similar economic system, and everyday cultural practices, such a group does not exist in Africa (Lowe et al. 1997).

In this research, tribalism has taken place where individual police officers or groups of police officers behave in ways that demonstrate loyalty to their respective tribe or tribes. The tribe is often conflated with ethnicity and tribalism with political ethnicity or subsets of political ethnicity. Be this as it may, this study assumes mentions of tribalism by participants mean any of the subsets of political ethnicity. Tribalism is presumed to be a subset of political ethnicity in this study because it is commonly used in Nigeria. For example, Lowe et al. (1997) note that “tribe is used for millions of Yoruba in Nigeria and Benin, who share a language but have an eight-hundred-year history of multiple and sometimes warring city-states, and of religious diversity even within the same extended families.” For the sake of data collection, by tribe, this research assumes that participants refer to ethnic groups, and ethnicity, as both terms are very often conflated in the context of Nigeria.

2.2.2. Ethnic politics as political ethnicity

In most African nations, including Nigeria, political power struggles revolve around one or more identity issues. These power struggles have brought various ethnic groups into conflict throughout history. They have led to violent outbreaks of conflict, such as civil wars, in Nigeria, Burundi, Ethiopia, and many others across the continent. In such instances, each ethnic group can be described to have been advocating for their interests in diverse ways to secure spaces in political leadership (Adegbami and Uche, 2015:64). Adegbami and Uche (2015:64) suggest that “ethnic politics occurs where members of the same ethnic groups, who share common economic and political interests come together to compete for political power against other ethnic groups through

mobilization of fellow members, forming coalitions, and influencing behaviors.” It is a situation whereby politicians mobilize the support of people based on ethnic identities.

Posner (2005:3) argues that ethnic politics is built on three separate propositions. The first is that people want access to state resources. The second is that they believe having someone from their ethnic group in political power will facilitate access to state resources. Thirdly, they think that the best way to put someone from their ethnic group in positions of political power will be to join an ethnic coalition. These three propositions suggest that ethnic politics is a form of ethnic coalition building, and ethnic identity in the context of political ethnicity, can be seen as a quest to gain membership into the coalition that will be most politically and economically useful. Through the narratives generated from interviewing members of CSOs, this research sought to identify actions that show forms of ethnic politics in police administration, actions, and the use of force.

2.2.3. Ethnic profiling as political ethnicity

Ethnic profiling occurs when law enforcement, including police officers, base their action of determining who is or is not a suspect on ethnicity, race, religion, or national origin, as opposed to individual conduct or objective evidence. Schutter and Ringelheim (2008) note that ethnic profiling refers to “the use of racial, ethnic or religious background as a determining criterion for the adoption of law enforcement decisions.”

According to the Open Society Justice Initiative (2020), ethnic profiling may occur because of individual law enforcement officers’ decision-making or might result from institutional policies and practice flaws. Ethnic profiling violates human rights standards that stipulate that law enforcement actions should consider the conduct of an individual rather than their ethnicity, race, or origin. Acts that constitute ethnic profiling have been highlighted by the Open Society Justice Initiative (2020), as listed below:

- Identity checks
- Stop and searches
- Border and customs checks
- Targeted fines
- Raids
- Vehicle inspections

- Surveillance
- Data mining

Concerning political ethnicity in Nigeria, anecdotal evidence suggests that the above list of activities that constitute ethnic profiling is the regular operational practice of Nigerian police officers (Aborisade and Fayemi, 2015; Guttschuss, 2010). This research focused on identifying where individual police officers carry out the above-listed activities with ethnic bias as a driving factor. Evidence of this was identified in news reports and interview responses.

2.3. Legitimacy

As was briefly discussed in chapter 1.8, the term legitimacy is intricately linked with political ethnicity in state-building. In the context of multiethnic states, the absence, or the perception of the lack of legitimacy by citizens in elections, for example, can result in contestations with the government. This can lead to forms of opposition, such as the rejection of elections, civil wars, and post-election violence, as has been witnessed in Nigeria since the end of colonization in 1960 (Throup, 1993; Ogundiya, 2009). This research looks at several conceptions of legitimacy, as is discussed in chapter 3 on the literature review. Tilly's (1985) definition of legitimacy as "the probability that other authorities will act to confirm the decisions of a given authority," is adopted in this study. The state's legitimacy in multi-ethnic societies is often problematic as the state is met with opposition from groups intending to undermine it (Throup, 1993; Ogundiya, 2009). Violent acts by militias, insurgencies, and terrorist organizations, can be regarded as threats to a state's monopoly on the legitimacy use of force.

As previously mentioned, legitimacy in this research is discussed extensively in chapter 3.2., which offers a review of the literature. What the discussion of legitimacy in this chapter aims to achieve is an understanding of how the absence or presence of this concept affects other central concepts in this research. Legitimacy, in whatever way it is derived, is central to state-building and the legitimate use of force. Internationally derived legitimacy without local support can bring about internal challenges to the monopoly on the use of force from within the state. In contrast, internal legitimacy is constrained by contestations between normative and sociological derivations such as democracy. In this instance, democracy entails the majority as the legitimate authority. Weber (1921) mentions other legitimation factors such as 'eternal yesterday,' charisma, and legality. According to Weber (1921), legitimation can occur following three justifications of state power.

First, there needs to be an authority of the 'eternal yesterday,' which entails sanctification by the mores through the unimaginably ancient recognition and habitual orientation to conform. Secondly, legitimacy can stem from the authority of the extraordinary and personal gift of grace (charisma), personal devotion and confidence in revelation, heroism, or other qualities of individual leadership. With this kind of legitimacy, there is usually 'charismatic' domination, as exercised by the prophet or--in the field of politics--by the elected war lord, the plebiscitary ruler, the great demagogue, or the political party leader. The third and final source of legitimacy in governance is the domination by 'legality' by the belief in the validity of the legal statute and functional 'competence' based on rationally created rules. In this case, obedience is expected in discharging statutory obligations. This is domination as exercised by the modern 'servant of the state' and by all those bearers of power which, in this respect, resemble him. In essence, the success of legitimation is a significant ingredient for less tumultuous state-building. Therefore, in relation to the effects of political ethnicity on police use of force in Nigeria, the state's legitimacy is defined as "the probability that other authorities will act to confirm the decisions of a given authority" (Tilly, 1985) and plays a vital role. Taken together, political ethnicity leads to ethnically driven use of force, which makes legitimation of the state complex.

This research introduced legitimacy as a categorical independent variable to identify whether the presence or absence of it determines the role of political ethnicity in police use of force in Nigeria. To make this observation, questions regarding how the presence or absence of legitimacy in Nigeria affects police use of force are addressed in this research. In this regard, all the forms of legitimacy described in the literature review chapter are acknowledged as essential for a modern state in the 1648 Treaty of Westphalia context of the term. In this research, the connection between police legitimacy and state legitimacy is paramount. The state is perceived as legitimate based on how much of the public good it can deliver. Security as one public good is provided through the state apparatus of the police. While this is the case, failure to deliver this good causes citizens to question police legitimacy, and state's legitimacy to a greater extent. Bearing this in mind, the observed behaviors of police officers, as presented in the participants' narratives, was considered illegitimate if they went contrary to the use of force laws and violated national or international legislation on human rights.

2.4. Monopoly on the legitimate use of force

As introduced in section 2.3., Weber's (1921) "*Politics as a Vocation*" provides a comprehensive discussion on the legitimate use of force in state-building. He describes the concept of monopoly on the legitimate use of force as the bases for the modern state. He defines the state in terms of the use of force, noting that "a state is a human community that (successfully) claims the monopoly on the legitimate use of physical force within a given territory" (Weber, 1921). Following Weber's description, a modern state's existence is determined essentially by its ability to use force, the absence of this ability results in anarchy in any given political society and dismisses the idea of a state.

According to the United State Institute of Peace (n.d), the monopoly on the legitimate use of force refers to "a condition in which a state's security forces operate lawfully under a legitimate civilian authority, where actors conduct themselves in accordance with democratic norms and principles of good governance." This condition is said to exist when armed groups are all disarmed, demobilized, and reintegrated into society after a conflict. Security forces such as the police and military are established and permitted to operate under state and international human rights laws. In its operations, a state has the core function and responsibility to protect citizens against external and internal threats. For this function, there is a need for accountable and effective state security institutions, the absence of which might result in citizens challenging the state's monopoly on the use of force (United State Institute of Peace, n.d).

It can be observed that public trust in law enforcement authority and the state are at risk when police and other law enforcement agencies use force that is considered excessive, abusive, arbitrary, or unlawful against citizens. The use of force in the modern state is guided by specific international standards and legal instruments, which are limited in implementation in sub-Saharan Africa because of the nature of the state in Africa as discussed in chapter 3.5, and political ethnicity. Human rights must be upheld whenever law enforcement agencies exercise their powers on the monopoly of force (Leander, 2004). This point is discussed further in section 2.5.1, with a broader discussion in chapter 3.6.

In this study, participant responses and the academic literature are studied to identify contestation between the state's use of force and citizens' perception in relation to the state's monopoly on the

legitimate use of force. This brings us to a discussion on what use of force is legitimate. The following section discusses the permissible use of force by law enforcement.

2.5. Use of force

Klahm and Liederbach (2014:562) argue that various researchers, in their definition of the use of force, fail to explicitly conceptualize what is meant by force. For this reason, their descriptions of forceful encounters led to the narrowly focused measurement of force in many studies. Terrill and Mastroski (2002:228) defined force as “acts that threaten or inflict physical harm on citizens.” These authors go further to measure police behaviors that were inconsistent with their conceptual definition by operationalizing verbal commands as force and claimed that “Wait right here” and “Leave that now” reflect police behaviors that threaten or inflict physical harm on citizens (2002:230). Klahm and Liederbach (2014) on the other hand, argue that these verbal commands do not threaten or inflict physical harm upon suspects, which exemplifies the issue addressed here. The disjuncture between conceptual definitions and operationalizations like this has blurred the meaning of force in researching police use of force. In this regard, a description of the use of force that is closer to that referred to in this research is given by Amnesty International (2016):

“‘force’ physical means deployed against a person in order to achieve a law enforcement purpose, in particular to obtain compliance with an order. In this regard, force is to be understood broadly, starting from simply touching a person to the (potentially and even intentionally lethal) use of firearms and also including the use of means of restraints.” (Amnesty International, 2016:12)

This definition restricts force to just acts of physical violence, but in this regard, AI (2016) goes further to note that:

This does not mean that the verbal warning to use force if a person does not comply with the order of a law enforcement official falls outside the scope of international or domestic human rights regulation. Even the threat or warning by a law enforcement official to use force can be very intimidating and can generate serious feelings of stress and fear (Amnesty International, 2016:12).

While a severe gap remains existent in the field regarding the definition of the use of force, this research, by putting together various understandings of what the use of force means, as well as

what constitutes the use of force, according to diverse scholars, a definition of the use of force is operationalized as follows: *efforts by law enforcement such as the police, to compel or suppress an individual or group into submission through the threat of, or use of, physical harm*. By defining the use of force this way, actions that constitute the use of force include arrests, torture, teargassing, shooting at and killing suspects, and threats, verbal or otherwise to carry out these acts.

For further delineation, an explanation of the parameters of what constitutes permissible use of force and unlawful use of force follows.

2.5.1. Permissible use of force

As discussed in chapter 1. 9, international and local policies have failed to mitigate the challenges of political ethnicity. The failure stems from Africa's colonial history, where multiple ethnicities were clustered together to form states in a process that did not consult the popular consent of the African people. This process is in sharp contrast to states in Europe and North America, where "internal legitimacy of sovereignty came to rest, at least in theory, on a principle of popular consent; "national self-determination" (Jackson, 1986:248). Bearing this in mind, multi-ethnic African states, including Nigeria, are faced with the challenge of adhering to international laws and principles of democracy in the volatile climate of political ethnicity. The challenge governments face in this regard is the need to appear impartial towards all citizens regardless of individual ethnicities in a democratic setting. Both local and international structures have been put in place to bring about equity and equality, but implementation and enforcement remain elusive. The argument in this research is that while the performance of local laws guiding against excessive police use of force is inhibited by political ethnicity, enforcement of international law is also elusive due to the limitations of international law. This premise notwithstanding, this research discusses international laws on police use of force in order to be able to identify violations. In this section, international policies and laws guiding against police use of excessive force are discussed and present a background for a broader discussion on the limitation of their enforcement in sub-Saharan African states. A broader discussion of their failure is done in chapter 3.8.

As guided by several international legal and policy instruments, permissible police use of force is guided by the principles of proportionality and necessity. The following rules have been extracted from the Law on Police Use of Force Worldwide (2020). They are derived from international

human rights law, including the 1979 Code of Conduct for Law Enforcement Officials and the 1990 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

General rules

- In any use of force, the police and other law enforcement officials must respect the principles of necessity and proportionality.
- Each use of force must be justified and justifiable.
- Rules governing the use of force, including weapons that may lawfully be used, should be set out in national legislation and other administrative provisions.
- Medical assistance shall be provided to any person, including a criminal suspect, injured during the action by any law enforcement official.
- The police and other law enforcement officials shall be held accountable for their use of force.
- Operations shall be planned to minimize the risk of death or injury.

The principle of necessity

- The police and other law enforcement officials may only use force when necessary for a legitimate law enforcement purpose.
- When force may lawfully be used, that force shall be only the minimum necessary in the circumstances.
- Once the necessity for force has ended (for example, when a suspect is handcuffed and is not resisting arrest), no additional force may be used.

The principle of proportionality

- Force shall only be lawful if it is proportionate to the threat posed by a suspect and the harm that a law enforcement official is seeking to avoid.
- Disproportionate force that could be necessary in the circumstances is unlawful.

Specific rules on the use of firearms

- A law enforcement official may only discharge a firearm when it is necessary for the circumstances to do so to stop an imminent threat of loss of life or serious injury. An imminent threat is expected to materialize in actual harm in a split second or, at most, a matter of seconds.

- Where a threat to life is grave and proximate in time but not imminent, a firearm may be discharged when the circumstances must do so to stop that threat.
- A property threat does not justify firearms use under international law.
- Intentional lethal use of firearms can only be lawful when such use is strictly unavoidable to protect life. A threat to life that is not imminent can never justify shooting with the intent to kill.

For this research, what is identified is how many of these permissible use of force conditions officers of the Nigerian Police Force observe when they use force in the context of political ethnicity. This is observed in the data collected through both interviews with members of CSOs working in the area, as well as other literature sources, including media reports.

2.5.2. Excessive use of force

While certain kinds of use of force are considered lawful, as discussed above, several uses of force are considered excessive by international and local laws. Four of these areas of excessive use of force are identified here and discussed. The four excessive areas of use of force addressed in relation to the data on police use of force in an environment of ethnic diversity include extrajudicial executions, unlawful detention, torture, and extortion. These four concepts are relevant to a discussion on the use of force in Nigeria because of the frequency at which they occur across the country (Amnesty International, 2021). These concepts are discussed in this chapter and elaborated in relation to the interview responses in chapter 6.5.

Extrajudicial executions

By extrajudicial executions, this study refers to three terms: summary execution, arbitrary execution, and extra-judicial execution. All three terms refer to killings by law enforcement without proper judicial process having taken place. In each instance, the individual officers' discretion is used to pass judgment on suspects. There is a difficulty in providing a comprehensive definition for extrajudicial execution; as such, Special Rapporteur on the summary, extrajudicial and arbitrary executions Callamard (2021), gives a list of acts that constitute extrajudicial execution:

- Violations of the right to life during armed conflict, especially of the civilian population and other non-combatants, contrary to international humanitarian law.

- Deaths due to attacks or killings by the State’s security forces, paramilitary groups, death squads, or other private forces cooperating with or tolerated by the state.
- Deaths due to the use of force by law enforcement officials or persons acting in direct or indirect compliance with the State when the use of force is inconsistent with the law.
- Deaths in custody owing to torture, neglect, use of force, or life-threatening detention conditions.
- Deaths threats and fear of imminent extrajudicial executions by State officials, paramilitary groups, private individuals, or groups cooperating with or tolerated by the Government, as well as by unidentified persons who may be linked to the categories mentioned above.

The above list is not exhaustive of the acts that constitute extrajudicial executions; however, listing all acts goes beyond the scope of this section. The complete list can be found in the A/HRC/47/33: Extrajudicial, summary, or arbitrary executions - Report of the Special Rapporteur on extrajudicial, summary, or arbitrary executions (Advance Unedited Version).

Unlawful detention

Unlawful detention refers to detention, regardless of duration, which is contrary to expectations by law. These are detentions that are not in accordance with the law. It includes the restraint of an individual in a bounded area without justification (Eyongndi, 2021:450). It can be carried out by private individuals and law enforcement agencies such as the police in instances of false arrests where the restrained person becomes a prisoner if they cannot leave when they want to.

Under the Nigerian constitution, an arrested person must be prosecuted before a court to answer charges within a period of one or two days, depending on the distance from the court (1999 Const. Sec. 35). Moreover, if individuals in custody are not tried within the first three months of arrest and detention, they must be released either unconditionally or upon the reasonably necessary conditions that ensure they appear for trial later (1999 Nigerian Constitution. Sec. 35).

Torture

According to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984, art. 1, para.1), torture is described as:

“any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information

or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.” (Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment, 1984, art. 1, para.1).

The International Convention on Civil and Political Rights (1966, art. 7) goes further to note that:

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” (ICCPR, 1966, art. 7).

In the 2018 anti-torture act, the Nigerian government was elected in art. 21 Para. 1 to:

“Ensure that the rights of all persons, including suspects, detainees and prisoners are respected at all times and that no person placed under investigation or held in custody of any person in authority shall be subjected to physical harm, force, violence, threat or intimidation or any act that impairs his free will” (Anti Torture Act, 2017, art. 21 Para. 1).

It goes further to describe such acts of torture in Par. 2 as including:

“2.—(I) Torture is deemed committed when an act by which pain or suffering, whether physical or mental, is intentionally inflicted on a person (a) obtain information or a confession from him or a third person; (A) punish him for an act he or a third person has committed or is suspected of having committed; or (c) intimidate or coerce him or a third person for any reason based on discrimination of any kind.” (Anti Torture art, 2018, ACT. 21 Para. 2).

Instances of torture that arise from the literature and responses from interviews conducted with CSO actors working in the area of police use of force in Nigeria were identified to form content for analysis in this research. This is done in chapter 6.5.3.

Extortion

The United Nations Office on Drugs and Crime (2028) defines extortion as “obtaining property from another through the wrongful use of actual or threatened force, violence or fear.” According to the UNODC (2018), such coercive extortion is like blackmail, an older term used to indicate extortion. The second kind of extortion is described as “under color of office” or “under color of official right.” Here, extortion occurs when public officers take money or property not due to them, whether or not the taking was accomplished by force, threats, or use of fear. Under Nigerian law, Section 99 of the Criminal Code Act prohibits extortion by stating that;

“Any person who, being employed in the public service, takes, or accepts from any person, for the performance of his duty as such officer, any reward beyond his proper pay and emoluments, or any promise of such reward, is guilty of a felony and is liable to imprisonment for three years. (Criminal Code Act in Nigeria, 1994, Sec. 99).”

Instances of all kinds of extortions discussed here were flagged in participants’ responses to interviews.

2.6. Conclusion

In this chapter, the objective has been to operationalize the concepts that make up the conceptual framework for this research. The significant concepts include political ethnicity, which encompasses: tribalism, emphasizing demonization and exclusion of others; ethnic profiling, which occurs when law enforcement, including police officers, base their action on determining who is or is not a suspect on ethnicity, race, religion, or national origin, as opposed to individual conduct or objective evidence; and ethnic politics in which ethnic groups advocate for their interests in diverse ways to secure spaces in political leadership (Adegami, and Uche, 2015:64; Bardhan, 1973; Okogu and Umudjere, 2016). Legitimacy is also a central concept in this research and is defined as “the probability that other authorities will act to conform to the decisions of a given authority” (Tilly, 1985). Another concept is a monopoly on the legitimate use of force, described as one of the state government’s core functions, which is assumed can be influenced by the citizens' perceptions, as influenced by the actions of security forces. It is noted that the security forces of states, including, and especially in the context of this research, the police, must be accountable and effective or face challenges from the public. This is particularly important in multiethnic societies where ethnic mistrust is embedded.

This chapter also defined the use of force in line with international legal and policy instruments such as the 1979 Code of Conduct for Law Enforcement Officials and the 1990 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. These documents specify what is regarded as a permissible use of force, thereby setting the boundaries for what was looked out for in the analysis of interview data for this study. Specific attention is paid to principles of proportionality and necessity while observing other variables, including location and ethnicity. The methodology for the research is discussed in detail in chapter 4. The next chapter is a broad discussion of the literature review for this study.

Chapter 3: Literature review

3.1. Introduction

Considering that the discussion on police use of force in ethnically diverse societies falls under a broader discussion of state-building, the literature review for this research begins by identifying where police use of force is located within the state-building literature. The literature review contains three sections on state-building and legitimacy, state-building and the monopoly on the legitimate use of force, and the legitimate use of force in ethnically diverse societies, particularly Nigeria. The literature review for this study is a traditional literature review aimed at critiquing and summarizing the existing body of literature on the subject (Cronin et al., 2008).

This research on the effects of political ethnicity on police use of force in an ethnically diverse society, specifically Nigeria, is embedded within the broader context of state-building and legitimacy. Therefore, an adequate understanding of existing literature about state-building and legitimacy is required to comprehensively understand the background needed to address the research question. The literature dates back from the writings of Max Weber (1921), Charles Tilly (1985), and Ali Mazrui (1983), to the more recent scholarly papers of von Bogdandy et al. (2005), Moro et al. (2017), Levy (2001), and Van Der Lijn (2017), whose works are discussed to explain the role of the use of force in state-building.

Literature on the links between the use of force, in the case of this research, police use of force, and political ethnicity is derived from the writings of Alemika (1993), CLEEN Foundation (2010), Eynde et al. (2016), and Mutahi and Ruteere (2019). However, literature directly linking political ethnicity to police use of force is scanty and difficult to find. This provides the imperative for research such as this one, which connects the concept of political ethnicity with some occurrences of police use of force.

3.2. State-building and legitimacy

Moro et al. (2017:7) note that the link between state-building and legitimacy is becoming increasingly questioned as perceptions and conceptions of states on the one hand and legitimacy on the other continue to change over time. According to Lund (2006:693), "what is legitimate varies between and within cultures and over time and is continuously (re)established through conflict and negotiation. Somewhat potentially, one could argue that legitimacy's most constant feature is people's preoccupation with it".

According to von Bogdandy et al. (2005:593), state-building “means the establishment, re-establishment, and strengthening of a public structure in a given territory capable of delivering public goods.” In state-building, it is essential to create a monopoly on the legitimate use of force. This does not mean that developing physical force is the main aim of state-building. What it does mean, however, is that the establishment of a state is a “concentration and expression of collective power without the need to exercise coercion” (von Bogdandy et al., 2005:593). This is because the state and its sovereign powers must be widely accepted as legitimate. The foremost source of legitimacy today is the “people,” but in some cases, it goes further than popular legitimacy. In multiethnic states, state failure can also occur because of weakening the “basis” for state structures. This, von Bogdandy et al. (2005) refer to as “nation failure.” Nation failure describes “a process in which the requirements of normal politics, the social substratum essential for the acceptance of majority and redistribution decisions disappear” (von Bogdandy et al., 2005:585).

For example, Ali Mazrui (1983) and a handful of Political Science scholars contend that Nigeria’s ethnic diversity, coupled with the indirect rule by the British, led to a dysfunctional post-colonial modern state.

On the other hand, indirect rule aggravated the problems of creating a modern Nation-State after independence. The different groups in the country, by being ruled in part through their own native institutions, maintained their own separate ethnic identities. Northern Nigeria became particularly distinctive in its fusion of Islam and Africanity. The missionaries were kept out and missionary education (which had helped to Westernize the South fairly rapidly) was relatively inaccessible to large parts of the territory. Different sections of the population perceived each other as strangers, sometimes as aliens, increasingly as rivals and, ominously, as potential enemies. As it happens, the stage was being set for the events which ultimately led first to the military coup in Nigeria in January 1966, then to the slaughter of the Ibo in Northern Nigeria in the same year, then ultimately to the outbreak of a civil war from 1967 to 1970 (Mazrui, 1983)

Pierre Englebert (2007) discussed sovereignty in Africa, asking questions about why, despite the diversity within sovereign entities and differences, there is a shortage of secession around the continent, citing many examples, including Nigeria and Somalia, where ethnic and clan diversity has led to civil wars in the past, but the countries remain sovereign states. Englebert (2007)

suggests this is a result of the nature of sovereignty in Africa; that sovereignty is *de jure*, getting its legitimacy from the international community as opposed to being given by the people (Englebert, 2007). Englebert (2007) hints at a source of state legitimacy here, “the international community.” In this sense, recognition from the international community as a state gives states the legal rights to perform state-building essentials, such as claiming the monopoly on using force. This kind of legitimacy has consequences which is discussed subsequently.

Still, on the discussion of legitimacy, Karlsson-vinkhuyzen (2015) argues that the most fundamental distinction in analyzing legitimacy in relation to political orders is between its normative and sociological connotations. Normative connotations of legitimacy refer to the fundamental “what should be” justification of exercising authority, while sociological connotations refer to societal acceptance of expressions of authority. The societal acceptance of the authority of governance can be seen as a requirement linked to theories of democracy.

As discussed in chapter 1.8, to Weber (1921), legitimation can occur when three justifications of state power exist. First, the authority of the 'eternal yesterday,' i.e., of the mores sanctified through the unimaginably ancient recognition and habitual orientation to conform. This is 'traditional' domination exercised by the patriarch and the patrimonial prince of yore. There is the authority of the extraordinary and personal gift of grace (charisma), the absolutely personal devotion, and personal confidence in revelation, heroism, or other qualities of individual leadership. This is 'charismatic' domination, as exercised by the prophet or--in the field of politics--by the elected war lord, the plebiscitary ruler, the great demagogue, or the political party leader. Finally, there is domination by 'legality,' by the belief in the validity of the legal statute, and functional 'competence' based on rationally created rules. In this case, obedience is expected in discharging statutory obligations. This domination is exercised by the modern 'servant of the state' and by all those bearers of power who resemble him in this respect.

Weber's (1921) assertions are most relevant to today's modern state in sub-Saharan Africa. This is evident in the democratic voting patterns in Nigeria, where citizens vote for individuals as opposed to party ideology, and the majority vote is taken as the legal winner and consequent leader. Bearing in mind that this is not a discussion about leadership but state-building, it is important to highlight “how leaders are legitimized in states,” as leadership forms an integral part of state-building.

In his book, “*Democratic Legitimacy*,” Pierre Rosanvallon (2011) examines democratic legitimacy, arguing that albeit widely accepted by all as the procedure for accepting legitimate government, majority vote, and democratic elections conflates a principle of justification with a technique of decision. As with democracy and elections comes the assumption that the majority is the whole, which is not the case (Arendt, 1973; Rosanvallon, 2011).

In contrast, Hannah Arendt (1973), discussing the origins of totalitarianism, notes that the success of totalitarian movements among the masses meant the end of two illusions of democratically ruled countries in general and of European nation-states and their party system in particular. Firstly, it meant an end to the illusion that the majority had taken an active part in government and that each individual was in sympathy with their party. It showed that the masses could easily be the majority in a democratically ruled country, meaning that democracy could also function according to rules actively recognized only by a minority. Secondly, another democratic illusion that ended was that politically indifferent masses did not matter. They were neutral and made up of no more than the inarticulate backward setting for the nation’s political life. Arendt’s (1973) work shows that democracy, whether as a minority or as a majority rule, comes with complications for “whole” legitimacy.

In conclusion, legitimacy, in whatever way it is derived, is central to state-building. Internationally derived legitimacy without local support can bring about internal challenges to the monopoly on the use of force from within the state. In contrast, internal legitimacy is constrained by contestations between normative and sociological derivations such as democracy which connotes majority acceptance as legitimacy, assuming that the majority is the whole, which is not the case. Weber (1921) mentions other legitimation factors, such as eternal yesterday, charisma, and legality, all categorized as internal legitimation processes. In essence, the success of legitimation is a significant ingredient for less tumultuous state-building. In relation to police use of force, state legitimacy plays a role in determining how legitimate the police force of a state is perceived. In this sense, police use of force that is considered excessive against citizens is likely to lead to perceptions of the illegitimacy of the police force. This is because the police force as law enforcement is charged with service delivery of security as a public good, excessive use of force is considered poor service delivery reflecting on the government and thereby affecting citizen perceptions of government legitimacy (von Bogdandy et al., 2005:593).

3.3. State-building and the monopoly on the legitimate use of force

According to De Heredia (2017:46), some discussions on state-building see the state as an institution of protection and social change, following a definition of state-building as a "process necessary to foster peace, promote democracy and enable economic development after conflict." As such, states and state-building consequently have poverty, war, and oppression as the effects of state failure, while still being perceived to embody liberty, development, and peace ideally. The implications of such discussion for legitimacy in state-building, as well as the monopoly on the legitimate use of force, is that, firstly, it turns state-building into authority without the need for popular consent. Secondly, it maintains legitimacy in the face of failure (De Heredia, 2017:46). The legitimacy of using force refers to a socially constructed system of norms, values, and beliefs held by the national community of citizens that accepts or rejects the state's formal mode of using armed force (Levy, 2021).

As mentioned several times thus far, a starting point to any given discussion on the legitimate use of force in state-building is Weber's "*Politics as a Vocation*," where he discusses the concept of monopoly on the legitimate use of force as the foundation of the modern state. Charles Tilly (1985) also defines a state in terms of the use of force following Weber's (1921) definition.

State legitimacy is discussed here as a necessary condition for the justifiable use of force by the police in any given state (Jackson and Bradford, 2010:1). As has been discussed in the previous section, legitimacy has different meanings in different societies and varies between and within cultures and over time, changing, and redefined by conflict and dialogue (Lund, 2006:693).

3.4. Relevance of the monopoly on the legitimate use of force today

The relevance of Weber's (1921) definition of a state as an entity that can claim the monopoly on the legitimate use of force has been challenged by scholars since the official end of the Cold War in the late 1980s. The challenge is not to the place of the use of force but the "monopoly" on the use of force. This is a result of the emergence of new realities that challenge states' monopolies on legitimate violence, such as globalization, privatization of security, failure of states to provide security as a public good, and the resultant sectarian politics that ensue, as in the case of Nigeria with the rise of regional vigilante groups such as Amotekun, (Kabir, 2021, Van Der Lijn, 2017). One such scholar who challenges the monopoly on the legitimate use of force is Michel Foucault (2006:6), who argues that the state is not a "natural historical given" that develops through its

dynamism. Instead, the state is a correlative of a particular way of governing. Foucault's (2006) views on states argue against states' definitions in universal terms but instead, opt for definitions of states that are unique to how entities are governed.

“I would like to point out straightaway that choosing to talk about or to start from governmental practice is obviously and explicitly a way of not taking as a primary, original, and already given object, notions such as the sovereign, sovereignty, the people, subjects, the state, and civil society, that is to say, all those universals employed by sociological analysis, historical analysis, and political philosophy in order to account for real governmental practice” (Foucault 2006:2).

A strong argument that can be deduced from Foucault's (2006) arguments against other definitions of a state and indeed Weber's definition of a state as an entity able to claim the monopoly on legitimate violence is that it forces states to adopt and assume specific universal rules that define it and prevents the development of other ways of governing besides the use of force.

Through Foucault's lens of how a state should be defined, a more apt definition of a state, particularly in the context of African states, and borrowing from Weber's (1921) assertion on the central role of violence in state-building, the argument, in the case of sub-Saharan African states can therefore be altered from describing a state as an entity that can claim the *legitimate* use of force, to an entity that can claim the *legal* use of force and has *sufficient means to back its claim*. ‘Sufficient’ refers to a state's security capacity to enforce laws through its threat of, or actual, use of force to the extent that the government, its officials, and agencies are protected from attacks. This argument is made by Peirre Englebert (2007), who argues that the nature of sovereignty in Africa is *de jure*, arguing that states only exist due to legal claims and rights that the international community has given them and not by popular legitimacy.

Definitions of the state as the entity able to claim a monopoly on legal violence are relevant to modern African states as recent history has demonstrated that African states are held together by the threat of, or actual, use of force (Englebert, 2007; Moro, et al., 2017). Protests are disbanded by threats of and use of force by African state governments, and marginalized groups are kept on the margins by the threat of force from the government. Therefore, although the legitimacy of this claim to the use of force by African states is questionable, it is what keeps the state's claims of sovereign rights from being infringed on by internal threats.

What has been gathered in this section of the literature review is that the use of force, whether legitimate or illegitimate, is a significant ingredient for defining a state. Moreover, more recent works on the use of force by Van Der Lijn (2017) demonstrate the central importance of the use of force for the future of states worldwide. Van Der Lijn (2017:1) presents a similar argument to that of Weber and Tilly, noting that the core of a state's monopoly of force is that the state is the guarantor of both internal and external security, arguing that the concept has worked in some states around the world, but remains largely problematic albeit remaining the ideal type of security governance adopted by most states. A broader discussion on political ethnicity, legitimacy, and claims to the legitimate use of force in Africa is discussed in section 3.6. of this chapter.

3.5. The modern state in Africa, sovereignty and challenges of diversity

Jackson's (1986) narrative and analysis of the origins and progress of sovereignty in Africa gives a detailed explanation of the kind of sovereignty and statehood that existed and still exists in Africa today. As far back as the 1980s, Jackson (1986:248) described sovereignty in Africa as "negative sovereignty." He based his argument on the fact that in Europe and the Americas, the internal legitimacy of sovereignty came to rest, at least in theory, on a principle of popular consent; "national self-determination." Jackson compared the increasing number of states born out of former colonies to the various city-states, monarchies, republics, confederations, and different other emergent states of Europe, which eventually found an alternative *Societas Chritiana* on which their independence and intercourse could be legitimately based. This was a practice of dynastic legitimacy (the right of inherited and established states to international recognition sufficed as the constitution of European international society until the French revolution). This dynastic legitimacy was destroyed in the 30 years war, and "out of the debris of dynasticism, new nation-states were formed' (Jackson, 1986:248).

Fast forward to the 1950s, when European colonizers began to leave Africa, newly created states were mostly former colonies of trust territories of European colonizers. The implication of this was the clustering together of different ethnic, tribal, and clan groups. "The average sub-Saharan African state is culturally multinational and contains numerous "ethno-nations," often ten or more, of which usually only a few have populations running into the millions" (Jackson, 1986:250). Jackson (1986:250) described these new states as simply 'European artifacts' because states in Africa were created with the assumption that Africa could only be integrated into an expanding

international society by giving the colonies and mandates independence without canvassing African public opinion too closely because of fears that if scientific plebiscites on self-determination were held, there would be too many small states within Africa and none of the current states in Africa would remain. According to Jackson (1986:250), “the territorial concept of nationality avoided this danger, and was resorted to, in determining the shape and identity of African states and their consequent claim to international legitimacy.”

Jackson (1986) argues that African sovereignty, as an essential characteristic of the modern state, had remained embryonic since African states gained independence and might continue to stay embryonic for a long time. This prediction also turns out to be the current reality, as African states have failed to move past the inherited and colonial artifact, the current modern state (Englebert, 2007).

For clarity, a distinction is made between sovereignty and statehood here as follows: Sovereignty is defined in two ways according to De Benoist (1999); the first definition refers to a “supreme public power, which has the right and, in theory, the capacity to impose its authority in the last instance.” This definition is concerned with the independence and freedom of a collective entity to act for the good of the collective. The second definition refers to “the holder of legitimate power, who is recognized to have authority” (De Benoist, 1999:99). The second definition also refers to popular sovereignty and concerns power and legitimacy. Both definitions of sovereignty apply in this research. The former is used when international sovereignty is discussed, as in Jackson’s (1986) and Englebert’s (2007) statements above, while the latter refers to local sovereignty. On the other hand, a state refers to “a form of a political association, and political association is itself only one form of human association” (Kukathas, 2014:357). To define the state is to account for its kind of political association and to describe its relation to other forms of human association and in different types of human collectivity more generally (Kakathas, 2014). Therefore, to avoid further deviation from the focus of this research, the characteristics of a state is used to describe a state as presented by (Jackson, 1986) to include; territory, government, people, and sovereignty.

Since each was granted independence, the task of sub-Saharan African states has been state-building, which sometimes departs from a peacebuilding premise regarding states emerging from conflict. Numerous kinds of literature discuss and provide analysis on these subjects. For example, Ali Mazrui (1983) discusses the emergence of the modern state after independence in Africa. He

probes the contestations between the traditional African political entities, formations, and the modern state. According to Mazrui (1983), the state was not a universal category in pre-colonial Africa. Africa is said to have a triple political and cultural heritage, including the indigenous, the Islamic, and the western. These heritages have interacted and led to the current realities of the modern state in Africa. To him, the modern state's defining characteristics include having a centralized authority, legitimacy of the use of physical force, and other less defining features such as a financial system and a centrally supervised judicial system.

Mazrui (1983) notes that African state formation is linked to the three cultural and political heritages. While some states were created purely out of indigenous forces, some were made of interactions between indigenous and Islamic elements. Others were outgrowths of fundamental interactions between indigenous and Western components. There are cases where all three interacted to form a state.

In tackling the challenges of weak African states, Mazrui (1983) asks why pre-colonial state formations were difficult to reconcile with the demands of post-colonial statehood. He concludes that this is a result of the normative and moral gap between precolonial African state formations and the demands of post-colonial statehood as one reason. The second reason has to do with the attitudes towards territoriality. Precolonial societies valued land as a platform for agriculture and a place to bury their ancestors, while the modern state values land as an instrument of power and sovereignty. To him, this dichotomy is yet to be resolved and creates an area of contestation between the two.

Aliya et al. (2005:2), in their positivist study of the salient effects of ethnicity on state-building, observed that higher ethnic fractionalization is found to be correlated with slower economic growth, higher incidence of civil conflicts, weaker state capacity, and under-provision of public goods. These implications are severe in Africa because of the political ethnicity that is a negative byproduct of Africa's diverse ethnic groups. Aliya et al. (2005) trace ethnic rivalries in Africa to colonized periods and the different strategies used in colonizing Africa. They concluded by stating that the British approach of indirect rule led to a more fragmented society in African states, which fostered ethnic rivalries between groups. The following section further discusses the effects of Africa's diversity on state-building as political ethnicity.

3.6. Political ethnicity, legitimacy and claims to the legitimate use of force in Africa

The effects of clustering significantly different ethnic groups into a single territory as a state is, among other things, what Ake (1993:2) describes as *political ethnicity*. He argues about the non-existence of a “problem of ethnicity” at a time when scholars equated ethnic diversity with problems of the modern state. This view is also traced to the fact that ethnicity is now popularly conceived as something constructed, invented, or created (Anderson, 1983; Sharp, 1988; Cohen, 1978). As discussed in chapter 1.8, Ake (1993:1) argues that while ethnicity is undoubtedly a created phenomenon, does not make them less real than states themselves. According to Ake (1993):

Colonial rule, which amalgamated disparate ethnicities into the chaos called the colonial state, largely created the fluid abstract ethnicity which is so evident today by dissociating ethnicity from autonomous polity and territoriality (Ake, 1993:1).

Ake (1993:2) describes political ethnicity as “politicization and transformation of ethnic exclusivity into major political cleavages.” Political ethnicity is a challenge for achieving some of the aspired, ideal characteristics of a modern state, such as a sense of a unified national identity within the population. This has a role to play in the political stability of any given modern state.

For the sake of clarity of this research, and as discussed in chapters 1.8 and 2.2., political ethnicity encompasses ethnicity and tribalism. Several Anthropologists and Political Scientists, including Archie Mafeje (1971:254), distinguish between the two. Mafeje (1971) sees tribes as an undifferentiated society practicing a primitive subsistence economy and enjoying local autonomy. This is on the bases that if such a society strives to maintain its basic structure and local autonomy, even under changed economic and political conditions, it exhibits tribalism. Mafeje (1971) further argues that it is a severe transgression to impose the same concept on societies that have been effectively penetrated by European colonialism, and that have been successfully drawn into a capitalist money economy and a world market. Many social scientists, including Anthropologists, Sociologists, and Political Scientists such as Cohen (1978), Jenkins (2008), Mafeje (1971), Sharp (1988), and Weber (1921), have come to acknowledge ethnicity as a socially constructed phenomenon. However, the reality of ethnic groups cannot be neglected, following Ake’s (1993) argument above. Nonetheless, ethnicity is not a fossilized determination but a living presence produced and driven by material and historical forces. It begins, becomes, and passes away. In this

research, political ethnicity is linked to the weakness of legitimate claims on the use of force in African states, specifically Nigeria, and the resultant insecurity.

Englebert (2007) argues that *de jure* legitimacy, which exists in many African states today, gives the state the legal right to use force to uphold constitutional laws. Following this argument, the election of governments means that new governments are presented with the opportunity by the international communities' recognition to create states based on democratic principles of majority rules. In the case of most African countries, the views of the minorities remain silenced, and opposition to elected governments are oppressed by the threat of or use of force by government security forces (Igba and Liaga, 2021:52). The monopoly on the use of force comes into play here, through various security agencies.

Silencing of dissenting voices fuels division, which may push ethnic minorities to retaliatory actions in many instances as they clamor for their rights (Igba and Liaga, 2021:52). Examples of this scenario are the events that culminated in the Nigerian Civil War 1967 to 1970, as well as current secessionist threats from the Indigenous People of Biafra (IPOB) in Nigeria. Here, IPOB consisting of predominantly Ibo people of Nigeria, cites marginalization as a reason for secession and requests a referendum to vote on whether to stay or secede, a request that has been ignored by the Federal Government of Nigeria (Gaffey, 2015). In September 2017, the Federal High Court of Nigeria labeled IPOB a terrorist organization, and the group has been met with force ever since (Office of the High Commissioner for Human Rights, 2020:1; Ojoye, 2018). How can states build legitimacy that is not only derived from international recognition of the appointed government but also domestically grown? What contribution would this have to sustainable conflict resolution and state-building? What does legitimacy even mean, especially at the domestic level? Trust? Recognition? Respect? (Igba and Liaga, 2021:52). The link between political ethnicity and the legitimate claims to the use of force also follows the assumption in this research that political ethnicity in any given system of government results in the marginalization of minorities, and without consensus on a definition of legitimacy that considers minorities, legitimacy is undermined in democratic systems.

In conclusion, ethnicity is not a fossilized determination; it is living, present, existing as produced and driven by material, historical and current realities. Ake (1993) notes that it begins, becomes, and passes away. In rural Africa, the expropriation of the means of production is yet to occur. In

these circumstances, rural people own or have access to some of the means of production, which still produce value for their communities. In this regard, these places in Africa remain pre-capitalist and pre-industrial, and as a consequence, pre-capitalist social structures such as ethnic groups and their associated forms of consciousness will prevail (Ake 1993). What remains unexplained is how ethnicity has remained strong despite the advent of capitalism in places considered more developed in Africa. The strength of capitalism is evident in reproducing ethnic solidarities even in urban settings. Ake (1993) attempts to conceptualize ethnicity in politics and terms it political ethnicity: “the politicization and transformation of ethnic exclusivity into major political cleavages.”

3.6.1. Federalism in Nigeria as a solution to political ethnicity

Federalism in Nigeria was introduced during the colonial period as part of the preparations for Nigeria to become an independent state. According to Majekodunmi (2015), moving to federalism was not intended to ensure unity amongst Nigerians but a convenient arrangement for both the colonial rulers and the political elite at the time. This foundation, however, led to the events that culminated in the outbreak of a civil war at the end of the first republic in 1966. Federalism was introduced in 1954 and comprised a national government and three regional governments: Eastern, Northern, and Western. The federal system was maintained post-independence; however, after 1966, the new federalism was increasingly tweaked until it resembled a unitary system (Onyishi et al., 2021:142).

Federalism has been argued to be the ideal form of governance for large and diverse states such as Nigeria. According to Mazrui (1971:300), “it is not only democratic but complete with the institutionalization of most essential ingredients; it is creative and flexible enough to incorporate several accommodation formulas.” Majekodunmi (2015:111) argues that Nigeria’s adoption of the federal system was not a strategy to manage problems of the pre-independence period but, more importantly, an enduring strategy that would help detonate a significant source of threat to the future political stability of an independent Nigeria. This reinforces the critical argument in this chapter that there is an absence of popular and internal legitimacy in sub-Saharan African states such as Nigeria because of the historical reality of colonialism and the role it played in the emergence of the modern state in Africa. As is discussed in chapters 6.3 and 8.2, the version of federalism practiced in Nigeria remains intricately linked to manifestations of the use of force perceived as being influenced by political ethnicity. Moreover, the argument on sovereignty also

suggests that the federal structures were put in place without consideration for filling the void that would be left by the ‘British colonialists-backed central government’ once Nigeria gained independence. As an apparent consequence, shortly after Nigeria gained independence, the three regions of Nigeria, later four, became more powerful than the center because of the devolution of powers to regions which ensured that each region operated as autonomous federating units (Onyishi et al., 2021:142). In this sense, they each had their head of government called a premier and operated their laws and constitutions.

Regional police forces operated in each region, and each region had representatives in foreign countries like ambassadors but given the designation of agents. As a consequence, the regions did not depend on the center for fiscal or administrative governance. However, the regions became too powerful, and according to Majekodunmi (2015), it made the center significantly weak, that the entire system became less meaningful as a federal system, as the degree of autonomy of the region caused them to treat the Federal Government with disdain.

After 1966, successive military governments in Nigeria proceeded to dismantle federal structures in favor of more unitary structures through the various constitutional changes that saw states created to replace the regions (Majekodunmi, 2015; Onyishi et al., 2021:142). The newly created states were significantly weaker than the Federal Government and remain so today. The military regimes in Nigeria coincidentally ruled Nigeria at a time when the oil boom took place. This same period saw crude oil become Nigeria’s number one natural resource, deposing cocoa, palm oil, and ground nuts. The crude oil was discovered in areas dominated by minority ethnic groups. This motivated the military regimes to create a powerful central government that could control the country's natural resources and fiscal administration (Majekodunmi, 2015:110; Romanova, 2007). The Nigerian Civil War ushered in a new era of military rule that made sure the federal structure that brought about such autonomy reversed to what resembles a unitary system. Developing a system of federalism that will accommodate Nigeria’s diversity will depend on structures that give states autonomy without necessarily weakening the Federal Government.

3.7. Linking political ethnicity with the use of force in sub-Saharan Africa

As noted in the introduction to this research, policing is a controversial issue in diverse societies where cultures, religions and competing national identities challenge the existing order and where the police have yet to develop the capabilities to engage with diversity and overcome their own

biases and prejudices (Ben-Porat, 2008). Several factors can drive police use of excessive force, and in diverse societies with multiple ethnicities or races, there is a tendency for the use of force by police to be triggered by these factors, as is the case with racial profiling of African Americans in the United States (Chaney and Robertson, 2013). As a unit of analysis in this study, policing can be studied to explore further the legitimacy of the claims to the use of force and the role that political ethnicity plays in police use of force in Nigeria.

As was mentioned in chapter 1.1, traces of a link between political ethnicity and how police exercise the use of force can be found throughout world history (Eynde et al., 2016: Alemika, 1993). Throughout the history of colonialism in most sub-Saharan African states, and until the present day, existing literature has shown the links between claims to the legitimate use of force, police violence, and political ethnicity. For example, using a panel of 6784 Kenyan police officers, Eynde et al. (2016) demonstrated that the rise of ethnic politics encroached on the behavior of Kenyan police officers during Kenya's independence period between 1957 and 1970. They concluded that behavioral changes in police officers were due to the rise in ethnic politics.

As per the research questions posed in this research, the role that political ethnicity plays in police use of force can be seen in the links between political ethnicity and police use of force in Nigeria. The links between police violence and political ethnicity have been most glaring during elections in Nigeria, as discussed in chapter 1.1, as well as in the disparities between regions in their reaction to the #EndSARS protests of October 2020, as discussed in Chapter 1, section 1.1. With regards to research question 2, and the disparities in use of force from region to region, more links are also made in the analysis chapters 6 and 7 with regards to security force ethnic profiling and bias against certain groups including in the Southeast and Northeastern regions. Regardless, information on the link between political ethnicity and police use of force is scanty, just like information on other aspects of policing in sub-Saharan African states, as Marenin (2009) made the below argument:

“There is little in the way of a systematic literature on how the police think and work: e.g., the values and priorities of their occupational culture; kind and quality of training; how they are deployed; how rank and file are rewarded and sanctioned; the gender, ethnic, career or age composition of personnel; what impact police work has on crime or order; or how managers control and guide their forces. Even the most basic information and

analyses, which are the bread-and-butter issues and products of police studies elsewhere, are missing” (Marenin, 2009:352).

Marenin (2009:353) further argues that there are practical difficulties in conducting police studies in Africa, which explains the scarce literature on some aspects of police use of force today. Access to some information on policing might be considered a criminal offense because the police are considered a state secret in some of these countries. These form part of the limitations of this study as are discussed in chapter 4 on methodology.

3.8. Human rights law and policing in diverse societies

So far in this chapter, a discussion on state-building, state legitimacy and the monopoly on the legitimate use of force has been had. It has been argued in section 3.5, that the nature of the modern state in Africa gives international legitimacy to African states even where local legitimacy is lacking, leading to unchecked use of force by state government security apparatus such as the police. This makes it difficult to link international law and human rights to the reality of police conduct in sub-Saharan African states such as Nigeria. However, to know where and when human rights are being infringed on by either local law standards, or police conduct in Nigeria, it is imperative that an understanding of existing human rights instruments be discussed. Every state is primarily responsible for ensuring the security protection of human rights as contracting parties to the relevant international treaties. Nigeria is a party to many human rights treaties including the Universal Declaration of Human Rights (UDHR) 1948, and the International Convention on Civil and Political Rights (ICCPR) 1966. The (ICCPR) 1966, is of importance to this study as it is the source document that addresses the use of force in diverse societies.

Under international law, the International Covenant on Civil and Political Rights (1996), addresses human rights and state responsibility in matters relating to diversity. It does this in Article 26, which stipulates equality before the law irrespective of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. It also, does this more significantly, in Article 2(1), where the state undertakes to respect and ensure all rights without distinction to these characteristics. This fundamental duty of non-discrimination then applies to all rights implicated by the security sector (6, 7, 9, 10, 14, etc.)

Article 2. 1., each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present

Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or another opinion, national or social origin, property, birth or other status. The research studies the police use of force in multi-ethnic societies in relation to how the rights mentioned above are violated/ensured. It is observed that while these laws are available, their enforcement is challenging for governments of multiethnic states in Africa. This is discussed in broad detail in chapter 5.3. with chapter 6 elaborating on these violations in terms of political ethnicity.

3.9. Conclusion

The literature review for this study has followed a traditional literature review that summarizes existing literature pertinent to the effect of political ethnicity on police use of force in Nigeria. It discussed literature from general state-building to specific literature addressing the use of force and policing in diverse societies, and finally, specific literature on the role of political ethnicity in the use of force in Nigeria.

There is a large amount of literature on the general topic of police use of force, state-building, and ethnic politics. There is however scarce literature pertinent to this research which demonstrates a link between police use of force and political ethnicity in Nigeria, hence the need for this study. This chapter has discussed literature on state-building and legitimacy, as seen by scholars such as Moro et al. (2017) and Lund (2006), who contend that legitimacy changes over time and is different from culture to culture, von Bogdandy et al. (2005), who believe that legitimacy has a link with democracy and is defined in terms of its derivation from the people.

On the nature of legitimacy, the chapter looked at works of scholars such as Englebort (2007), who discusses the nature of legitimacy in Africa and how legitimacy is largely derived from the international community with little emphasis on popular, people-given legitimacy from within the state. The works of Hanna Arendt (1973) and Pierre Rosanvallon (2011) on democratic legitimacy were also discussed to show how democratic legitimacy conflates the majority with the whole, to the detriment of minorities, and could easily lead to totalitarianism.

The central role of the monopoly on the legitimate use of force in state-building is discussed by scholars such as Levy (2021), Weber (1921), and Tilly (1985). These authors generally agree on the central role of the use of force in state-building in a modern state. Van Der Lijn (2017) also discusses the role of a legitimate claim to the use of force for the future of the modern state. Counter-arguments against the use of force and violence and definitions for states can be found in

the works of Foucault (2006), who is against definitions of states in universal terms, opting for definitions based on how individual states are governed.

This chapter further discussed diversity in Africa and the modern state, tracing the problematic nature of African state-building to colonial legacies that merged different ethnic nations, leading to the current ethnic rivalries. Works of scholars such as Jackson (1986), Englebert (2007), Mazrui (1983), and Aliya (2005) are discussed in this regard. The chapter also explored some of the literature on federalism in Nigeria as a solution to the crises of legitimacy and the use of force in a multiethnic society. This was followed by a discussion of Ake's (1993) concept of political ethnicity, which describes the "politicization and transformation of ethnic exclusivity into major political cleavages." With the help of works of scholars in the area (Alemika, 1993; CLEEN Foundation, 2010; Eynde et al., 2016; Mutahi and Ruteere, 2019), a link was demonstrated between political ethnicity and police use of force in Nigeria and most prominent during election periods.

Generally, information on political ethnicity and the use of force by police is difficult to find in Nigeria, and consequently, so is literature on the topic. This reinforces the need for this research. Given the complex and challenging nature of obtaining data directly from the police in the state under study, CSOs were turned to as participants for this study to establish a link between police use of force and political ethnicity in Nigeria. The methodology for this research is discussed in the next chapter.

Chapter 4: Methodology

4.1. Introduction

This study, aimed at exploring the role of political ethnicity on police use of force in Nigeria, is carried out using an interpretivist worldview that focuses on a deep, subjective understanding of reality through social interactions (Dudovskiy, 2016). This chapter elaborates on the data sampling, collection, interpretation, and analysis used in this research. Many research designs are available to implement research in the interpretivist paradigm. For the phenomenon being studied in this research, the case study research design is adopted, as described in chapter 1.11 of this thesis. Case study designs investigate a unit of the real world, such as an institution like the police, an individual, a group, or a community, to identify evidence available in the case setting that may be abstracted and collected to answer the research question posed (Gillham, 2000:1). The Nigerian Police Force is the institution being studied in this research. The study is intended to identify the roles that political ethnicity plays in individual police officers' use of force.

In keeping with approaches of an interpretivist paradigm as well as the case study research design already chosen, the research adopts a qualitative research approach aimed at exploring meanings that individuals or groups ascribe to the social phenomenon (Creswell, 2009:3). To understand what role political ethnicity plays in force users' attitudes towards individuals they may use force against, this study observes police behavior as seen and understood by members of CSOs working in the area of police. In qualitative research, an ample range of data collection methods exists for researchers to adopt. This study uses semi-structured interviews with individual police officers on the one hand and members of CSOs on the other. Having already discussed these above aspects of the methodology in the chapter 1, attention is now directed towards the sampling, data collection, and interpretation of data used in this research.

4.2. Research paradigm: interpretivist

According to O'Reilly (2009), interpretivism "refers to epistemologies, or theories about how we can gain knowledge of the world, which loosely rely on interpreting or understanding the meanings that humans attach to their actions." In this sense, this research is focused on understanding the meanings that actors of CSOs in Nigeria attach to the actions of police using force.

Interpretivist research deviates from positivist research which is based on objectivity. Ethnography, regarded as interpretivist, emerged out of positivism through a quest by many British researchers attempting to replicate the work of Émile Durkheim in a search for science that studies society in a similar way to natural sciences. O'Reilly (2009) notes that Durkheim argues that social facts could be compared to other natural phenomena, and thereby studied as external things to the individual, as they can also influence actions, behaviors, ideas, and beliefs. As time went on, however, this kind of approach was rejected as a way to study society partly because it paid little attention to individual participation and treated human behavior objectively, ignoring the effects of participation (Radcliffe-Brown, 1952; O'Reilly, 2009). O'Reilly (2009) notes that interpretivism started as a critique of positivist assumptions applied to studying society and human behavior.

In the same vein, data collection in interpretivist research is different from positivist data collection. Whereas positivist researchers will gather the data as if they had some ontological priori and appear to have independently existed or had never been discovered, data collection in interpretivist research is treated as conceptual interaction with documentary materials and observed events (Yanow and Schwartz-Shea, 2015). This also goes for the process of gaining access to participants for research. Yanow and Schwartz-Shea (2015) argue that access should be treated as a matter of human relationship that needs to be created, fostered, and nurtured continually over time. The researcher must have the skills to promote this kind of relationship; in this research gaining access to participants entailed communicating with CSOs who are members of the Network of Police Reform in Nigeria (NOPRIN). Initially, an agreement was reached with the NOPRIN Foundation before each organization was reached out to and agreed to participate.

In terms of interviewing, interpretivist interviews, according to Yanow and Schwartz-Shea (2015), should be more than just surveys and a list of questions with objective answers, they should gain an in-depth and subjective understanding of the topic. The researcher in interpretivist research should be able to draw from other sources of evidence besides narratives. Ethnography, participant-observations, and other methods also draw on observing what people do, with varying degrees of researcher participation in those acts. In this regard, semi-structured interviews were chosen as a data collection method, and are analyzed alongside media reports.

4.3. Data sampling

The term sampling is questionable by qualitative researchers as appropriate for doing qualitative research. In this research, sampling refers to how CSOs to be studied were chosen. This was done through a purposive sampling of members of CSOs working in the area of police use of force from six geopolitical zones in Nigeria. Purposive sampling is a way of setting up a collection of deliberately selected cases, materials, or events for constructing a corpus of empirical examples for studying the phenomenon of interest in the most instructive way (Flick, 2007). Each chosen participant's expertise is also considered in the sampling. The selected participants were not just random members of CSO actors but specifically those in the organization who have worked extensively with police around the regions and provided an excellent source of first-hand information about police conduct across the country. Furthermore, interviewing CSOs across the country provided an excellent exploratory explanation of the role of political ethnicity on police use of force in Nigeria.

4.3.1. Purposive sampling

Purposive sampling was used in this research to identify states within each regions in Nigeria where samples were to be collected to answer the research question. Priyadarshini (2020) notes that purposive sampling is used when the researcher intends to select the information that best captures the cases that provide rich insights into the research question and may best convince the audience of the outcome of the research. The information gathered from the six geopolitical zones was compared to reflect and understand the disparities between the zones. Each zone comprises significantly different ethnic group with very different cultures and religions. The six geopolitical zones in Nigeria include Northeast, Northwest, Northcentral, Southeast, Southwest, and South-south.

To elaborate on discussions about Nigeria's ethnic dynamics which informed data collection in this research, the Northeast and Northwest are predominantly made up of Hausa/Fulani ethnic groups and a few minority ethnic groups. In this region, Islam is the major religion, accounting for a substantial portion of Nigeria's estimated 78,056,000 Islamic population, about 50 percent of the country's population as of 2009 (Grim, 20011). The Northcentral is centrally located and can be argued is one of the most heterogenous regions in Nigeria in terms of religion, and ethnicity. Southern Nigeria has three geopolitical zones: the Southwest, Southeast, and South-south. While

the South-south consists of several ethnic groups, the Southeast consists of ethnic Ibo people, while the Southwest comprises ethnic Yoruba people. The major religion across these three regions is Christianity, making up most of the Christian population in Nigeria (Adeyemi et al., 2019; Ayoola et al., 2015; Nkwocha, 2010:26; Udalla and Ezegwu, 2011).

Priyadarshini (2020) notes that the logic and power of purposive sampling rests on the in-depth study of information-rich cases, which allows the researchers to learn a great deal about the issues being studied. This is done following Patton's (1990:181) observation that during the process of developing the research design, the researcher focuses on identifying arguments that will give credibility to the study and those that will be used to attack the findings. In this study, bearing in mind the time, access, as well as financial constraints, interviews were conducted with groups who are assumed to have experienced direct encounters with the subject of police use of force in the context of political ethnicity. The groups include members of CSOs working in the area of policing. The groups are chosen not because they are the only groups that encounter the phenomenon being studied but because they are the more easily accessible and quantified given the time and resource constraints of the research. This approach follows the pragmatic nature of purposive sampling (Priyadarshini, 2020). In this regard, it is essential to note that although there are very theoretical aspects to qualitative inquiry, considerations should also be given to solving practical problems that plague society today. In qualitative research, it is not necessary to have worked out theoretical positions from the get-go. These choices are made for pragmatic reasons, according to (Priyadarshini, 2020), as it helps seek out the richest information and the most appropriate comparisons within the resources available. This is also done with an eye on the audience for the research. These are the fundamental dimensions of pragmatic, purposeful, or judgment sampling strategies. These points are observable in the choices made in collecting and analyzing data in this research.

4.3.2. Sample structure

Other explanations for the sampling structure is clarified in chapters 5 and 6 where it is observed that the police use of force and the security dynamics differ in each of the regions selected. While most northern areas face such security challenges as the Boko Haram insurgency and the Fulani-herders' terrorism (Baderinwa, 2019), southern states such as Imo and Delta states face challenges of separatist movements (Adangor, 2017). These illegal activities have been used, as is discussed

in chapter 5 and 6 to label individuals as suspects whenever police use of force is questioned in Nigeria.

4.4. Data collection

There are several methods of data collection in qualitative research ranging from observations to textual or visual analysis such as from books or videos, and interviews of individual or group (Gill, 2008). The data collection for this research was guided by the research issues discussed in the literature overview and collected from textual evidence from media reports, NGOs, and government reports. The primary source of data was collected through semi-structured interviews of members of CSOs working in the area of police use of force in Nigeria. Semi-structured interviews are useful when the researcher intends to explore participants' thoughts, beliefs, and feelings and collect qualitative, open-ended data (Carruthers, 1990). It is also used when the researcher will not get more than one chance to interview the participants (Bernard, 1988). These goals are critical in this research as the individual members of CSOs might have experienced police use of force differently, leaving room for additional questions to be asked to accommodate aspects not captured in the predetermined questions. The interview questions were formulated explicitly based on what was needed to achieve the research objectives and answer the research questions. To reiterate the research objective and question; while acknowledging that police use of force can be driven by more than one factor, the primary objective of this research is to explore the role of political ethnicity in the claim to the legitimate use of force in Nigeria by answering the central research question: What role does political ethnicity play in police use of force in Nigeria? The above research objective and question are detailed with sub-questions in chapter 1.3 to 1.5.

4.4.1. Data Analysis: a thematic and critical analysis of semi-structured interview data

According to Maguire and Delahunt (2017), the qualitative researcher is often described as the research instrument. This statement is as accurate as the researcher's ability to understand, describe and interpret experiences and perceptions to uncover meaning, circumstances, and contexts. Rocks et al. (2007) argue that interview analysis in qualitative data occurs during the data collection phase itself as the researcher already begins to make connections and dissociations between the data and literature. In this research, all data collected from interviews are transcribed, and a preliminary analysis in relation to already available data was being done even during the data collection process. The data was categorized into themes and critically analyzed in an iterative process to

make up the analysis chapter. Thematic analysis of qualitative data is described as a method, not a methodology because it is not tied to any epistemological or theoretical perspective (Clarke and Braun, 2013). For this reason, the method fits perfectly within the interpretivist worldview adopted in this research. The goal of this thematic approach, in line with Maguire and Delahunt (2017:3353), is to identify themes and patterns in the data and use these themes to address what is being researched or to say something about an issue, in the case of this research. In this research, the goal of thematic analysis is to identify themes within the interview responses of participants and use these responses to address police use of force in the context of political ethnicity in Nigeria.

4.4.2. Critical analysis of themed data

As mentioned in chapter 1.13.2, to be consistent with the qualitative approach of this research, the study adopts a critical analysis which Holland and Novak (2017:4) describe as critical qualitative research, a form of critical analysis that uses qualitative social-scientific methods to collect data and use a combination of qualitative and critical analyses to interpret and understand the data that was collected. This research studies the role that political ethnicity plays in individual force users' attitudes towards those against whom they have the opportunity/duty potentially to use force. This is done to challenge the taken-for-granted or hidden power structures to offer alternative perspectives and explanations for social reality. To achieve this, a critical analysis method was adopted. The critical analysis method focused on embracing multiple perspectives, giving space to unheard voices, and stimulating social criticism.

According to Holland and Novak (2017:2), "critical analysis is a heterogeneous approach to theory and /practice that examines the historical and socio-political dimensions of texts (e.g., spoken and written words, nonverbal communication, images)." In this regard, texts from interviews, as well as existing literature in the form of police reports, academic writings, print, and electronic media resources that discuss political ethnicity and the police use of force in Nigeria, were collected and examined critically.

4.4.3. Analyzing semi-structured interviews using critical analysis of themed data

Schostak and Schostak (2013) argue that the absence of the political, is compounded by the view that research writing is to be "neutral", as a laying out of "facts" and the "objective" expression of findings undertaken according to well-defined procedures for the collection and processing of data. Yet no research is undertaken without a motive. This conclusion is reached because of the

existence of positionality; the fact that every researcher is not just curious as a scientist but curious as a person driven by a whole range of emotions from everyday life that subverts the neutrality and objectivity of the research. The scientific method is based essentially on objectivity, involving logical explanations of what can be observed. It is meant to be value-free in the description, analysis, interpretation, validation, and proof of what can be observed. Social Sciences such as Political Science were drawn to the success of this kind of research in the early 1900s. However, it can be argued that an objective understanding of society and human behavior is not enough. Therefore, more subjective and critical understanding is required. As Schostak and Schostak (2013) put it, “the little letters of science and their methods of observation could not capture all that could be said and known about human life.” It should involve accounts that begin their ‘maps’ from people’s subjective accounts and draw upon how language, in its most total sense, operates.

Before interview data was subjected to critical analysis, in keeping with the research approach adopted for this study, responses to the interview questions first had to be interpreted. Because the research explores how people, specifically CSO actors, make meaning of their experiences and construct their social worlds (Evans and Lewis, 2018:3), responses to interviews were grouped into themes for thematic analysis. According to Evans and Lewis (2018:3), thematic analysis is “the process of identifying patterns and themes within the data.” Consideration of what constitutes themes in this research included words and sentences that speak to all aspects of police use of force in a manner that might be influenced by political ethnicity.

Thematic analysis is more than just counting words or phrases in qualitative research. Instead, it focuses on identifying and describing implicit and explicit ideas within the data; in the case of this research, the data refers to responses from interviews with members of CSO dealing with issues of police use of force in Nigeria (Guest et al., 2012). The goal was to develop a story from the texts of interest (Neuendorf, 2018:213), therefore identified themes from sentences and phrases of participants during interviews as part of raw data was linked with the already existing literature as summary markers for the critical analysis that tells a story of police use of force about political ethnicity in Nigeria.

4.4.4. Documentary analysis

Secondary data for the research will be done by analysis annual reports of the Nigerian National Human Rights Commission from 2019 to 2021. Documentary analysis refers to a “systematic

procedure for reviewing or evaluating documents both printed and electronic (computer-based and Internet-transmitted) material” (Bowen, 2009). Documentary analysis requires data to be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge (Corbin & Strauss, 2008). The documentary analysis in this research is done to corroborate information provided by the participants and media reports. This is done in order to reinforce the validity and reliability of the research.

4.5. Challenges and limitations

The major limitation that this research faced was the lack of access to individual police officers. An attitudinal and behavioral study of human beings will be best captured through a pragmatic approach involving multiple data collection sources (Sollund, 2005). Be this as it may, at the proposal development stages of this research, attempts were made to gain ethically approved access to interview Nigerian police officers of the Nigerian Police Force. In addition, there was a challenge in finding CSOs working around policing with access to knowledge that advances the aims of this research. Regardless of the difficulties, a total of 18 CSO experts on the topic were interviewed in semi-structured interviews, which assisted in capturing an in-depth understanding of how police use force, and the role political ethnicity plays in using force in Nigeria.

Because of the above methodological challenges, not all stakeholders, including police officers, Human Rights Commissions, and Nigerian citizens, were captured in the data samples. However, the research remains exploratory, and generalizations are only made based on the population studied.

4.6. Research experience

The research interviews were held in person, online via zoom, and via phone calls. Two interviews were held in person, one at the Ibito hotel in Abuja and the other at the Southern Sun hotel in Pretoria. In both cases, both respective participants were visiting the cities mentioned above and willing to spare the time to participate.

Regarding the online and phone call interviews, there were financial implications and security concerns of traveling to 18 locations across Nigeria. Available funds for the research did not cover the cost of travel across the 18 locations where participants were based. In addition, security concerns across the six geopolitical zones made it risky to travel as there were security threats

from bandits, kidnappers, and terrorists on the major interstate roads. These challenges led to adopting online interviews via zoom, WhatsApp, and phone calls.

Each interview took between 15 and 45 minutes, with an average of 30 minutes per interview. In general, most Civil Society Organizations' participant were open to being interviewed, but only a handful of participants in this category declined. In total, 24 participants were contacted, 20 accepted to participate, and 18 participated. The NPF was also approached through letters and physical visits to the NPF Headquarters in Abuja, where several meetings were held with the staff of the Force Public Relations Officer (PRO). After several months of lobbying back and forth, the Force PRO unfortunately denied access to interview individual officers, blaming the topic's sensitive nature for the decision. The research revealed that there are disparities in perceptions and experiences of police use of force across the country, which is hypothetically a reflection of the reality. It was observed from the interviews that some of the CSO members working in one region, were not necessarily ethnic nationalities of the regions they worked at. This removed the fear of bias, as even a northern participant working in the south had responses similar to other participants from southern ethnic groups working in the south, and different responses from northern ethnic nationals working in the north.

4.7. Conclusion

This chapter has discussed the methodological approach for this research, describing details of the interpretivist research paradigm used, case study design, qualitative data sampling, data collection methods, interview questions, critical data analysis, and the challenges and limitations of the research. The chapter described the rationale for each approach listed above and the suitability of the chosen method for the study.

The interpretivist paradigm was chosen as the best-suited paradigm for this research as it focuses on gaining knowledge or understanding of the world from the meaning individuals bring to it (O'Reilly, 2009). Gaining knowledge and understanding of police use of force in the context of political ethnicity in Nigeria is therefore possible through the interpretivist lens. To achieve this, the data collection method adopted was that of semi-structured interviews, which, in the case of this research, focused on purposively selected civil society actors working in CSOs that deal with the issue of police use of force in the context of political ethnicity in Nigeria. The sampling method

involved, therefore, the purposive sampling of 18 CSO actors, three each from the six geopolitical zones of Nigeria.

The kind of analysis chosen for the research was a critical analysis of themed data. Here the data from interviews were themed and critically analyzed. Limitations included the lack of access to individual police officers and the fact that not all stakeholders, including the officers of the Nigerian police, victims, and citizens of Nigeria, participated in the research. Bearing this in mind, generalizations was only be made based on the sample size. The next chapter discusses the background of political ethnicity and the use of force in Nigeria.

Chapter 5: Background: international and local laws, human rights records, and empirical narratives of excessive use of force by the Nigerian police

5.1. Introduction

In order to get a sense of what constitutes human rights violations by police, it is essential to know what human rights standards for police use of force are. International laws provide the standard for the use of force by security forces worldwide. These laws are adopted by states who are obligated to respect and ensure the progressive realization of rights, as in Article 2(1) of the International Covenant on Civil and Political Rights. However, protecting and ensuring these rights prove challenging for many states, such as Nigeria. Resultantly, human rights violations are perpetrated by both government and armed groups (The Law on Police Use of Force Worldwide, 2021). Moreover, in Nigeria, even though the country is a signatory to the ICCPR, human rights, as contained in the ICCPR's reflection in Nigerian use of force laws, are problematic, as is made manifest in the police use of force by Nigerian security forces. This is one of the critiques of the legal as opposed to legitimate nature of the modern state in Africa as raised in the problem statement of this study found in chapter 1.2. The study argues that implementation of international human rights laws, and policies are limited by the international laws of sovereignty, while the implementation of local laws human right laws is challenged by political ethnicity (Dada, 2012; Englebert, 2007).

Human rights violations in Nigeria range from non-state armed groups to government security forces killing innocent civilians (Amnesty International, 2021; Human Rights Watch, 2021; Ojem, 2021). The police constitute a government security force that has been well documented in the media and other reports to be a frequent user of excessive force in Nigeria. Links between the excessive use of force by the Nigerian Police, human rights abuses, and political ethnicity can be traced in media reports (Amnesty International, 2021; Office of the High Commissioner for Human Rights, 2020:1; Human Rights Watch, 2021), as presented in this chapter.

With an estimated population of over 200 million, and over 250 ethnic groups, attention is to be paid to how well use of force laws are designed to ensure fairness in police uses of force, amongst other things. The constitution attempts to cater for ethnicity through the Federal Character Principle aimed at ensuring unity of the people (Akpoghome, 2018:83; Mba and Osinibi, 2014; Obikwu 2017). Scholars have argued that although the Federal Character Principle is mentioned

in the constitution, there are few legal frameworks for ensuring its implementation. There are currently several legal instruments that cater to the use of force in Nigeria. The 1960 Criminal Procedure Code, the 2015 Administration of the Criminal Justice Act, and Police Force Order 273 are all discussed in this chapter.

Due to the weak implementation of human rights laws, Nigeria is perceived as having a poor human rights record; a perception brought about by human rights violations by the government and other armed groups (Human Rights Watch, 2021). Human rights records are also determined by the government's ability to provide the enabling environment to ensure the progressive realization of rights. From human rights organizations such as Amnesty International and Human Rights Watch to other state governments such as the United States and the Britain, as well as intergovernmental organizations such as the Office of the High Commissioner for Human Rights (OHCHR), reports of Nigeria's poor human rights records are produced annually (Amnesty International, 2021; Premium Times, 2021; United States Government, 2020).

Among the human rights violations in Nigeria is police use of excessive and lethal force. Ample evidence exists that support this claim. Unlawful use of force is well documented by NGOs such as Amnesty International and through frequent reports in the international and local press (BBC, 2017; Falafel, 2017; Onyeji, 2017). This research aimed to draw the link between political ethnicity and police use of excessive force in Nigeria. Scant evidence of this as exists in media reports is presented in this chapter to lay a foundation for subsequent chapters that more clearly demystify and establish a nexus between political ethnicity and the use of force in Nigeria. This nexus is more explicitly described in chapter 8.2 and 8.6.

This chapter discusses the background of police use of force and political ethnicity in Nigeria. It discusses the link between international human rights laws, such as the International Covenant on Civil and Political Rights (ICCPR), and laws on police use of force in Nigeria. It also discusses how this link affects the use of force in Nigeria in the context of diversity. The chapter also presents an empirical narrative of the use of force in Nigeria, focusing on instances that show glimpses of political ethnicity or ethnic profiling as an instrument for operationalizing political ethnicity.

5.2. International human rights laws and the use of force

As discussed in chapter 2.5.2, there are not much international actors can do to ensure states adhere to international laws and policies. Regardless of this, to identify areas of human rights violations

of use of force laws in Nigeria, there is a need to be familiar with some of the international laws that govern against the excessive use of force so that violations are observed in literature and interview data. Essential aspects of police use of force are the laws that govern the use of force. These laws locally are ideally guided by international standards and laws. Under international law, the International Covenant on Civil and Political Rights (ICCPR, 1966) addresses human rights and state responsibility in diversity-related matters. It does this in Article 26, which stipulates equality before the law irrespective of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

It also does this, more significantly, in Article 2(1), where the state undertakes to respect and ensure all rights without distinction to these characteristics. This fundamental duty of non-discrimination then applies to all rights implicated by the security sector, as contained in articles 6, 7, 9, 10, and 14. Article 2(1) bounds individual states to adhere to and create the right environment for these civil and political rights to be progressively realized.

Article 2. 1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (ICCPR, 1966).

Apart from this, there are other international legal instruments that guide against excessive use of force by police, such as the International Human Rights Standards for Law Enforcement which provides a user-friendly summary of human rights standards that police are to follow in all signatory states. Some of the binding international documents are summarized and referenced in the International Human Rights Standards for Law Enforcement, including the ICCPR (1966), the Basic Principle on the Use of Force and Firearms (1990), and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), etc. Nigeria is a signatory to all the above documents.

Rather than the complex provisions in some of the international treaties from which the International Human Rights Standard for Law Enforcement derives, the document presents a more user-friendly format with subjects arranged for police duties, functions and topics. Topics range

from police in democracy, non-discrimination, the use of force, and several other categories (Office of the High Commissioner for Human Rights, 1996).

In terms of the use of force, the OHCHR (1996), in the International Human Rights Standard for Law Enforcement makes the following Stipulation

All human beings are born free and equal in dignity and rights (xx)

Human rights derive from the inherent dignity of the human person (xxi)

Law enforcement officials shall at all times fulfill the duty imposed on them by law, by serving the community and by protecting all persons against illegal acts (xxii)

Law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons (xxiii)

All persons are equal before the law and are entitled, without discrimination, to equal protection of the law (xxiv)

In protecting and serving the community, police shall not unlawfully discriminate on the basis of race, gender, religion, language, color, political opinion, national origin, property, birth, or other status (xxv)

It shall not be considered unlawfully discriminatory for the police to enforce certain special measures designed to address the special status and needs of women (including pregnant women and new mothers), juveniles, the sick, the elderly, and others requiring special treatment in accordance with international human rights standards (xxvi)

The recruitment, hiring, assignment and promotions policies of police agencies shall be free from any form of unlawful discrimination (xxv), (OHCHR, 1996).

Each of these stipulations are highlighted where appropriate in the data and literature analysis for this research and were leveraged on to identify areas of human rights violations in terms of the use of force, specifically the use of force in the context of ethnic diversity and political ethnicity in Nigeria. Although these rights are meant to ensure the protection of the rights of people around the world, individual states sometimes cannot protect some of these rights. Both governments and armed groups commit human rights atrocities. In multiethnic societies such as Nigeria, ample

evidence exists of human rights abuses by the government and armed groups, respectively (Amnesty International, 2021; Human Rights Watch, 2021). This research has studied the police use of force in Nigeria in relation to how the rights mentioned above are violated or protected in the climate of political ethnicity.

5.3. Nigerian law on the use of force by police

The use of force laws in Nigeria as seen in the legal documents analyzed for this research including the Nigerian Constitution (1999), demonstrates how problematic areas of ethnic diversity are downplayed, as there are no directly stipulated laws that govern against the influence of ethnicity on police use of force. By discussing these laws, we learn why officers can use force indiscriminately in the first place to set the stage for broader discussions on the use of force in multiethnic society Nigeria. Currently, three notable legal instruments address police use of force in Nigeria; the first is the 1960 Criminal Procedure Code; an arrested person shall not be subject to more restraint than is necessary to prevent escape (section 37), and section 102 permits the use of force to disperse unlawful assemblies and riots. The second is the 2015 Administration of Criminal Justice Act, which applies in the Federal Capital Territory and other federal courts. The third is the Police Force Order 237, titled Rules of Guidance in the Use of Firearms by the Police. These three laws are discussed subsequently in this section.

Every state is primarily responsible for ensuring security and protection of human rights as contracting parties to the relevant international treaties. Nigeria is a party to many human rights treaties, including the Universal Declaration of Human Rights UDHR 1948 and the International Convention on Civil and Political Rights (ICCPR) 1966. The ICCPR 1966 is essential to this study as it is the source document addressing the use of force in diverse societies.

As mentioned earlier, one of the notable laws and orders that govern the use of force in Nigeria include the 1960 Criminal Procedural Code, which is generally applicable in the Northern States of Nigeria and contains provisions for the use of force by police officers in Nigeria, particularly in section 37 where it stipulates that “an arrested person shall not be subjected to more restraint than is necessary to prevent his escape.” Section 102 permits the use of force by police officers to disperse unlawful assemblies or riots. The extent to which force can be used in such cases is not defined. Evidence of the Nigerian Police Force exploiting this lacuna in their use of force abound. One such evidence is the use of force during the #EndSARS protests in October 2020, where

countless reports by news media, as well as human rights agencies such as Amnesty International, documented instances where Nigerian security forces, including the Nigerian police, used excessive force to disperse crowds (Amnesty International, 2021; Sani, 2022).

Another notable law governing the use of force in Nigeria is the 2015 Administration of Criminal Justice Act. Section 5 of the Act stipulates;

A suspect or defendant may not be handcuffed, bound or be subjected to restraint except:

- (a) there is reasonable apprehension of violence or an attempt to escape;
- (b) the restraint is considered necessary for the safety of the suspect or defendant; or
- (c) by order of a court. (Administration of Criminal Justice Act. 2015, Sec. 5)

Section 73 of the 1916 Criminal Code, applicable in Southern states provides for the dispersal of unlawful assemblies as follows;

If upon the expiration of a reasonable time after such proclamation made, or after the making of such proclamation has been prevented by force, twelve or more persons continue riotously assembled together, any person authorized to make proclamation, or any police officer, or any other person acting in aid of such person or police officer, may do all things necessary for dispersing the persons so continuing assembled, or for apprehending them or any of them, and, if any person makes resistance, may use all such force as is reasonably necessary for overcoming such resistance, and shall not be liable in any criminal or civil proceeding for having, by the use of such force, caused harm or death to any person. (Criminal Code. 1916, Sec. 73).

In this regard, the Police Force Order 237, titled Rules of Guidance in the Use of Firearms by the Police, states that;

A police officer may use firearms under the following circumstances:

- (a) When attacked and his life is in danger and there is no other way of saving his life;
- (b) When defending a person who is attacked and he believes on reasonable grounds that he cannot otherwise protect that person attacked from death;

(c) When necessary to disperse rioters or to prevent them from committing serious offences against life and property.

d) If he cannot by any other means arrest a person who being in lawful custody escapes and takes to flight in order to avoid re-arrest; providing the offence with which he is charged or has been convicted of is a felony or misdemeanor; and

(e) If he cannot by any other means arrest a person who takes to flight in order to avoid arrest, provided the offence is such that the accused may be punished with death or imprisonment for 7 years and above (Police Force Order 237, nd).

The provisions in Order 237 fall short of what is permissible as per international standards for the use of firearms by law enforcement. The Law on Police Use of Force Worldwide (2021) notes that “the permissive provisions in Order 237 are made possible by the broadness of section 33 of the Constitution, and also relevant provisions of the Criminal Code.” The limitations of international laws is brought to the fore in this instance as section 33 of the Nigeria Constitution (1999) which is the source document for other use of force laws vaguely provides for circumstances under which police can use force. This is despite being a party to the ICCPR (1996), which, in Article 2 (1) requires States to ‘respect and ensure the rights in the ICCPR as a base right; in this regard, indiscriminately firing into a crowd is also prohibited as in A/HRC/26/36, para. 75. Where it is noted that in the case of lawful and peaceful assembly, no force may be used. In such cases, unlawful, but peaceful assemblies shall be dispersed peacefully, using the minimum force necessary. Therefore, there is no role for lethal force to play in such circumstances (Heynes, 2014:13).

The gaps between international human rights laws' application to local laws in Nigeria are demonstrated in the above permissible use of force laws and firearms acts. These gaps simply “points out the shortcomings of the dualist model under the Nigerian Constitution and stress the objectionable wide amplitude of the derogation clauses” (Dada, 2012). Again, these gaps point also to the difficulty in not just adhering to international laws but implementing local laws in state's whose legitimacy is derived mainly from the international community. In this regard, the international community's ability to enforce the binding laws is hindered by sovereignty (Englebert, 2007).

The Inspector General of Police, in 2019, noted that the force had revised and simplified Force Order 237 to “protect fundamental human rights in policing. However, the revised Order 237 still allows violent assemblies to be dispersed using firearms, falling short of what is permissible by international law. The Law on Police Use of Force Worldwide (2021) notes that indiscriminate firing into a crowd is always unlawful, and in many other respects, the new guidance moves closer to respect for the right to life. It is provided that:

a Police Officer may use firearms/lethal or potentially lethal force under the following circumstances: -

(a) When attacked and there is an imminent threat that the police officer will be killed or seriously injured, and no other means are available to avert or eliminate the danger of saving his/her life. In such circumstance, a Police Officer would have to prove that he was in danger of losing his life or of receiving an injury likely seriously to endanger his life. It would be most difficult to justify firearms use if an unarmed man attacked. If persons made a concentrated attack upon him, armed with machetes, firearms or bow and arrow or other lethal weapons he would be justified in using a firearm to save his life. In a case where a person fires at him, he would also be justified in firing to defend himself. If attacked by an individual with a heavy stick or machete he would have to prove that other less lethal means available to him were not sufficient to protect his life.

(b) When defending a person who is attacked and he/she believes on proportional grounds that he/she cannot otherwise protect that person being attacked from imminent death or serious injury;

(c) When necessary to disperse violent assemblies, but only when there is an imminent threat of death or serious injury, and less extreme measures are insufficient. In all circumstances, the Force Continuum should guide the officer’s actions. (Force Order 237, nd)

In terms of political ethnicity, the same constitution that birthed these use of force laws is argued to have adopted a colonial approach to addressing diversity issues to build unity between Nigerians (Mbao and Osinibi, 2014; Obikwu 2017). Critiques of Nigeria’s Presidential Federalism argue that federalism is republican constitutionalism that continues to sustain and perpetuate the status of the

predominant tribes more powerfully than would have occurred in a more unitary system (Bikwu, 2017, Mbao and Osinibi, 2014). This reinforces the argument in chapter 3.5 on the difficulty of African states to build a sense of a unified national identity in the climate of political ethnicity. It also supports the argument in chapter 3.5 that democratic legitimacy despite being widely accepted by all, conflates democratic elections as a technique of justification with a technique of decision making. As with democracy and elections comes the assumption that the majority is the whole, which is not the case (Arendt, 1973; Rosanvallon, 2011). The Federal Character Principle has been described as a process of deliberate political engineering to address the problem of multi-ethnicity in Nigeria culminating from the forced union of different ethnicities by British colonial authority (Mbao and Osinibi, 2014; Obikwu 2017).

Reference to the Federal Character Principle can be found in Section 14 (3) of the Constitution of the Federal Republic of Nigeria (1999) which states that:

The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the Federal Character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that Government or in any of its agencies. (Constitution of the Federal Republic of Nigeria, 1999, 14(3)).

And also, in Section 14 (4) of the same Constitution (1999) stipulates that:

The composition of the Government of a state, a local government council, or any of the agencies of such Government or council, and the conduct of the affairs of the Government or council or such agencies shall be carried out in such manner as to recognize the diversity of people within its area of authority and the need to promote a sense of belonging and loyalty among all peoples of the Federation. (Constitution of the Federal Republic of Nigeria, 1999, 14 (3))

Scholars such as Orji (2001), and Mbao and Osinibi (2014), argue that the Federal Character Principle should be beneficial to Nigeria for minimizing apathy or dissatisfaction from ethnic groups by ensuring all groups are adequately represented in the national scheme of affairs. However, the many years of misrule and government insincerity, as well as the over-concentration

of federal powers in the hands of a particular ethnic group and consequent exclusion of others, have transgressed against the Federal Character Principle. The base of the structure of Nigerian Federalism dates to the colonial period after the amalgamation of the Northern and Southern protectorates in 1914 and the subsequent independence of Nigeria in the 1960s (Ali and Ahmed, 2019). Between 1960 and 1999, successive constitutions permutated ideas that created similar versions of constitutions aimed at governing a multi-ethnic state such as Nigeria; however, the tweaks in the constitution further removed devolution of powers to strengthen the Federal Government, thereby weakening the states as is discussed in chapter 3.6. The aggressive nature of colonial rule ensured that the colonial constitutions on which the 1999 Nigerian Constitution is based were not products of negotiations, partnership, or collaboration (Okeke et al., 2021). The 1999 constitution upon which Nigeria's current federalism is predicated is still based on militaristic structures that encourage centralizing powers, including policing powers. There has also existed a challenge from religion and ethnicity in the federal system, as it becomes paramount for the government to maintain the Federal Character in national affairs. "The ethnic question has remained a problem in the country's federalism" (Okeke et al., 2021:18). This makes it paramount for the government to maintain the Federal Character in national affairs. The constitutional arrangements for ethnicity set the stage for political ethnicity to exist as it does. Untangling some of the complexities of these laws begins to provide some answers as to why officers have the authority to use force indiscriminately in Nigeria in the first instance is what has been discussed in this section. The section then gives context to why officers can use force influenced by political ethnicity as the central focus of this study.

5.4. Nigeria's human rights records and police use of force

The international community generally perceives Nigeria as a state that has fallen short of the standard for human rights. Reports of widespread human rights violations stemming from the government's inadequacies in creating the enabling environment to ensure human rights are protected and realized. Reports of violations also come from violations of human rights by the government as well as armed groups such as Boko Haram and the Islamic State in West Africa Province (ISWAP) (Premium times, 2021; United States, 2020). These reports are constantly made by human rights organizations such as Amnesty International and Human Rights Watch, governments of states such as the US and the Britain, and intergovernmental organizations such as the Office of the High Commissioner for Human Rights (OHCHR).

Human rights records in Nigeria generally have been poor and could be regarded as the worse in West Africa in 2021 (Premium times, 2021). The United States (2020) Human Rights report notes that Nigeria recorded significant human rights abuses in 2020, which included “unlawful and arbitrary killings by both government and nonstate actors, forced disappearances by the government, terrorists, and criminal groups.”

According to Amnesty International (2021), “Nigerian security forces have committed a catalog of human rights violations and crimes under international law in their response to spiraling violence in Southeast Nigeria, carrying out a repressive campaign since January 2021 that included sweeping mass arrests, excessive and unlawful force, torture and other ill-treatment.” These reports have been backed up by various media reports implicating security forces, including the Nigerian police, in committing human rights abuses. Excessive use of force by Nigerian security forces is noticeable in states such as Imo, Anambra, and Abia states, according to Amnesty International (2021). These alleged attacks by the government have been a response to killings and violence widely attributed to an armed group known as the Eastern Security Network (ESN), the armed wing of the Indigenous People of Biafra (IPOB). Government officials believe the ESN is responsible for the murder of dozens of security operatives and attacks on at least ten public buildings, including prisons and police stations, between January and June 2021. In response, security forces comprising military, police, and Department of State Services (DSS) have killed dozens of gunmen and civilians where attacks have been committed (Amnesty International, 2021).

Human rights violations in the country take the form of kidnappings, attacks on civilians, and terrorism perpetuated by various factions of insurgent groups across the country, such as Boko Haram. The government has also been alleged to carry out human rights abuses in this form, as they have been recorded evidence of excessive use of force by the government through its security forces. In 2020, the nationwide protests calling for an end to police brutality, as well as the abolishment of a known abusive unit of the Nigerian police known as the Special Anti-Robbery Squad (SARS) was an example of instances where government forces are well documented to have carried out human rights abuses against civilians. The protests received global attention and led to the government taking some actions for justice and accountability for police brutality. On October 20, social media footage showing men identified as military officers shooting at peaceful protesters

in Lagos sparked global outrage. Several people were reportedly killed, but the death toll remains uncertain, with the government immediately denying its culpability, referring to it as fake news (Human Rights Watch, 2021).

According to Human Rights Watch (2021), insecurity in Nigeria is another source of human rights violations; Boko Haram and its splinter faction Islamic State of West Africa Province continue to attack humanitarian, civilian, and military targets. Human rights watch reports that the Islamic insurgents killed an estimated 363 civilians between January and September 2021. These represent some of the human rights violations that are present in Nigeria.

5.5. Background on the six geopolitical regions in Nigeria

As discussed in the chapter 1.13.1, the sample population for this research was determined by the diversity of the various geopolitical zones. Nigeria has six geopolitical zones: Northeast, Northwest, Northcentral, Southeast, Southwest, and South-south. To elaborate on discussions about Nigeria's ethnic dynamics, which informed data collection in this research, the Northeast and Northwest are predominantly made up of Hausa/Fulani ethnic groups and a few minority ethnic groups. Islam is a major religion in this region, accounting for a substantial portion of Nigeria's estimated 78,056,000 Islamic population, about 50 percent of the country's population as of 2009 (Grim, 2011). The kinds of crime in Northeastern and Northwestern Nigeria predominantly include banditry, terrorism, kidnappings, theft, and other violent crimes. Since 2010, gangs of bandits have run rampage throughout Northern Nigeria (Aljazeera, 2022), and while no place is free of kidnappings in Nigeria today, kidnappings are especially prevalent in Northern Nigeria (Orjinmo, 2022). There has also been a rise in terrorist activities in the region since 2010 with the rise of the Boko Haram insurgency. Boko Haram has been launching attacks on government facilities, Christian churches, and public areas since its rise; these attacks are mainly carried out in all three zones of Northern Nigeria. The group uses improvised explosive devices and suicide bombings to launch terrorist attacks across Northern Nigeria, demanding an end to Western education in the country and other Islamic ideological demands. The group has carried out as many as 1,639 violent attacks with 14,436 fatalities, 6,051 injured victims, and 2,063 hostages taken across the Northeast region (Shehu Musa Yar'Adua Foundation, 2018). Boko Haram continues to ravage Northeastern Nigeria today. The third geopolitical zone in Northern Nigeria is the Northcentral. The Northcentral has faced the most marginalization, being one of the

most underdeveloped in Nigeria. In recent times, there have been a handful of unprovoked aggressions from Fulani herders within the region, with farmland destruction, kidnappings, killing and maiming of citizens from this zone, and other criminalities and terror attacks. According to Ojewale (2021), the region is vulnerable to several forms of conflict between ethnic and religious groups.

Southern Nigeria has three geopolitical zones: the Southwest, Southeast, and South-south. While the South-south consists of several ethnic groups, the Southeast consists of ethnic Ibo people, while the Southwest comprises ethnic Yoruba people. The major religion across these three regions is Christianity, making up most of Nigeria’s Christian population. The Southern region is prone to other kinds of crimes, including kidnappings and armed robberies. In their quantitative study of the types of crimes commonly committed in South-eastern Nigeria, Osuji et al. (2015:8) concluded that armed robbery, murder, grievous harm, and wounding are some of the notable crimes common in the Southeast. Ewetan and Urhie (2014:488) note that the common crimes in the South-south region include bunkering, illegal refineries, kidnappings, bank robberies, and vandalization of power stations and transmission complexes. Southwestern Nigeria’s most common crimes include assault, grievous harm, and wounding, theft/stealing, burglary, housebreaking, pretense, unlawful arms possession, and breach of public peace (Ayoola et al., 2015).

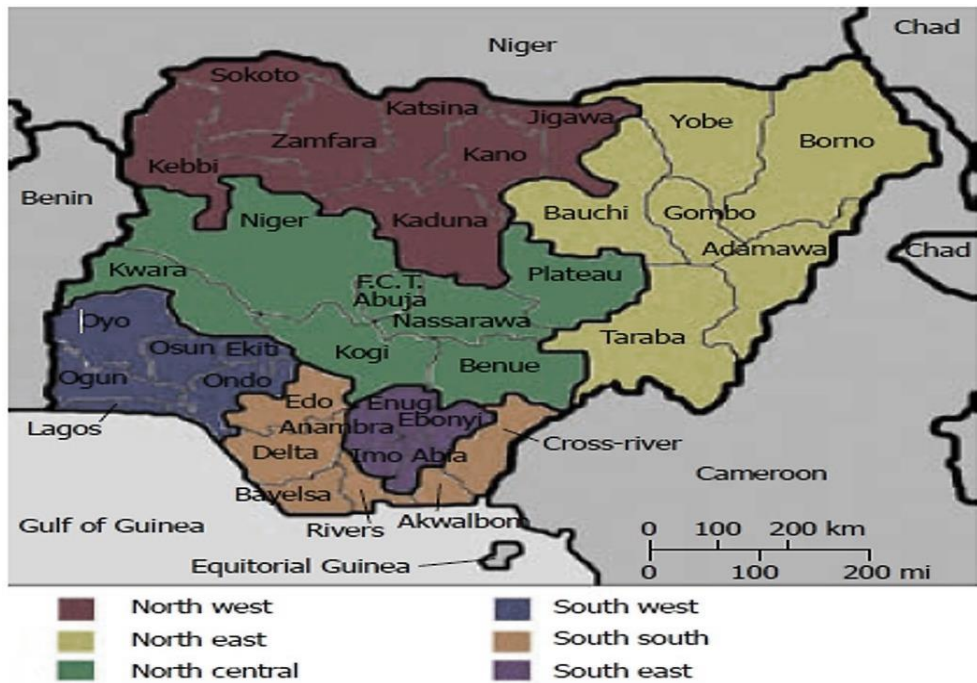


Figure 1: Map of Nigeria with regions and states (Akinlua et al., 2015)

This background to the various regions provides a picture of the demographic data of the regions and the kinds of crimes that can be found across all regions. This demonstrates that crime is common across the country and requires uniform efforts following the principles of proportionality and necessity when force is used to mitigate crime by law enforcement, including the NPF. Chapter 6.2 presents a comprehensive analysis on the disparities between these regions with links created between the literature and the data collected.

5.6. Background to the Nigerian Police Force (NPF) funding, training, and conduct

The United Nations refers to Nigeria as being over-policed and under-secured because the country not only meets but surpasses the threshold of one policeman to every 450 citizens (Kimani, 2009). Even though there is one police officer to every 400 citizens in Nigeria, insecurity continues to be a major crisis (Kimani, 2009). A link can be made between the underfunding of the Nigerian Police Force, corruption, over-policing, and insecurity in Nigeria. According to Osasona (2020), comparatively, the police are appropriated far lower budget sums than other sections of the security services.

The history of the Nigerian Police Force is linked to the history of the British Police, (Obaro, 2014:425) states that the modern police was born out of ideologies of the 18th-century craft of governing a social order by economic, social, and cultural policy (Obaro, 2014:425). In this sense, modern policing was seen as part of domestic governance and regulation.

The Nigerian Police Force is thus considered a brainchild of the British Colonial Government in Nigeria. It was first established in 1820 following the establishment of a 1200-member armed paramilitary Hausa Constabulary in 1879. By 1896, the Lagos Police was established, and subsequently, another similar force was formed in Calabar in 1894 under the newly proclaimed Niger Coast Protectorate (Obaro, 2014:425). The Royal Niger Company set up the Royal Niger Company Constabulary in the North in 1888. Which then became the Northern Nigeria Police in the early 1900s. Similarly, the Niger Coast Constabulary became the Southern Nigeria Police, following the proclamation of the Northern and Southern protectorates.

The dynamics changed with the colonial period, as most police forces across the British colony known as Nigeria in the modern day, were associated with local governments. First, the British

merged the Lagos colony and the southern and northern protectorates in 1913 and named the new colony Nigeria. The northern and southern regional police forces were later merged, in 1930, to form the colony's first national police – the Nigeria Police Force (NPF) (Obaro, 2014; Osasona, 2020). Regional police forces were operating in each region simultaneously with the national police however. This was the case at independence in 1960. Independence saw the police forces regionalized and subsequently nationalized. The events that culminated in orchestrating the Nigerian Civil War arguably presented the imperative to restructure the police along national lines. In what is known as the First Republic (1960-1966), regional police were accused of partisan politics and other corrupt practices. In this regard, CLEEN Foundation (2010:7) notes that security forces in Nigeria took part in sectionalism along ethnic lines, this was demonstrated during the first military coup in 1966. This demonstrate the early existence and manifestations in the history of Nigeria. Consequently, after 1966, successive military governments in Nigeria proceeded to dismantle federal structures in favor of more unitary structures through the various constitutional changes that saw states created to replace the regions (Majekodunmi, 2015; Onyishi et al., 2021:142). The police were not left out of this restructured system, as the federal police entered into the scene. In the 1999 constitution, section 214 states that “there shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provision of this section no other Police Force shall be established for the Federation or any part thereof.”

5.6.1. Structure of the Nigerian Police Force

The structure of the Nigeria Police Force is derived from section 214 (2)(a) and 215(2) of the 1999 constitution where it states that:

“Subject to the provisions of this constitution (a) the Nigeria Police shall be organized and Administered in accordance with such provisions as many be prescribed by an Act of the National Assembly”.

Section 215 (2) goes on to state that:

“The Nigeria Police Force shall be under the Command of the Inspector-General of Police and any contingents of the Nigeria Police Force stationed in a state shall; subject to the authority of the Inspector-General of Police, be under the command of Commissioner of Police of that state”.

According to the Nigeria Police Force Website, the constitutional provision informs the following 3 structures:

- a. Command (Authority) structure
- b. Administration structure
- c. Organization structure

The details of these structures are cumbersome and fall outside of the scope of this research, however, a brief discussion of the command structure will be provided in this section, as it affects the arguments on devolution of powers as per federalism discussed in Chapter 6, section 6.3.

Command structure

The command structure of the Nigerian police refers to how authority and directives are given, as well as how decisions are made. It is conducted regimentally and along the force badges and ranks. The command structure is derived from section 215(2) of the 1999 Constitution, and feeds into section 6 of the Police Act, 1990 laws which provide that “the Force shall be commanded by the Inspector-General of Police.” Orders, directives, and instructions on police duties are carried out as directed by the Inspector General of Police, through the chain of Command. The next in line to the Inspector General is the Deputy Inspector General of Police. A provision for this in the constitution is provided in section 7(1). The Deputy Inspector General of Police is the second in command of the NPF and shall act on behalf of the IG in his absence. Section 5 of the Act makes room for as many DIGs as the Nigeria Police Council considers appropriate. Every other rank below the IG, takes the order of Command from him, in the performance of their lawful duties. (Nigerian Police Force, 2022).

After the DIG, is the Assistant Inspector General of Police, this office is provided for in section 5 and 8 of the Police Act. S/he acts for the Inspector-General of Police in Absence of both the IG and DIP. Following the AIG is the Commissioner of Police which can be found in each state in Nigeria. This is provided for in section 215 (2) of the constitution. These officers control the contingent of police officers in each state respectively. He is subject, however, to the command of the Inspector-General of Police or who-so-ever acts for him, in his absence (Nigeria Police Force, 2022). Every other rank in the Force is legally provided for by section 5 of the Police Act.

5.6.2. Recruitment Processes

Recruitment to the Nigerian police is done at three levels, namely, the constable entrant level, where a secondary school certificate is required, at the cadet, and inspector levels where further educational qualification is required, and as cadet Assistant Superintendents, who must hold a minimum of a bachelor's degree. The screening system for these roles is adopted to ensure equitable recruitment from all areas of the country. The police service commission is responsible for oversight in the recruitment of cadets and cadet inspectors (Owen, 12:2014).

5.6.3. Budgetary allocation

Budgetary allocation for 2012 saw 1,600,000 Naira per soldier, 9,800,000 Naira per sailor, and 7,100,000 Naira per air force personnel; in sharp contrast to all other security forces, the police personnel was allocated 870,000 Naira per police personnel, merely half of the budgetary allocation per soldiers. This budgetary allocation has been customary since 1999 and shows the persistent neglect of the police and domestic security threats. This neglect is partly responsible for police officers' engagement in rogue activities such as corruption to supplement their insufficient remuneration (Osasona, 2020).

5.6.4. Training

A lot of the training Nigerian police cadets get is not focused on teaching skills needed for effective policing (Chukwuma, 2000:131; Owen, 2014). It can be observed that officers learn most of their work on the job at all levels. Even though this is the case with learning an occupation, it comes with its side effects in that cadets only learn a selection of aptitudes and skills, according to Owen (2014). Owen (2014:13) further notes that two areas need to be addressed in the field of training police officers, while a third aspect is observed in respect of the objective of this research. The three areas include; incapacitation and inadequate training facilities, the second is the skills gap among service officers, and the third is the use of force training of officers of the NPF.

Inadequate training facilities

Scholars and practitioners in police training have criticized the police training of Nigerian police officers for having overcrowded and downgraded police training facilities in recent years (Ojo, 2014; Owen, 2014:13). It is noteworthy that the numbers of personnel being put through these facilities put too much strain on the facilities and are not conducive for learning in general. Moreover, compared with other security forces, such as the army and the Department of Security

Services (DSS), police training is not seen as prestigious but rather as a ‘punishment’ by police officers posted for training. There is also a lack of qualified instructors/teachers to carry out police training, as the lecturers are not trained in teaching (Owen, 2014:13; Ojo, 2014).

The skills gap between service officers

Secondly, the skills gap among service officers is regarded as wide, as many police officers do not get most skills and might get mid-career training late in their career (Chukwuma, 2000). Owen (2014:14) argues that short-term remedial or refresher training in the workplace can offer the best way to reach most officers, sending NPF trainers out to state commands and divisions. Partners could assist in training trainers within the force to build this capacity.

Training in the use of force

In terms of the use of force by the NPF, Amnesty International documented eighty-two cases of torture, ill-treatment, and extra-judicial execution by SARS between January 2017 and May 2020. “The victims of the police unit, set up to fight violent crimes, are predominantly male between the ages of 18 and 35, from low-income backgrounds and vulnerable groups.” Anecdotal evidence suggests that Nigerians have believed the notorious police unit has been guilty of harassment, unlawful arrests, torture, and killings (Mbah, 2020). This has been attributed, in some respect, to the little training officers receive before they are handed weapons (Abiodun et al., 2020:58).

These structural challenges, which are assumed to lay the foundation for excessive use of force by the NPF to fester, were discussed further in the data presented in chapter 7 of this thesis.

5.7. Political ethnicity and ethnic profiling

Law enforcement engages in ethnic profiling when they base their actions on ethnicity, race, religion, or national origin instead of on an individual’s conduct or objective evidence (Schildkraut, 2009; Schutter and Ringelheim, 2008:358). As presented in this chapter, there is scarce evidence of ethnic profiling by the Nigerian police and can be found in newspaper articles. It is essential to distinguish between ethnic profiling and political ethnicity, as one is informed by the other. While political ethnicity represents “politicization and transformation of ethnic exclusivity into major political cleavages” (Ake, 1993), ethnic profiling operationalizes political ethnicity, as it is more targeted and focused on direct individual actions.

5.8. Empirical narratives of excessive use of force and political ethnicity

This section discusses some of the narratives found in media reports which gives a background on the nexus between political ethnicity and police use of force. While the links between political ethnicity and the use of force were unclear at this stage of the research, this section demonstrates some traces of the role that political ethnicity plays in how police use force. Various reports of ethnic profiling by members of the NPF have been recorded in the media and were unearthed in this section and discussed.

The Sundiata Post (2021) reports that Nigerian security forces, including the police were reported to have carried out extrajudicial killings of defenseless Ibo citizens believing them to be ESN members. The security operatives have been alleged to target citizens who bare Ibo or Christian names in target locations. According to the Sundiata Post (2021), security operatives, including the police, killed over 50 in Imo in August 2021, 550 since January disappeared, and 3,400 were abducted or unlawfully arrested and falsely labeled. These allegations are backed up by similar reports of killings marred by ethnic profiling by police and other security forces; for example, a Daily Trust (2021) report details the killings and arrests in the region following the activities of the proscribed Indigenous People of Biafra (IPOB) and its military arm, Eastern Security Network (ESN). They find that the quest by security operatives to quell the activities of the proscribed group has also put residents in danger, as civilians are taken into custody because they can be identified as ethnic Ibo people. In one report, a fourteen-year-old Junior Secondary School (JSS) student in Enugu was among the suspects taken into custody based on allegations of being a member of terrorist organizations in the state. The boy was arrested with eight others. According to Daily Trust (2021), the 14-year-old boy, Chigozie, was arrested along with nine other “innocent persons” who were found on the scene where suspected ESN members killed a policeman during a clash with security operatives. The State Commissioner of Police led the arrest.

Another instance of perceived ethnic profiling by Nigerian police officers can be deduced from the incidence popularly known as the Apo Six. Here, the policeman opened fire on six young Ibo people based on allegations that they were armed robbers (BBC, 2017; Kunle, 2017; Onyeji, 2017). The victims were auto-spare part dealers in Apo, a town in Abuja. The victims, Ekene Isaac Mgbe, Ifeanyi Ozor, Chinedu Meniru, Paulinus Ogbonna, Anthony Nwokike, and Augustina Arebu, were said to be returning from a nightclub when they were stopped at a police checkpoint, with police

officers claiming that they were members of an armed robbery gang, and subsequently opening fire on the victims (Onyeji, 2017). A judicial panel of inquiry set up by former President Olusegun Obasanjo found the police account false and recommended the trial of the six officers for extra-judicial killings. The indicted officers are Danjuma Ibrahim, Othman Abdulsalami, Nicholas Zakaria, Ezekiel Acheneje, Baba Emmanuel, and Sadiq Salami. The defendants had pleaded not guilty to the charges. Twelve years later, the trial continued to drag on in court. The five officers accused of the killings and eight other police witnesses eventually testified before the panel of inquiry that Danjuma Ibrahim, the most senior of the accused officers, had allegedly ordered the killings of the youth. According to the report of the panel, the victims were at a nightclub located at Gimbiya Street, Area 11, in Abuja that night of June 7, 2005, when they had a face-off with Mr. Ibrahim after the only female among the victims, Augustina Arebu, allegedly turned down romantic advances of the senior police officer (Onyeji, 2017). While there is no evidence to suggest that the killings were triggered by political ethnicity or as a result of ethnic profiling, it is worth noting that the victims' names are Southeastern Ibos, while the officers in question are predominantly people with Hausa or Northern ethnic names.

These media stories are not restricted to the Southeast alone, as similar stories resembling ethnic profiling by security forces and the police, particularly in the use of force can be identified in reports coming out of other parts of Nigeria and targeted at different groups. For instance, ethnic Hausa and Fulani people have also been victims of police use of force and extrajudicial killings by police based on their ethnicity. In 2019, a truck carrying citizens from Northern Nigeria was blocked and arrested in Lagos by the police. According to a *Premium Times* report by Ogundipe (2019), the arrests were attributed to preemptive security measures to mitigate the worsening insecurity across the country. The truck was riding into Lagos that afternoon when police and Lagos government officials pulled it beside the road and ordered all passengers out. The mostly young citizens had squeezed with motorbikes in the truck. Shortly after the incident, Lagos State Police uploaded a video of the incident on its official Twitter handle, drawing criticisms from some users who accused it of criminalizing the movement of citizens (Ogundipe, 2019)

Moreover, Aljazeera (2010) reported that the Nigerian police and military units carried out extra-judicial killings in 2009, in the aftermath of clashes with members of a Muslim group in the North of the country, footage obtained by Al Jazeera appears to confirm. An estimated 1,000 people were

killed by Nigerian government forces, including the police, as they fought Boko Haram in Bornu, Yobe, Kano, and Bauchi states in July and August of 2009. Footage from Al Jazeera (2009) showed that many of the deaths occurred after the fighting as elements of the police and army carried out follow-up operations through house-to-house searches, apparently selecting random individuals for arrest. The videos also reveal unarmed men being made to lie down on the road outside a building before being shot.

Other factors might have influenced officers' use of force in these scenarios. For instance, the commanding officer in the Apo Six was said to have a spat with the victims at a nightclub, which led him to order the shooting on sight of the victims (Onyeji, 2017). The link between these police actions and political ethnicity remains faint for lack of concrete evidence and data. Their actions might be regarded as the consequences of inadequate training methods. Draconian laws such as Police Force Order 237 permit the use of indiscriminate force without consequences, as long as the victims can be labeled unarmed criminals getting away, but this research is intended to link from this premise of existing but faint evidence. The next chapter focuses on analyzing participant responses in relation to the available literature to understand more about the role that political ethnicity plays in police use of force in Nigeria.

5.9. Conclusion

This chapter discusses the background of police use of force and political ethnicity in Nigeria. It addressed the link between the International Covenant on Civil and Political Rights (ICCPR) and laws on police use of force in Nigeria and how the link affects the use of force in Nigeria in the context of diversity. The chapter also presented an empirical narrative of the use of force in Nigeria, focusing on instances that show glimpses of political ethnicity or ethnic profiling as an instrument for operationalizing political ethnicity.

The chapter concluded that while these narratives are not exhaustive, claims of a link can be established from them, and subsequent findings from data collected through interviews tells a complete story. The next chapter discusses the data collected from interviewing members of CSOs working in the area of policing in Nigeria to get more insights on the nexuses between political ethnicity and police use of force in Nigeria.

Chapter 6: Observable and unlawful use of force

6.1. Introduction

This chapter, the first of two chapters that offer an analysis of the interview data, presents the data and analyzes it in relation to the central concepts discussed in chapter 2 of this study, including political ethnicity-encompassing ethnic politics, ethnic bias, and ethnic profiling. Other significant concepts including legitimacy, use of force, the monopoly on the legitimate use of force, permissible use of force, and excessive use of force, as discussed in chapter 2 and 3 are also linked with some of the analyses in this chapter. These concepts are each elaborated on as they interact and relate to the interview responses. This chapter also analyzes the observable use of force considered unlawful according to local and international human rights laws. chapter 7, the second part of this analysis, discusses the structural issues that plague the Nigerian Police Force, which can be responsible for the excessive use of force by police officers.

The data was collected from individual members of Civil Society Organizations working in the area of policing in Nigeria. To gain access to these groups of individuals, permission was granted by each organization, respectively, as well as the Network on Police Reform in Nigeria generally. Participants were purposively selected to represent each geopolitical region in Nigeria (six regions in total) and include 18 members of CSOs working in the area of policing in Nigeria. The participants were selected across the regions because of the disparities between them. Each region faces unique sociocultural, political, and security challenges that are assumed to have played a role in their responses.

As was discussed in chapter 4.5, all efforts to gain access to interview police officers for the topic were futile. It is suspected that this is due to the negativity attached to the phenomenon being studied and the envisaged negative implications of any indications that political ethnicity plays a role in the use of force by officers of the NPF. Consequently, this research does not cover all stakeholders in the matter, as the police officers and victims of excessive use of force have not

been included in the data. Bearing this in mind, the conclusion from the data generated and analyzed in this chapter is only generalized based on the population interviewed.

The data is analyzed critically and suggests that political ethnicity exists as a structural challenge that potentially affects individual police officers bias in the use of force against other ethnic groups. While political ethnicity is common as a structural problem that plagues Nigeria's governance systems generally, it is manifested in ethnic bias, ethnic profiling, and ethnic politics, which are observable in particular human rights violations such as unlawful arrests and detention, extortion, and torture. This chapter discusses these observable patterns in detail after discussing the differences between the six geopolitical regions and the governance approach to managing diversity-related issues through the federal structure. It is concluded in this chapter that the current failure to address diversity has resulted in the challenges to the state's monopoly on the legitimate use of force that we see through the activities of Boko Haram, Fulani Herdsmen, the ESN and other.

6.2. Historical and current realities of the six geopolitical zones/regions in Nigeria

This section supports the discussion in chapter 3.5 on the diversity found in African states, which presents a challenge for state-building and legitimacy since independence. It is an elaborated discussion on the background of the various regions in Nigeria offered in chapter 5. It provides a picture of the demographic information on the regions as well as the kinds of crimes that can be found across all regions. As mentioned in chapter 5, this demonstrates that crime is common across the country and requires uniform efforts following the principles of proportionality and necessity whenever force is used to mitigate crime by law enforcement, including the NPF. This background discussion also demonstrates each region's political concerns and aspirations, laying a foundation for a debate on the state-building approaches chosen to deal with diversity in Nigeria, namely, federalism. It is observed in this chapter that in core Northern Nigeria, religious differences form the significant identity challenges faced. While there are multiple ethnic groups in this region, it is made up predominantly of Hausa and Fulani and other minority ethnic groups. Islam is the major religion in this region, and in terms of political ethnicity, one key finding in this study is that there exists an intersection of religion and ethnicity in core Northern Nigeria.

Northcentral Nigeria is observed to be one of the most diverse regions in Nigeria, with a considerable equal number distribution of Christians and Muslims. Views on the existence of

political ethnicity in this region were split between participants, and there also exists an intersection of religion and ethnicity within this region. In the Southeast, consisting of Ibo people who are predominantly Christian, all participants within this region noted the existence of political ethnicity in the way police use force. This region is also home to the secessionist groups Biafra and the ESN; it is observed that participant responses might have been influenced by contestation between Nigerian security forces and these groups. This region presented an example of contestations against the state's monopoly on the use of force due to questioning the state's legitimacy as discussed in chapter 3.3. Participants working in Southwestern Nigeria had contradictory views. Some participants noted the existence of political ethnicity in the use of force, while another believed it was only within the administration and that it hardly trickles down to operations of individual force users. The South-south is the oil-rich region, and participants working within this region stressed that the central determinant of police use of force is socio-economic, and that political ethnicity did not play a role in the use of force by police officers. All participant responses within this region were identical as well. All participants in all the studied regions mention the centrality of socioeconomic determinants as role players in police use of force around Nigeria, with political ethnicity playing a minimal role. All participants also noted the existence of political ethnicity at administrative levels. They observed this in how recruitment is carried out, and promotions and appointments are made, which is discussed in chapter 7.

6.2.1. Northwest and Northeastern regions

Sometimes referred to as the core North, the Northwest and Northeast include Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto, and Zamfara in the Northwest, and Adamawa, Bauchi, Borno, Gombe, Taraba, and Yobe in the Northeast (Odiegwu et al. 2012) These regions had most participants interviewed who believed there is not much emphasis on political ethnicity in how police use force within the region. This can be explained using several observations. The first is that religious differences form the major identity crises in the North. Around this region, individuals are more loyal to Islam than to ethnicity (Grim, 2011). According to a participant working in Northeastern Nigeria, politics of identity and exclusivity follows a hierarchical determinant. In this sense, religious bias is first used to determine who gets what before ethnic differences are deployed. In the words of the participant working in the Northeast:

“Religion is the first before any other thing before you talk about ethnicity, they discriminate in terms of religion before they now begin to consider, ok, you are a Muslim, are you a Tivy (Northcentral ethnic group) man that converted, or are you a Berom (Northcentral ethnic group) man that converted, or are you a Yoruba man (Southwest ethnic group), or are you a Hausa/Fulani (Northwest and Northeast ethnic groups). That is when they will take you more seriously, that is when the discrimination will come, first of all, they will discriminate you from faith, before now discrimination of maybe ethnic group will come up” (Participant working in Northeastern Nigeria, October 14, 2021, Telephonic).

An observation can be drawn from the above comment: The participant mentioned ethnic groups in the Northcentral, indicating that there are different treatments not just for individuals from Southern Nigeria but also against ethnic groups South of the Northeast and Northwest, including ethnic groups from the Northcentral which is a conglomeration of minority groups, Muslims, and Christians (Sarumi et al., 2019). The reason for this is not just religious but an intersection of religion and ethnicity.

While Northern participants were generally less critical of the government and police deployment of political ethnicity as a tool to run the country’s affairs, participants working in areas composed of ethnic groups south of the core North were more likely to identify political ethnicity as an issue in government and policing in Nigeria. The reason is the religious and ethnic homogeneity in the core North (Northeast and Northwest) (Grim, 2011; Malumfashi, 2016:177). While there are minority ethnic and religious groups within this region, the Hausa and Fulani enjoy an overwhelming majority in the population. Islam is a core aspect of the ethnic identity in the core Northern states in Nigeria, evident in the fact that the Hausa and Fulani successfully implemented some Sharia Laws in parts of Northern Nigeria in recent times. The significant role that Islam plays within this region is apparent in how Boko Haram has been able to, since 2009, take over parts of core Northern Nigeria. The group is frequently supported by influential political and religious leaders (PBS, 2007). The region historically was home to some of the most prominent Islamic monarchies in West Africa, including the Sokoto Caliphate founded by Usman dan Fodio in 1804. According to Malumfashi (2016), Islam as a religion had easy penetration into Nigeria; its influence was felt mainly in the geographical zones around the North and extended to parts of the

Southwest. In the core North, the Islamic civilization even became a replacement for the traditional and cultural practices in most of the cities within the region (Malumfashi, 2016:177). The intertwined nature of religion and ethnicity within this region sheds light on participant responses and little emphasis on political ethnicity compared with participants from the other areas.

Although the perception of political ethnicity in Nigeria's security sector and governance is more pronounced amongst the participants from the Southeast, a few participants from all Northern regions and the Southwest expressed perceptions of the existence of political ethnicity in how police deploy the use of force in Nigeria. For example, two participants working in Northeastern Nigeria mentioned the ethnic profiling of the Fulani in the Northwest and Northeast regions due to the terrorist activities of herders believed to be Fulani.

6.2.2. Northcentral region

The Northcentral region of Nigeria, sometimes referred to as the Middlebelt region, consists of several minority ethnic groups. This region is made up of seven states and is in the middle of the country (Ali, n.d). The states belonging to this region include Benue, Kogi, Kwara, Nasarawa, Niger, and Plateau states. Carved out of Northern Nigeria during the time of former President Sani Abacha in the 1990s, many minority ethnic groups originate from the middle belt. According to Akubo (2020), Northcentral Nigeria has faced the most marginalization, being one of the most underdeveloped in Nigeria. In recent times, there have been a handful of unprovoked aggressions from herders within the region, with farmland destruction, kidnappings, killing and maiming of citizens from this zone, in addition to other criminalities and terror attacks. According to Ojewale (2021), the region is vulnerable to several forms of conflict between ethnic and religious groups. Violence is aided by several factors, including the rise of criminal groups and criminal activities, hate speech, governments' inability to protect most citizens against violent crime, political intimidation of the opposition by the ruling party, over-militarization of the public space, rising population pressure, the proliferation of small arms and light weapons, and open grazing. This region has also experienced some of the most devastating conflicts involving farmers and herders. The kinds of crimes observable in the region include kidnapping, armed robbery, burglary, and banditry (Okon, 202; Premium Times, 2019).

Participants from this region had divergent views on the effect of political ethnicity on police use of force. While all three participants from this region believed that political ethnicity is indeed a

factor that can determine outcomes in other affairs in Nigeria, two of the participants argued at varying degrees that it is not a factor in determining how police use force in Nigeria. As one of them noted;

“They arrest people arbitrarily, not because of where you come from. If they are doing raiding in the night, anybody they see they pick, they will not ask you where you come from. What can set you free is your pocket. Not because you are from the same village with him, even if you are from the same village with a policeman, he says he’s doing his job. So, what will likely set you free is your pocket” (Participant working in Northcentral Nigeria. 25 May 2022, Online).

A third participant working in this region noted that political ethnicity is indeed a factor that can affect officers' attitudes towards those they use force against, noting the observable bias of officers carrying out unlawful arrests;

“A lot of persons have been arrested and most of the police (officers) doing the arrests are actually from the North. In Benue (state in Northcentral Nigeria), on lonely streets, if you are there, they can just arrest you and take you to the police station. Twice my brothers were arrested.” (Participant working in Northcentral Nigeria. 18 October 2021, Telephonic).

The participant goes further to note that;

“The thing is more like, we can do this, it's not our place. The same people, if we send to go to their state, they won't do that. If you had sent maybe Hausa to Hausa states, when they reach there, there’s a way they relate, and they won't arrest. There are a couple of times, we see on the road, you see in a bus (commercial), the driver will just speak Hausa to the police officer, they won't delay that car. Not once, not twice, I have experienced that. But if a different tribe, maybe an Ibo man driving the car, they will stop him and they may decide to search.” (Participant working in Northcentral Nigeria. 18 October 2021, Telephonic).

6.2.3. Southeast region

The historical and current realities in Southeastern Nigeria are different. This region consists of Ibo ethnic group and has had a turbulent history since Nigeria’s independence from British colonial

rule in 1960. 1967 to 1970 saw the Ibos of Southeastern Nigeria attempt to secede in a civil war that left 100,000 overall military casualties and between 500,000 and two million Biafran civilians died of starvation (Nkwocha, 2010:26). Members of the ethnic Ibos within this region feel marginalized in terms of the delivery of the public goods. Most citizens from this ethnic group primarily engage in business and private ventures as opposed to occupying government positions and jobs (Orugun and Nafiu, 2014). Religious affiliation is not pronounced within this region, as the overwhelming majority of ethnic Ibos practice Christianity in liberal ways (Ilogu, 1974). It is argued in this research, the literature reviewed, and from the interviews conducted, that the historical realities of the Nigerian Civil War and the consequent mistrust of the core Northern ethnic groups by the Ibos inform the perception of the existence of political ethnicity in this region. A cause of concern for members of this ethnic group is the limited participation of ethnic Ibos in governance at the federal level. Since the end of the Nigerian Civil War in 1970, there has been no president from this region despite being one of the ethnic majorities (Rudolph, 2006). As discussed in section 7.2.1, it can be observed that since Nigeria gained independence from the British in 1960, most of the Inspector Generals of Police (IGP) in the country have been from Northern Nigeria with the exception of Ogbonna Okechukwu Onovo from 2009 to 2010. This is perceived as glaring marginalization by the participants working in Southeastern Nigeria considering the population of the group being the third largest, an estimated 18 percent. This might have also influenced responses by participants in this region and be one of the reasons it is assumed by the participants that political ethnicity plays a role in how police use force, and how the security sector is governed in Nigeria.

6.2.4. Southwestern region

The South-Western part of Nigeria comprises Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo states and is mainly inhabited by the Yoruba (Ayoola et al., 2015). These states attract several categories of individuals and entities, from small business owners to large corporations and organizations, especially in Lagos state the country's commercial capital. Consequently, Lagos and Ibadan are mainly prone to be undermined by criminal activities including assault, grievous harm, wounding, theft/stealing, burglary, breaking and entering, false pretense, unlawful arms possession, and breach of public peace (Adeyemi et al., 2019; Ayoola et al., 2015).

The Southwest has featured prominently in Nigerian politics since independence. According to Olaleye (2011), during the transition from military rule to democracy in 1999, Southwestern Nigeria was seen as the most politically conscious among the six geo-political zones. The Yoruba people saw President Olusegun Obasanjo of the Southwest as the Yoruba leader. According to Olaleye (2011), his constituency had it rosy in terms of appointments, as individuals from the zone were appointed into key positions during his time as president.

The Southwest has, however, not been without turbulence. A significant issue that generated widespread Southwest ethnic mistrust against other regions, particularly the Northern region, was the annulment of the Presidential Elections of June 12, 1993 (Ebegbulem, 2011:77). According to Ebegbulem (2011:77), the election is widely believed to have been won by Moshood Kashimawo Olawale Abiola, a Yoruba person from Southwestern Nigeria. The annulment brought about widespread ethnic, populist, and regional antipathy, mainly within the Southwest, reinforcing the belief that a Northern oligarchy is orchestrating politics in Nigeria.

In 2020, due to the worsening security situation across the country, including in the Southwest, six Yoruba states in the Southwest formed a regional security outfit called Operation Amotekun. This outfit, better funded than the NPF, was created to operate alongside the NPF. However, the federal attorney general branded the organization illegal (Campbell and Quinn, 2021).

Most of the participants from this region, similar to participants from the Northcentral region, noted that while there is evidence of political ethnicity around the country, including in the Southwest, they do not believe that it influences force users' attitudes towards those they use force against.

Participants also note that although ethnic sympathy might play some role in how police address cases, it depends on the gravity of the crime.

“There may be some level of sympathy, there may even be level of sympathy after arrested, and the person in the police station may say ‘where do you come from?’ Definitely they will ask you, and if you tell them where you come from, there may be some level of sympathy..... If it’s a criminal case like robbery and other things, I don’t think your ethnic group will be your savior all that much. But there is still that ethnic sympathy in Nigeria. No matter how you look at it. But what I am saying is that it depends on why the

person was arrested. And probably who's child you are. Who do you know." (Participant working in Southwestern Nigeria. 28 May 2022, Telephonic).

Although participants generally acknowledge the existence of political ethnicity in Nigeria, there were varying degrees of agreement on its role in determining police use of force, as seen from the above comments. Most participants in this region and other regions believe it is primarily individuals' socio-economic status that determines police officers' attitudes towards them.

6.2.5. South-south region

The South-south geopolitical region in Nigeria, also known as the Niger Delta region, is known for being the oil-rich region of Nigeria. It is home to many diverse ethnic groups and six states, including Akwa Ibom, Bayelsa, Cross River, Delta, Edo, and Rivers (Udalla and Ezegwu, 2011). The region has been bedeviled with conflict over oil resources since the 1990s when several minority ethnic groups, specifically the Ogoni and Ijaw, rose against oil companies operating in the region. The ethnic groups felt/feel they were/are being exploited by the oil companies, and the Federal Government was also implicated. Oil alone accounts for 40 percent of the country's GDP, 70 percent of budget revenues, and 95 percent of foreign exchange earnings (World Bank, 2004). Be this as it may, crude oil extractions come with pitfalls such as the damage to land and waters from which it is extracted. Consequently, land in the oil-rich Niger Delta region is said to have been damaged by the oil extraction, leaving communities uncompensated.

The Niger Delta region, like other parts of Nigeria today, experiences several insecurity issues. According to Bassey and Ubi (2015), the South-south zone conflict vortex is dominated not only by the opposing forces of government and militant groups but also by a spectrum of bounty hunters and other contending actors such as pirates, organized militias, warlords, criminal gangs, drug cartels, mercenaries, and oil bunkers. Ewetan and Urhie (2014:488), note that the common crimes in the South-south region include bunkering, illegal refineries, kidnappings, bank robberies, and vandalization of power stations and transmission complexes.

Participants from this region did not believe that political ethnicity was indeed a determinant in how police use force but that the primary factor is the socioeconomic status of those whom officers might have the opportunity/duty to use force against that is more likely to determine force users' attitudes. A participant working in South-south Nigeria noted the following;

“Issues of ethnic bias is everywhere (in Nigeria); it is not even particular to my region. It is everywhere. But for us to be able to mitigate it is by ensuring that the right seeker understands the duties of the right holder.” (Participant working in South-south. 29 June 2022, Online).

This participant emphasized that police officers and citizens were oblivious to human rights laws, and as a result, police officers can violate human rights standards. He, similar to other participants around this region, however, did not comment on police officers' use of force based on ethnic bias in the region. They all noted that political ethnicity is a common feature in other aspects of governance in Nigeria but is not prominent in determining how police officers in South-south Nigeria use force. Force is used arbitrary but determined mainly by the financial and social statuses of the individuals police have the opportunity to use force against in this region.

In summary, this section shows contrasting differences in the ethnic and religious demographics across Nigeria's six geopolitical zones, which plays a role in how political ethnicity is perceived in relation to the use of force across these zones. This demonstrates the enormous task of legitimation and state-building in Nigeria. The Northern part of Nigeria, encompassing the Northwest, Northeast, and Northcentral, is mostly made of Hausa and Fulani Muslims, who are also predominantly Muslims. Participants note that there is a hierarchy of what identity might be discriminated against because of the intersectionality of ethnicity and religion. In the Southeast, the historical reality of secessionist movements and political marginalization is believed in this study to be responsible for the perceived role of political ethnicity in the use of force within this region. The Southwest, mainly homogenous in terms of ethnic groups, has had considerable political participation in Nigerian politics, and responses from this region were contrasting. The South-south, which has a history of unrest relating to oil exploration, had responders noting the existence of political ethnicity in the police administration rather than in the use of force.

To conclude this section, the disparities between the six regions and the 36 states and capital in Nigeria led to the decision to adopt a federal system of government after the colonial administration (Emmanuel, 2009; Majekodunmi, 2015). However, after many years of permutations, the federal system in Nigeria has morphed into what many might describe as resembling a unitary system with powers, including that of the police being concentrated in the center. Most participants mentioned Nigeria's version of federalism as a reason for political

ethnicity generally in the country, specifically in police administration, and to varying degrees, in police uses of force. The following section discusses this point.

6.3. Federalism and policing in Nigeria, a legitimization crisis

Federalism has been argued to be the ideal system of government for heterogeneous states such as Nigeria. As stated previously, Nigeria has a population of an estimated 200 million, with over 250 ethnic groups, which cuts across the six regions, 36 states, and the capital Abuja (Emmanuel, 2009). Historically, the area currently known as Nigeria was home to various separate kingdoms, empires, and city-states before coming under British administration in the 19th century (Mayowa, 2014). Towards the end of the colonial periods, the British, in a bid to run the area as one autonomous unit without creating complications from the diversity, developed a federal system for the three regions, namely Lagos, the Protectorate of Southern Nigeria, and the Protectorate of Northern Nigeria (Majekodunmi, 2015; Mayowa, 2014). Federalism in Nigeria dates back to the colonial periods when the British colonial administration imposed a federal system to run the three regions. This version of federalism in Nigeria continued after independence in 1960. It gradually was modified by successive military governments after 1966 in a bid to centralize powers of the various regions in favor of strengthening the Federal Government in what has been described by Elaigwu (2017) as an adulterated federalism. This followed the 1960 and 1963 constitutions, which devolved tremendous powers to each region in Nigeria.

Compared with the current federal system in Nigeria, in the pre-1966/pre-military regime, regions had autonomous powers, including powers to make laws, regional police, and civil service. In addition, each region was allowed to have its representative in foreign countries, designated as agents, as opposed to ambassadors, but functioned in the same capacity. As is the case today, each region was not dependent on the center for fiscal and other needs. Majekodunmi (2015) argues that the main critique of this kind of federalism was that it made the regions more powerful than the center, and these regions, as a result of the degree of autonomy that each had, “treated the Federal Government with disdain” Majekodunmi (2015:110). The degree of autonomy held by states at the time is argued to be one of the causes of the Nigerian Civil War. Therefore, subsequent military regimes faced the enormous state-building task of ensuring democratic legitimacy and fiscal federalism while maintaining a strong central government. This was important because fiscal autonomy is a vital aspect of the legitimacy of governments (Groenendijk, 2011), in the same way

that democratic legitimacy is essential for the survival of heterogeneous states such as Nigeria (Arendt, 1973; Jackson and Rosberg, 1984:18; Rosanvallon, 2011). While the Federal Government needed to be financially powerful, citizens across all regions needed to be included in governance. Thus, military leaders realizing the complexities of the heterogeneous Nigerian society, decided to adopt a “military federalism,” as labeled by Elaigwu (2017).

After 1966, successive military governments in Nigeria elected to centralize power through the various constitutional changes that saw states created to replace the regions. These newly formed states were mere appendages to the Federal Government, which became extremely more powerful than the states. According to Majekodunmi (2015:110), the military regimes in Nigeria arrived during a period when the oil boom had just begun. Around this period, oil became Nigeria’s number one natural resource, deposing cocoa, palm oil, and ground nuts (Pinto, 1987). The crude oil, discovered in areas inhabited and controlled by minority ethnic groups, gave the military regimes dominated by majority ethnic groups the motivation to create a very powerful Federal Government that could control the country’s natural resources and fiscal administration. Majekodunmi (2015:110) notes that Nigeria’s federalism is defective because of the Federal Government’s amount of control over each state. This control is exercised on administrative and fiscal duties, and police administration. Nigeria is currently run by a federal policing system which has been argued to not be ideal for a federal structure of a state with such diversity.

In terms of the regional and various state policing systems, until 1966, the Nigerian police force existed simultaneously with other local police forces across the country. This system had several problematic areas during the first republic (1960 to 1966), including widespread allegations and complaints against the local police forces. The complaints were of the poor quality of personnel recruited into the police and the standard of training. There were also allegations of state police officers being used by Northern and Western governments as political thugs during elections (Vaaseh and Ehinmore, 2011). Allegations of political thugs being recruited into the state police forces were also widespread (Ogbuenyi, 2022; Vaaseh and Ehinmore, 2011). The police were accused of being used to intimidate opposition political parties and prevent free and fair elections. The military government dissolved the local police forces in 1970, with most former officers joining the NPF. The 1999 constitution of Nigeria prohibits the existence of other police forces besides the NPF. Some of the historical realities of the first republic are what anti-state police

advocates leverage to counter the clamor for state police. Ogbuenyi (2022) notes that anti-state police advocates argue that state police are accompanied by the danger of encouraging secessionists from the various states, amplifying boundary and jurisdiction disputes among states, creating funding challenges for some states, and bringing back first republic challenges such as the use of police for political oppression by the state governors. On the other hand, advocates for state police argue that state policing has the potential, considering the poor service delivery of the current NPF, to make the police more effective, efficient, and closer to the community who understand the language, terrain, and security challenges of the community.

Participants in this study, particularly those working in South-eastern Nigeria and at least one participant working in other regions, were quick to acknowledge that police officers from other regions are prone to using force against individuals from other regions. Moreover, the practice of posting police officers across regions is a carryover from colonial times where the colonial administrators deliberately employed constabularies from different regions to create alienation between the police officers and the communities they police (Alemika, 1993: 203). This was in a bid to make the police officer ruthless and effective in preventing political unrest against the British. Other proponents argue that the size of Nigeria is too big to be effectively policed by a centralized policing system (Saidu et al., 2019:46).

A participant working in Northcentral Nigeria noted the following concerning police officers of the Nigerian Police Force being posted to other regions, particularly in regions prone to political conflicts;

“Another instance will be, which is very rare, is where like police from Kogi state command are sent on official assignment, possibly to the East. Like to Ibo land, like case of IPOB. Every policeman that leaves the police command, from my interaction with them, they go prepared to meet whatever challenge, and then go beyond what they are supposed to do. So, it would be like (inaudible)..., and that is not against a tribe, it is against a group that has been notorious for taking the lives of other policemen. Like in the case of Nigeria, Kogi, or any state command, they are recruited on a special assignment, to go to Anambra, and the tribes you meet there, they are Ibos, and they have a history that the Ibo person has been having issues with police, they will go there with all degrees of brutality” (Participant working in Northcentral Nigeria, 07 July 2022, Pretoria).

Similar to another participant working in the Northeast, this participant noted that police officers sent to zones where there is unrest are prone to adopting ethnic profiling to decide when to use excessive force on suspects.

To conclude this section, the current federal police attempt to ensure that power to make policing decisions largely falls on the center and through the IG of police in the federal capital (Ogbuenyi, 2022; Vaaseh and Ehinmore, 2011). This structure was set up in theory to mitigate the challenges of autonomous police units, especially police officers being used for political agendas and the fear of secessionists. The federal police are still being criticized for the same problematic issues faced by state police in the first republic, especially in training, recruitment, and political participation during elections. This assessment of the current performance of the NPF is expressed in the literature and by most participants in this study. The challenges that the NPF face today is discussed in relation to the interview responses for this study.

6.4. Thematic analysis

In chapters 1, 2, and 3., this study extensively discusses the nature of political ethnicity and observable implications for state-building, specifically police use of force in Nigeria. This section of this chapter seeks to analyze participants' interview responses in relation to the observed themes, concepts, and existing literature on police use of force and political ethnicity in Nigeria. This is done to establish the nexus between political ethnicity and police use of force in Nigeria. The analysis is also done to generate explorative knowledge on the role of political ethnicity in police use of force in Nigeria. The themes observed, presented, and analyzed in this section include ethnic bias, ethnic profiling, and ethnic politics.

6.4.1. Ethnic bias

According to Blum et al. (2021), ethnic bias occurs when individuals engage in discriminatory behavior, hold negative attitudes, or otherwise have less favorable reactions toward people based on ethnicity. This study refrains from using the language of measurement because of the challenges that arise from attempting to measure human behavior in qualitative research. According to Blum et al. (2021), two significant challenges arise in measuring ethnic bias; the first challenge stems from clarity about what is being measured. If ethnic bias is defined as less positive reactions, attitudes, or behaviors towards members of other ethnic groups, measurement can then occur in several directions. On the other hand, issues such as mistrust and showing lower levels of altruism

are forms of ethnic bias. Therefore, measurement will depend on the question and the cognitive, social, political, or other phenomena the researcher seeks to understand. This complicates the measurement of the level of ethnic bias already. The second challenge of measurement is the question of what tools can be used for measurement. Blum et al. (2021) further argue that tools for measuring ethnic bias are used as if they can measure bias without carefully considering the dimensions of bias. Be these measurement challenges as they may, this research does not intend to measure the levels of ethnic bias in how police officers use force in Nigeria. The goal is to identify mentions of ethnic bias and subjective discussions in the data.

Some participants, particularly Northern participants working in the Northwest, as well as Northcentral, noted that while they do not believe that police officers are biased or discriminatory based on ethnicity in the way that they use force, there are some incidences where police officers openly make discriminatory and stereotypical comments against suspects. For example, when asked about the existence of ethnic bias in the manner that police use force, one participant gave the following response;

“It really, like I said, the police do the same just anywhere, if they are in a Yoruba dominated area they will still act in the same manner, if they are in plateau (Northwest), if they are in Kaduna (Northwest), they would act in their same way of dealing with the public. So personally, I would not say that. Except that in the media sometimes. Let me not say in the media, the truth of the matter is that there was a case like that I would not want to be too detailed because..... There was a case where the police were talking to guys that they arrested, they were saying, ‘and you people are from southern Kaduna all these stubborn people from southern Kaduna.’ Careless statements like that. But on a larger scale I would not say that they target particular ethnic groups.” (Participant working in the Northwest. 04 May 2022, Online).

Another participant working in Northwestern Nigeria further notes that ethnic bias is present in Nigeria’s society generally as a structural challenge but didn’t have evidence to support an argument that this affects police use of force:

“When we start talking about ethnic bias in policing, I think it’s not because you are a police that brings about that, the police is a product of the society, the police is a product of the Nigerian society. The policing you get is what is acceptable within the society where

they are at..... Policing is different depending on the country, the structure of that country and the value that is upheld in such places (Participant working in Northwest Nigeria, 8 July 2022, Online).

Another participant working in Northeastern Nigeria noted that while there are some biases based on ethnicity, religious discrimination is more common in Northern Nigeria police use of force than ethnic bias. In his words:

“So now, they will first use religion to discriminate, after you have joined them, you have aligned, they will now use Hausa Fulani formula to discriminate you. So, I think we have experienced those times without numbers. The issue of ethnic discrimination from the police, based on ethnic group.” (Participant working in the Northeast. 14 October 2021, Telephonic).

The role of ethnic bias in police use of force featured prominently in responses from participants across other regions, especially in the Southeast. All participants working in the Southeast noted that ethnic bias played a prominent role in determining police use of force. Only one participant, each from the Southwest, South-south, and Northcentral, identified ethnic bias as playing a role in police use of force in Nigeria. It is suspected in this study, that the perceptions of ethnic bias by participants, as found in the Southeast and Northeast can be tied to the unrest within those regions. The unrest within those regions have also caused an increase in security force measures to mitigate opposition to government. However, the violent approach by security forces including the police seems to fuel the belief that the state is against the people in these regions as noted by participants in the Southeast. Non the less, the root causes can be traced to political ethnicity in the structure of police administration as is discussed in chapter 7.2. This demonstrates some of the challenges facing state-building, and policing in multiethnic states as noted in chapter 1.1 and elaborated in 3.6. that silencing of dissenting voices fuels division in the multiethnic states, which may push ethnic minorities to retaliatory actions in many instances as they clamor for their rights (Igba and Liaga, 2021:52).

6.4.2. Ethnic profiling

Following the crackdown on terrorism in Nigeria, scholars and practitioners have argued that ethnic profiling has become a method of apprehending suspects (Ewulum and Oraegbunam, n.d). The method includes using stereotypes to arrest individuals from certain ethnic groups in suspicion

of their involvement in terrorism. People from Northern Nigeria are prone to such arrests. However, in recent times, individuals from the Southeastern region have also come to be stereotyped in this manner by the officers of the Nigerian Police Force, as is noted in participant responses in this section.

As per the discussion in chapter 2.2.3., of this thesis, ethnic profiling refers to the “use of racial, ethnic, or religious background as a determining criterion for the adoption of law enforcement decisions” (Schuttern and Ringelheim, 2008). While there are various instances in the media of cases resembling ethnic profiling by the NPF already discussed in chapter 5.8, participants also confirm that there are instances where police make arrests based on ethnicity and stereotypes.

More examples of such profiling leading to arbitrary arrests and detentions can be found in various media reports, for example: In June of 2014, the media reported the arrest and detention of over 400 Northern people somewhere close to Aba on grounds related to terrorism, but the reasons for suspicion was not explained by the NPF (Agbakwuru, 2014). A similar incident occurred close to Lagos in 2019 when citizens from Northern Nigeria were arrested. The arrests were said to have been made as preemptive measures to address the growing insecurity in the country. However, the police were unable to justify the reason for suspicion of the suspects (Ogundipe, 2019).

Responses from participants, particularly from the Southeast and Northeast, expressed concern over the observable profiling of Ibo people in the Southeastern part of Nigeria and Fulani people in the Northern part of the country. For example, the below participant working in Northeastern Nigeria said;

“You know, like the Fulani, most especially in the Northeast part of the country, where I think, they are the majority ethnic group where you will find them in custodial centers, due to the way they live their lives, and because of herders/farmers' issue. When you look at the rate of kidnapping as well, they think that Fulani are the people who conduct such activities. So, when police arrest a Fulani man, you do not know if he is innocent because of that stigma, bad image, that Fulani has already portrayed themselves in, they seem to believe that that Fulani is an armed robber, or a kidnapper, or engage themselves in one or two criminal aspects of life. So, they (police) work towards getting confessional statements. So, I think, from the inmates, we have much in custodial center, we have about 50 percent

of inmates (in Northeastern prisons) are Fulani.” (Participant working in Northeastern Nigeria. 14 October 2021, Telephonic).

Responses from all other participants working in the Northeast buttressed this point, noting that there is ethnic profiling of the Fulani by officers of the NPF within that region.

Similarly, most participants from the Southeast region noted that there is intense ethnic profiling of Ibo people in that region; each comment below was made by participants working in Southeastern Nigeria;

“Once you are an Ibo man, because IPOB is operating in Ibo land, once you are an Ibo man, you are treated as a member of IPOB, and anything can happen to you.” (Participant working in Southwestern Nigeria, 13 May 2022, Online)

“People in the Southeast, especially, the Ibos, have been highly maltreated, and manhandled by the security agencies, because most of these security agencies are being brought from the north, and since they already have a narrative of how the situation of the environment is, and they have been briefed, so there is an excess of use of force dealing with people in that particular region.” (Participant working in Southeastern Nigeria. 09 October 2021, Abuja).

In essence, ethnic profiling by officers of the Nigerian Police Force is observable in some parts of Nigeria, mainly the Southeast and Northeast, according to participants. From the participants’ comments above, it can be observed that these regions are plagued with one form of unrest or the other emanating from terrorist and secessionist organizations/groups whose members are predominantly from specific ethnic groups. While IPOB and the ESN are made of individuals from the Ibo ethnic group, armed herders are dominated by Fulani ethnic people and has been described to be one of the deadliest terror groups after Boko Haram in West Africa (Global Terrorism Index, 2015:22). Fulani militants between 2014 and 2015 killed 1,229 people, up from 63 in 2013. They have posed a severe threat to stability across Nigeria until the present day. This finding is linked to the discussion on state monopoly on the legitimate use of force in chapter 3.4, where states’ failure to deliver the public good results in contestations between the state and oppositions for the use of force. In this sense, the Nigerian Federal Government is perceived to have failed to provide security and other public goods such as the rule of law in terms of justice and fairness of security

forces operations. This has presented the opportunity for the ESN, Boko Haram, the Fulani Herdsmen, and other armed groups across the country to contest with the government for the monopoly on the use of force. This has consequences for state legitimacy, as is discussed in chapter 3.4.

6.4.3. Ethnic politics

Ethnic politics in Nigeria is often attributed to Nigeria's diversity, complexity, and nature (Oarhe, 2010; Okotoni, 2006; Osumah, 2010:276). As earlier mention in section 6.3., with an approximated 200 million plus population as of 2021, Nigeria is composed of an estimated 250 ethnic groups and over 1000 dialects, providing the basis for a complex political climate. The complexities are further complicated by the inherited colonial structure of the state that gave birth to a client-patron political culture, where goods and services are exchanged for political support. Osumah (2010:276) argues that “since the birth of the Fourth Republic 1999, the phenomenon of patron-client politics has been particularly pervasive in the politics and governance of Nigeria.” Berman (1998:333) notes that the colonial state was based on an alliance with the local ‘Big Men’ and combined ethnically defined administrative with precolonial patron-client relations. Today, the colonial power structures created remain unchanged, especially those structures that maintain rural control and collaboration between state apparatus and local strong men. This is demonstrated in the Nigerian constitution. Okon (2004:11) notes that the contentious issues with the constitution include “the legitimacy of the constitution, constitutional recognition of the six geopolitical zones, devolution of power, revenue allocation formula, local government autonomy.” The complexities of constitutional challenges are further teased out in chapter 7.

In terms of how ethnic politics affects police use of force in Nigeria, challenges can be observed in the structures of recruitment into police which is skewed towards one region, posting of police officers to specific regions, and police conduct during elections.

To buttress this point, a participant working in the Southeastern region noted the following concerning separatists' agitations in the Southeast and clashes between police and the groups around the region:

“They believe that it is because the security forces are dominated by the North that Fulani and Hausa are using that as instrument of dominance. As instrument of oppression against

the ethnic group and that has been what some groups (ESN) within the region are using to get followership (Participant working in the Southeastern region. 30 April 2022, Online).”

He further notes that:

“The Federal Government has violated the provisions of Federal Character Commission. The law, in terms of appointments, recruitments and many issues that concern the Nigerian police and security. In short, there has been a period where all the heads of the police are 90 percent from the north. Not only police but security forces of the government are from the north (Participant working in the Southeastern region. 30 April 2022, Online).”

The colonial history of governing systems in Nigeria plays a significant role in that it was structured according to a divide and conquer system aimed at pitting ethnic groups against each other in a bid to prevent a unified approach against colonization. This system encouraged the posting of police officers across regions, believing that individuals alien to a community would be objective in their use of force compared to an individual from the community. In a letter to Newcastle on December 31, 1863, Freeman stressed the advantage of using the alien Hausas to police a Yoruba population. This advantage was based on the tension between the two groups (Alemika, 1993: 203).

“Being from the interior and professing the mussulman [Islam] religion are hated by the natives of these parts who have hitherto only known them as their slaves. They are disliked also by the Europeans as being of a more independent character than the Lagos people. They thus have only the government to depend on and if properly managed will prove a valuable resource to this settlement (Freeman to the Duke of Newcastle)”

This kind of approach to policing is still being used in Nigeria today Aleyomi (2013), where police officers are being transferred across regions to police unfamiliar communities, and in the general climate of political ethnicity, breeding mistrust in these communities (Nwankwo et al., nd; Ugwu et al. 2021). This is directly linked to the conversation had in chapter 3.5, where it is noted that African states have failed to move past the inherited and colonial artifacts (Englebert, 2007). It is particularly observable in the Southeastern region, where there is widespread mistrust of Nigerian security forces believing that the government is generally out to suppress Southeastern Nigerians in the face of IPOB and secessionist movements. The excessive use of force in this region by

security forces, including the police, has been a trigger for the rise of armed groups such as the ESN;

“There is this elevated level of believe that the Nigerian security forces are dominated by the north, and they are using them to oppress the people of the region, and that is why there is this confrontation going on. And they have accepted. They believe that the government is not going to do anything because the head of the government is also a Fulani man, so nobody can protect you. So, they have resorted to self-help, trying to protect themselves. That is why ESN came about, eastern security network as a kind of apparatus of self-defense and protection. Now what are they doing? They begin to attack the region's Nigerian police and other federal police apparatus. (Participant from Southeastern region. 30 April 2022, Online)”

This finding can also be linked to the discussion in chapter 3.6 on how African states, through international recognition, are given the power to silence opposition and minorities using the threat of or use of force by government security forces (Igba and Liaga, 2021:52). The monopoly on the use of force comes into play here, through various security agencies. Ethnic politics forms a theme in this study because it featured prominently in the participant responses to the research question. Most participants mentioned the role of ethnic politics in the recruitment and postings of police officers and the heads of security forces in Nigeria. The structural composition and posting of police officers in the Nigerian police are further discussed in chapter 7, the second part of this chapter.

As can be observed in this section, there are disparaging views on the role of ethnic bias and ethnic profiling in police use of force across the country from participants' narratives. However, ethnic politics is prominent in participant responses, as most participants mentioned this as a significant feature in Nigerian politics and police administration. Some administrative data, such as police recruitment and IGs of police list, are used to illustrate some of the reasons behind participant responses in chapter 7. As discussed in chapter 7, the challenge of representative data makes it difficult to establish a clear nexus between political ethnicity and the use of force in Nigeria. However, this section has shed exploratory light on where further research on political ethnicity and the use of force in Nigeria can begin; an inquiry into available police data.

6.5. Types of human rights abuses

One of the objectives of this study is to identify the types of human rights abuses committed by Nigerian Police officers in violation of local and international human rights policies. This section also links the human rights abuses to political ethnicity whenever the opportunity to do so is identified in the data. In light of the above, another set of themes observed in this study includes the kinds of human rights abuses mentioned by participants. Generally, human rights abuses committed by Nigerian police officers are numerous, as documented by both media and human rights organizations such as Amnesty International and Human Rights Watch. These abuses are committed irrespective of the ethnic group that the victims belong to, but in the context of this topic, a few of these abuses that can be linked explicitly to political ethnicity in all connotations of the term has been identified in participant responses and is discussed further in this section. The kinds of abuses mentioned include detention, extortion, torture, and extrajudicial killings. These abuses are addressed in relation to permissible use of force and use of force as discussed in chapter 5 of this thesis and linked to some of the concepts discussed in chapter 3, including political ethnicity and legitimacy.

6.5.1. Unlawful detention

Unlawful detention refers to detention, regardless of duration, which is contrary to expectations by law. These are detentions that are not in accordance with the law. It includes the restraint of an individual in a bounded area without justification (Eyongndi, 2021:450). It can be carried out by private individuals and law enforcement agencies such as the police in instances of false arrests where the restrained person becomes a prisoner as long as he/she cannot leave when they want to.

Under the Nigerian constitution, an arrested person must be prosecuted before a court to answer charges within a period of one or two days, depending on the distance from the court (1999 Const. Sec. 35). Moreover, if individuals in custody are not tried within the first three months of arrest and detention, they must be released either unconditionally or upon the reasonably necessary conditions that ensure they appear for trial at a later date (1999 Nigerian Constitution. Sec. 35).

According to reports by AI (2008) and HRW (2005), the Nigerian police are notorious for illegal detentions. AI (2008:7) noted that even individuals not suspected of committing any crime are imprisoned. Similarly, HRW (2005:32) reported that the Nigerian police arrest and detain friends and relatives in place of wanted suspects, and sometimes these individuals are tortured and

maltreated while in police custody. AI (2008:2) notes that, regardless of these constitutional laws, individuals who are arrested by the Nigerian police are often kept in custody for more extended periods without trial, up to a year in pretrial detention.

Unlawful detention occurs for a myriad of reasons; the prime among them in Nigeria is the inability of accused people to get legal representation. Emeka (2016), in his study, argues that more than half of the suspects awaiting trial could not hire lawyers, which was a significant reason for them to remain in prison, albeit illegally. This, despite the constitutional instruction to the state to provide a legal representative for accused persons, should the accused not be able to afford one. The problem is further exacerbated by issues of access to a court of competent jurisdiction whereby offenses committed by the accused persons, for example, require them to be prosecuted before a high court, but the police charge the accused person before the magistrate and obtains a remand order to detain them as a means to get confessional statements, pending formal charges being preferred at the High Court. Eyongndi (2021) notes that it is disturbing that agencies charged with detecting, preventing, and prosecuting crimes in Nigeria find it easier to arrest before investigating.

A participant working in the Southwest argued that while particular demography populates detention centers in the region, it is not ethnic demography but a socio-economic one. With mostly the poor in society filling up the cells.

“well not like a cultural bias if that’s what you are..., or a tribal bias, it’s more of an economic social bias, most people that find themselves in police detention are usually people who, everyday people who probably do not know their rights, do not have access to lawyers, or are of the lower, middle class or basically lower class, very few upper class or upper middle class rarely get in such situations, except they are there for maybe serious misdemeanors. Basically, the kind of people we see being easily arrested and detained are usually people who have no resources, that cannot have access to lawyers” (Participant working in the Southwestern region. 09 June 2022, Online)

In terms of the context of this research, some participants mention illegal detention as one of the ways they could tell some ethnic groups are treated differently when it comes to the use of force. Notably, a participant working in the Northeastern region mentioned the excess number of Fulani people that can be found in detention under the custody of the Nigeria police;

“Most especially in the Northeast part of the country, where I think, they are the majority ethnic group where you will find them in custodial centers, due to the way they live their lives, and because of herders/farmers' issue. (Participant working in Northeastern Nigeria. October 14, 2021, Telephonic).”

Other participants passively mention detention as a form of excessive police use of force in Nigeria. Regarding political ethnicity, patterns of arrest and detention show some observable mentions of ethnic profiling in the Northeastern and Southeastern regions. This research suggests that these patterns result from the rise in terror and insurgent groups, including herders, dominated by Fulani people, and the ESN, made up of Ibo people.

6.5.2. Extortion

One notable form of abuse committed by police officers in Nigeria is extortion and the collection of bribes. The National Bureau of Statistics (NBS) provides data showing that 1,170,00 Naira is paid in bribes yearly, where the average bribe size is 5,700 Naira. In 2019, 33 percent of Nigerians who encountered the police paid a bribe, indicating that a significant percentage of the bribes go to the police officers. Moreover, out of five Nigerian public institutions surveyed in 2019, the police were indicated to be the most corrupt (Premium Times, 2019)

A link can be made between the underfunding of the NPF, corruption, over-policing, and insecurity in Nigeria. According to Osasona (2020), comparatively, the police are appropriated far lower budget sums than other sections of the security services. Budgetary allocation for 2012 saw 1,600,000 Naira per soldier, 9,800,000 Naira per sailor and 7,100,000 Naira per air force personnel, in sharp contrast to all other security forces, the police personnel was allocated 870,000 Naira per police personnel, half of the budgetary allocation per soldiers. This budgetary allocation has been customary since 1999 and shows the persistent neglect of the police and domestic security threats. This neglect is partly responsible for police officers' engagement in rogue activities, such as extortion, to supplement their insufficient remuneration (Osasona, 2020:593). A participant working in the Southeastern region reinforces this point.

“Because most of the reasons why they go into extortion and all that is because they believe that they are not well taken care of so, that is the case” (Participant working in the Southeast 30 April 2022, Online).

Aborisade and Fayemi (2015:254) note that police corruption can affect virtually every Nigerian at disproportionate levels. The poor are the ones who feel the impacts more, as those in the lower economic spheres of society are susceptible to extortion to avoid unlawful detention or arbitrary arrests. These extortions are mostly carried out on Nigerian roads, where police routinely conduct stop and search exercises. There have been several cases of individuals detained without justifiable charge and kept unlawfully in police custody until they can pay demanded ransom as bail money. Moreover, even victims of crimes are routinely forced to pay unlawful facilitation fees for police to be able to conduct investigations whenever crimes are reported at the police station. Consequently, victims without the financial capacity are often left without justice, giving criminals and suspects who have the financial capacity and are highly placed in society the room to bribe their way out of criminal charges. Financial capacity and highly placed positions in society also afford criminals and suspects the leeway to influence the outcome of criminal investigations, sometimes turning the case against the victim (Aborisade and Fayemi, 2015:254).

One participant gave an example of an experience he had while commuting in a commercial vehicle;

“I was in Enugu, where I exposed a pattern of where police will hijack or commandeer a commercial bus, dictate to the commercial bus drivers, and begin to shout a certain location, people will enter, and then they will take them to police station and begin to extort money from them. I documented a good number of cases and wrote a petition to the inspector general of police. So, I was invited to come and shed light in their own language, and when I got there, they were interrogating me, and threatening me, but of course not on the basis of my ethnicity, but because I exposed them” (Participant working in Southeastern Nigeria 2 May 2022, Online)”

In the context of this research and the role political ethnicity plays in how police officers use force, from the data collected for this research, there is a belief that police officers often prefer being posted to the Southeastern part of the country because of the economic prospects in the region. Several participants observed this trend, particularly from Southeast, Southwest, and Northcentral. According to their narrative, individuals in the Southeast are mostly businesspeople and are often in a hurry to dismiss confrontation with the police. Consequently, they are prone to pay their way out of possible arbitrary arrests and unlawful detentions.

“In fact, experience working with the police, you would kind of... it is unwritten, but you will know that people (police officers) like serving in the Southeast. Why do they like serving in the Southeast? Because the average Ibo man does not have time to waste and go through processes, so you are accusing him of something, he is looking at settling you, so the element of facilitated corruption that can help you get rich quickly” (Participant working in the Southwest. 13 May 2022, Online)

Another participant buttresses the point:

“There is no research to justify that, but it is believed that because of the prosperous nature of the region, the police, especially the corrupt element within them, prefer to be posted to the region because of the economic gains and exploitation they will benefit. And there have been arguments, but research has been there, some people have been able to, not commissioned research, that if you are going from Abuja the capital city, traveling by road to the region, the number of roadblocks you will see by the Nigerian police are like 300 more if you are traveling from here to the northern region. The question has been why, why it is more.” (Participant working in the Southeast. 30 April 2022, Online)

These are not conclusive evidence that more extortion is happening in the Southeast or that officers prefer being posted there than in other parts of the country, however, the participant narrative sheds exploratory light on the argument. What is noteworthy from this theme in the literature, as well as participant responses, however, is that there is corruption on the part of NPF, which takes the form of extortion carried out through the threat or use of force (Aborisade, and Fayemi, 2015; Osasona, 2020; Premium Times). Also noteworthy is that while extortion is a general activity of Nigerian police officers, there is a perception in the Southeast that it is more pronounced in this region. Corruption is discussed further in the next chapter, under an analysis of the structural problems associated with policing in Nigeria.

6.5.3. Torture

Torture is one of the most extreme forms of violence according to (Aborisade and Obileye, 2017). It can result in physical and psychological damage but is sometimes considered an effective technique for obtaining confessional information from suspects. While it is effective for getting statements, the statements' reliability is in question (Rumney, 2005:513). Studies have also shown that torture can negatively affect both the victims and the perpetrators.

According to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984, art. 1, para.1), torture is described as;

“any act any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

The ICCPR (1976, art. 7), goes further to note that;

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The Nigerian government in the 2018 anti-torture act elected in ACT. 21 Para. 1 to:

“Ensure that the rights of all persons, including suspects, detainees and prisoners are respected at all times and that no person placed under investigation or held in custody of any person in authority shall be subjected to physical harm, force, violence, threat or intimidation or any act that impairs his free will”

It goes further to describe such acts of torture in Par. 2 as including;

‘2.—(I) Torture is deemed committed when an act by which pain or suffering, whether physical or mental, is intentionally inflicted on a person (a) obtain information or a confession from him or a third person; (A) punish him for an act he or a third person has committed or is suspected of having committed; or (c) intimidate or coerce him or a third person for any reason based on discrimination of any kind.’

Regardless of these international and local prohibitions against torture by the police, a myriad of cases of torture has been reported as a widespread practice among police officers searching for confessional statements from suspects in custody (Aborisade and Obileye, 2017).

Amnesty International (2020) documented 82 cases of torture, ill-treatment, and extra-judicial execution by SARS between January 2017 and May 2020. “The victims of the police unit, set up to fight violent crimes, are predominantly male between the ages of 18 and 35, from low-income backgrounds and vulnerable groups.” Anecdotal evidence suggests that Nigerians have believed the police unit has been guilty of harassment, unlawful arrests, torture, and killings for years.

In terms of political ethnicity, torture was passively mentioned across the Southwest, Southeast, and Northeast in the interview responses. The below comment was made by a participant working in the Northeast about an officer who used torture with impunity. The participant noted that the officer in question got away with acts of torture because of his religion, rank, and ethnicity:

“I have made so many publications on it, torture by one police officer: Babayola, and taking the laws into his hands using excessive force, in terms of carrying out his operation. But because he is the head of the rapid response unit, and a Muslim man and a Fulani man, you understand?” (Participant working in the Northeast. 14 October 2021, Telephonic)

Another participant working in the Southeastern region noted that people in police custody are tortured and may end up dead:

“People are being tortured and maltreated, even when they are in detention still waiting trial, they are being manhandled by the security agencies, most of them even die in detention” (Participant 2 working in Southeastern Nigeria. 09 October 2021, Abuja).

The third participant from the Southwest noted that apart from being illegally detained, suspects in police custody who might have been tortured might refuse to report it for fear of the cost of litigation.

Now my personal experience with a lot of this people is that suspects will usually not own up to say that the police have assaulted them because the process of getting justice against the police basically is the same process you have to go to court, it takes time, it costs money. So, you find a lot of people willing to turn a blind eye or decide not to prosecute, or decide not to bring a civil action against the police for abuse of their powers (Participant working in the Southwest. 09 June 2022, Online)

BBC (2020) published an article that shed light on the use of torture by Nigerian security forces. The video captured a torture technique commonly used by security forces, including the police and SARS operatives. Using this technique, operatives will bind the detainees in a cruel manner that involves forcing the arms backward and tied at the elbows. This cuts blood circulation to the arms and making the arms less functional. The victims' feet are tied in a manner that arches the spine. The victim's full body weight is then suspended on the victims' arms, and a heavy wooden or concrete object is placed on the victims' back to intensify the pain. The documentary implicated several arms of the Nigerian security forces including the Nigerian Army, the Nigerian Mobile Police, the Nigerian Air Force, the Nigerian Security and Civil Defense Corps, and the notorious Special Anti-Robbery Squad.

Torture, like other human rights violations, is discussed as a mentioned use of force across participants in this study. This section has discussed the types of use of force that Nigerian police officers employ in the unlawful and excessive use of force. It is a general discussion of observable and unlawful use of force that violates human rights, however, opportunities to identify political ethnicity in police use of these kinds of force are highlighted. Most participants generally mention these observable uses of force as tools they observe police using. This is supported by literature that notes the numerous human rights cases of abuse committed by Nigerian security forces, including the police (Aborisade and Obileye, 2017; Amnesty International, 2020). Again, demonstrating the gap between existing human rights instruments, and progressive realization of rights at the local level as discussed in chapter 3.8.

6.5.4. Extrajudicial execution

To recap on how extrajudicial execution is described in this study, as defined in the conceptual framework chapter 2.5.2, extrajudicial execution, summary executions, or arbitrary executions may refer to when the individual officers' discretion is used to pass judgment on suspects. There is a difficulty in providing a comprehensive definition for extrajudicial execution; as such, United Nations Special Rapporteur on summary, extrajudicial and arbitrary executions Callamard (2021), gives a list of acts that constitute extrajudicial execution; this list can be found in chapter 2.5.2 of this thesis.

On extrajudicial executions, not many participants mention this form of excessive and lethal use of force. However, some participants passively mention it in their narratives of the general excessive use of force by the NPF. A participant working in Northcentral Nigeria said;

“Like we have a report of somebody who was shot by the police and the entire scenario was occasioned by a friend of the police being involved, and the man just called the policemen, see this is what these people are doing to me, let us go there. And upon getting to that place, he (police officer) fired and killed a human being” (Participant working in Northcentral. 7 July 2022, Pretoria).

The participant spoke about the general arbitrary use of force and firearms by officers of the NPF. He further noted that in other instances of his experience as a public defender, he had encountered cases where police “exceed their limits in terms of not keeping to the general rules of engagement” and opening fire and causing death and injury.

This claim is backed up by reports in the media as narrated in chapter 5.7 of this thesis. One such example is the Apo six incident, the killing of six ethnic Ibos in Apo district of Abuja. Here, police officers of Northern origin opened fire on six individuals after a stop and search mission. The officers were prosecuted and punished years later. This narrative is available in chapter 5.7. Another incidence involved the killing of four and injuring of eight people. News of this incident surfaced in the media in 2002 when police officers opened fire on victims returning from church in Enugu. According to Oyewale (2005), the victims could not pay a bribe of 60 Naira, and as a result, they infuriated police officers operating the toll gate at Ogbenuke who then opened fire. There are countless other pieces of evidence of police officers’ and law enforcement’s use of excessive force, especially those documented in the buildup to and shortly after the #EndSARS protests in 2020 (Sanusi, 2021). In this study, the use of excessive force by police and its commensurate human rights violations noted here are considered failure by the state to provide security as a public good. In keeping with the argument in chapter 3.4, this failure has led to the rise of violent opposition across the country, thereby constituting a challenge to the monopoly on the use of force, and ultimately, the legitimacy of the state.

6.6. Conclusion

This chapter is the first of two chapters that are aimed at making sense of the data collected from interviewing 18 members of CSOs working in the area of police use of force across the six

geopolitical zones of Nigeria. The study aims to understand political ethnicity's role in police use of force in Nigeria. The chapter starts by providing a background to the historical and current realities of the six geopolitical zones in Nigeria to present a contextual understanding of the imperative for this research. The chapter demonstrates not just the political differences between the regions but differences in the kinds of crimes found across regions. It is suggested that crime is rampant across each region, and so are security concerns (Emmanuel, 2009; Majekodunmi, 2015). Political ethnicity remains an issue for governance in Nigeria and is perceived differently from region to region in Nigeria, as the responses to the interviews have shown. This can be explained based on the different challenges that each region faces. For example, although political ethnicity is present in the Northwest and Northeast, religion is more prominent as a determinant of bias or discrimination. The Northcentral, the most diverse region in the country, is faced with issues of perceived marginalization and, like the core Northern regions, experiences some intersectionality between religion and ethnicity. The Southeast is predominantly Ibo and is home to the secessionist groups ESN and IPOB. Participants from here were the most who agreed with the theory that political ethnicity plays a role in how police use force in Nigeria. Despite featuring constantly and relatively prominently in Nigeria's political arena, the Southwest has also had some dissatisfaction with the Nigerian government. The creation of Amotekun demonstrates the most recent dissatisfaction of the Southwest with the Nigerian Federal Government. Amotekun is a security force meant to operate side by side with the NPF. Participants within this region had divergent views on the role of political ethnicity in police use of force. Finally, the South-south, the oil-rich region in Nigeria, is also assumed to experience some form of marginalization and injustice perpetrated by the Nigerian government and foreign oil companies. Despite the differences between these regions, most participants noted the existence of political ethnicity's role in how police use force, but to a greater extent, its role in police administration in Nigeria.

Moreover, from combining existing literature and the interview responses, it is also observable that ethnic diversity, religion, and other kinds of diversity, including types of crimes, have made governance a puzzle since colonial times leading to the development of a complicated federal system of government and administration. In the grand scheme of things, the research data, mixed with the available literature, show an observable link between the complicated federal system found in Nigeria, which reinforces political ethnicity, and the nature of the modern state in Africa, as discussed in 3.5.

From the above premise, a conclusion reached in this chapter is that Nigeria's current federal system of government, born out of the colonial need to run the area as one autonomous unit without creating complications from the diversity, is a process that falls short of the prerequisites for legitimacy as defined by Tilly (1985). Legitimacy is extensively discussed in chapter 2.3. and 3.2., where it is noted that the modern state in Africa is *de jure, i.e.*, legal, and not legitimate (Englebert, 2007). This chapter goes on to show the absence of some elements found in the definition of legitimacy adopted in this thesis. While federalism and current federal structures were created by the British, the nature of the state in Africa, particularly Nigeria, presented successive administrations with the imperative to customize the constitution in processes that did not involve popular legitimacy. Nigeria's federalism has undergone a downward spiral of customizations in the hands of successive military governments. These customizations have left Nigeria's federalism resembling a unitary system that reveals a glaring power tilt in favor of one region. This is discussed further in 6.3. In this research, the symptoms of political ethnicity in the above constitutional issues can be identified in how police use force as shown in this chapter.

To show evidence of the argument made in chapter 3.5 about the consequences of the state's failure to provide security as a public good, the performance of the Nigerian police is generally described as poor in the literature as well as by participants in this research, who also mention the rise in insurgencies and opposition groups. Most participants note that political ethnicity, defined as ethnic profiling, and ethnic politics exist in governance, including security sector governance. However, there were disparaging views across participants as to its role in determining when police use force. The themes nevertheless were part of more than half of the participants' narratives of police use of force in Nigeria.

Moreover, some participants observed the above group of themes manifesting in how police officers choose victims or what victims face the human rights violations such as detention, extortion, and torture. These concepts also form another set of themes in this research. Participants observed at least one of the themes of ethnic bias, ethnic politics, or ethnic profiling having a role in deciding who is unlawfully arrested and detained, extorted from, or tortured, again, another display of the failure to deliver security as a public good, hereby contributing to negative perceptions of police legitimacy, and state legitimacy specifically in Southeastern Nigeria, linking to the discussion in chapter 3.5.

This chapter was a general discussion of observable and unlawful use of force that violates human rights. Opportunities to identify political ethnicity in police use of these kinds of force are highlighted. Chapter 7, the second part of this analysis, discusses the structural issues that plague the NPF, which can be responsible for the excessive use of force by police officers in the context of political ethnicity. In the analysis provided in the next chapter, like this chapter, instances of the role of political ethnicity in police use of force are identified and discussed.

Chapter 7: Structural problems associated with the use of force

7.1. Introduction

This chapter is a continuation of the previous chapter aimed at analyzing the topic of this research using the responses to interview questions and existing literature. The first part of the two chapters examines themes related to attitudes and observable unlawful use of force within which traces of political ethnicity could be observed. This chapter analyzes structural issues that dictate police operations, which could potentially lay the foundations for human rights abuses including excessive police use of force based on ethnicity. The crisis of legitimation of the police, and by extension, the state, is also observable in the data presented in this chapter, especially in the discussion of the appointment of heads of police, police recruitment, and posting of police officers. The critical debate in this research that the government has failed to deliver security as a public good in Nigeria is also brought to bear in this chapter which discusses the failure of the current structures of police administration and operations such as checkpoints and roadblocks, police training, and the culture of corruption.

7. 2. Structural problems associated with policing in Nigeria

A myriad of challenges associated with policing can be identified in the arrangements of the parts of police operational procedures in Nigeria. The list of challenges discussed in this chapter is non-exhaustive; however, based on the data collected, the following themes came up as glaring challenges faced by the NPF regarding the structure of operations. Structural problems associated with policing in Nigeria include operational arrangements such as appointing heads of security forces, police recruitment, and posting of police officers. The challenges faced in these areas are linked with the difficulties of legitimation and popular legitimacy, as discussed in chapter 3.2. These challenges are also linked with the federalism discussion detailed in chapters 3.6 and 6.3. demonstrating the problematic nature of Nigeria's federal structure in the climate of political ethnicity. This section also further shows other operational issues linked to the dysfunctional structure above, and as found in the data, demonstrating a perception of government failure to deliver security as a public good. These include police checkpoints and roadblocks, police training, and corruption.

7.2.1. Heads of security forces

Another area where participants expressed concern is that heads of security forces, including the police, have predominantly been individuals from Northern Nigeria—stating that it is relatively more straightforward to gain promotion in government agencies as someone from Northern Nigeria than it is for someone from other regions. Further research on this point showed that there had been a slight imbalance in the appointment of Inspector General (IG) of Police since independence in 1960, as shown in the table below.

NO	Inspector General (IG)	Year	
1.	Louis Edet	(1964 - 1966)	South-south
2.	Kam Salem	(1966 - 1974)	Northeast
3.	Muhammadu Dikko Yusufu	(1975 - 1979)	Northwest
4.	Adamu Suleiman	(1979 - 1981)	Northwest
5.	Sunday Adewusi	(1981 - 1983)	Southwest
6.	Etim Inyang	(1985 - 1986)	South-south
7.	Muhammadu Gambo Jimeta	(1986 - 1990)	Northeast
8.	Aliyu Attah	(1990 - 1993)	Northeast
9.	Ibrahim Coomassie	(1993 - 1999)	Northwest
10.	Musiliu Smith	(1999 - 2002)	Southwest
11.	Mustafa Adebayo Balogun	(2002 - 2005)	Southwest
12.	Sunday Ehindero	(2005 - 2007)	Southwest
13.	Mike Mbama Okiro	(2007 - 2009)	South-south
14.	Ogbonna Okechukwu Onovo	(2009 - 2010)	Southeast
15.	Hafiz Ringim	(2010 - 2012)	Northwest

16.	Mohammed Dikko Abubakar	(2012 - 2014)	Northwest
17.	Suleiman Abba	(2014 - 2015)	Northwest
18.	Solomon Arase	(2015-2016)	South-south
19.	Ibrahim Kpotun Idris	(2016-2019)	Northcentral
20.	Mohammed Adamu	(2019-2021)	Northcentral
21.	Usman Alkali Baba	(2021-)	Northeast

Table 1: List of Inspector Generals of Police Since 1964

The table shows that out of 21 Inspector Generals (IG) of police since independence, 12 IGs have come from Northern Nigeria; of the 12, four are from the Northeast, six from the Northwest, and two from the Northcentral. In contrast, there have been eight IGs from Southern Nigeria, with four originating from the South-south and four from the Southwest. Only one IG – Ogbonna Okechukwu Onovo – has come from the Southeast. Another observable revelation from the above table is that each respective IG’s ethnic background correlates with the Head of State’s at the time. For example, in 1999, while President Olusegun Obasanjo took over from the military regime, the IG appointed was from his ethnic group and region. Similarly, successive administrations have adopted this approach. It should be noted that since President Nnamdi Azikiwe (1960 to 1963), and Major General Agwu Ironsi (January to July 1966), there have been no heads of states from the Southeast.

As one of the consequences of this reality, separatist sentiments loom in Southeastern Nigeria. These sentiments are carried over from historical facts of the cause and consequences of the Biafra secessionist War (1967-1970). According to Mbachu (2021), there is a perceived “marginalization” within the region which feeds on nostalgia for the rebel republic of Biafra. The 30-month war of independence left more than a million people dead. The deaths were mainly from diseases and starvation caused by the Federal Government’s blockade of that region. Mbachu (2021) argues that many Ibo people feel they are still being treated as second-class citizens more than 50 years later. This sentiment is further driven by the region’s belief that the current president, Muhammadu Buhari, is openly biased towards the Northern and Muslim constituency and could be even anti-Ibo. This demonstrates the perceptions of state legitimacy in Southeastern Nigeria, buttressing the point in chapter 3.6 that political ethnicity is a challenge for achieving some of the

aspired to and ideal characteristics of a modern state, such as a sense of a unified national identity within the population. This section shows that exclusionary politics affects citizens' perceptions of the government's legitimacy. In the responses to interview questions, all participants working in Southeastern Nigeria noted the exclusion of people from this region as security chiefs. Some participants from the other areas also mention this concern. Although this is not sufficient evidence of bias in appointment of heads of security forces, it does however paint a picture of the perceptions of the participants in this research that there is ethnic bias in appointments in the police force which provides the imperative for further investigation in this area.

7.2.2. Police recruitments

Recruitment in Nigeria is ideally guided by the Federal Character principles to mitigate marginalization and domination in private and public sectors. While this is the case, the literature in this section and the interview responses show that the Federal Character principle has not necessarily solved the problem of equitable recruitment in Nigeria's diverse society. Consequently, this also has a role in perceptions of the legitimacy of the police and government, as can be seen in participant responses, particularly from Southeastern Nigeria. The Federal Character is a system developed by Nigerian nationalists to ensure that the representation and participation of the various geo-ethnic groups in Nigeria are equitable and fair. Under the constitution, the Federal Character is represented in Section 3(1) and is vaguely defined thus:

"Federal Character of Nigeria" refers to the distinctive desire of the peoples of Nigeria to promote national unity, foster national loyalty and give every citizen of Nigeria a sense of belonging to the nation as expressed in section 14 (3) and (4) of this constitution.

(3) The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the Federal Character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that Government or in any of its agencies.

(4) The composition of the Government of a State, a local government council, or any of the agencies of such Government or council, and the conduct of the affairs of the Government or council or such agencies shall be carried out in such manner as to recognize

the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the people of the Federation.

Moreover, Federal Character of Nigeria is also provided for in the 1999 constitution in sections 147(3), where there is a provision for presidential appointments;

147(3) Any appointment under subsection (2) of this section by the President shall be in conformity with the provisions of section 14(3) of this Constitution:-

provided that in giving effect to the provisions aforesaid the President shall appoint at least one Minister from each State, who shall be an indigene of such State.

Scholars have argued that the constitution does not sufficiently provide a legal framework for enforcing Federal Character. This conclusion is reached as irregular appointments at the various departments, public services, and agencies go against the tenets of the Federal Character principles described above (Igbokwe-Ibeto and Agbodike, 2015:35; Okeke and Obidimma, 2021).

Several participants mentioned police recruitment, promotion, and leadership as structural issues affecting the police in Nigeria. They argued that the recruitment is skewed in favor of persons from the Northern part of the country, like promotion and leadership appointments. Some participants raised concerns about how easy it is for individuals from the North to get promoted and appointed into leadership positions in security agencies, including the police.

While indications according to the interview responses may point to the existence of such trends in recruitments, the available data as per news reports and media articles show that there are significantly more applications to join the police from the Northern parts of the country compared to the Southern parts (The Punch, 2022; Benson, 2022).

In the 2021 recruitment exercise, for example, 82 percent of the 124,291 candidates who applied were from the three geopolitical zones of the North. 101,207 applicants applied from the Northeast, Northwest, and Northcentral regions, while merely 23,084 candidates applied in the Southeast, South-south, and Southwest regions. This only shows the number of candidates from each region interested in joining the police; it does not represent the demographics of the recruited candidates.

NO.	State	Region	Number of Candidates Applied
22.	Abia	Southeast	596

23.	Akwa Ibom	South-south	3,536
24.	Anambra	Southeast	314
25.	Bayelsa	South-South	759
26.	Cross River	South-south	2,704
27.	Delta	South-south	976
28.	Ebonyi	Southeast	463
29.	Edo	South-south	1,206
30.	Ekiti	Southwest	1,417
31.	Enugu	Southeast	707
32.	Imo	Southeast	852
33.	Lagos	Southwest	562
34.	Ogun	Southwest	1,154
35.	Ondo	Southwest	2,472
36.	Osun	Southwest	2,006
37.	Oyo	Southwest	1,767
38.	Rivers	South-south	1,597
39.	Plateau	Northcentral	4,100
40.	Kebbi	Northwest	3,596
41.	Katsina	Northwest	7,605
42.	Kano	Northwest	7,557
43.	Kaduna	Northwest	7,436
44.	Jigawa	Northwest	4,951
45.	Benue	Northcentral	6,578
46.	Adamawa	Northeast	8,206
47.	Bauchi	Northeast	7,140
48.	Bornu	Northeast	8,693
49.	Federal Capital Territory	Northcentral	4,418
50.	Kogi	Northcentral	4,412
51.	Kwara	Northcentral	2,410

52.	Nasarawa	Northcentral	4,700
53.	Niger	Northcentral	4,672
54.	Sokoto	Northwest	2,450
55.	Taraba	Northeast	4,075
56.	Yobe	Northeast	4,992
57.	Gombe	Northeast	4,416
58.	Zamfara	Northwest	1,990

Table 2: List of applicants for 2021 police recruitment Data extracted from the Punch (2022), Newspaper online

Benson (2022) further notes that “that a large number of northerners applied for the job does not mean they were recruited.” Regarding recruitment, the list of 7,708 officers enlisted in the police in 2020 shows that 4,181 of those recruited were Northerners, while 3,527 were Southerners (Benson, 2022).

A participant in this study working in the Southeast noted that the discrepancies in the numbers indicated that people from the Southern parts of the county are hardly interested in joining the police because they assume it is not a lucrative venture in terms of remuneration. After bringing up the issue of police recruitment, the participant was asked where police officers come from, and he noted the following:

“They are mostly, most of them are from the North. You can check police recruitment. A high number, few Ibo people join Nigerian police because it's not a profitable venture. My people (Ibo people) have eye for making money and all that, so they definitely don't go into things that do not give them money. So Nigerian police is not an attractive venture in Nigeria” (Participant working in the Southeastern region, 29 April 2022, Online).

Southeast representative in the Nigerian Police Service Commission (PSC), Onyemuche Nnamani, noted that the number of youths from the five South-eastern states which registered to join the NPF was low, causing the PSC to “bend backward” to extend the application period so that more people from the region can have extended opportunity to apply.

According to The Guardian (2022), this is a grave issue and should worry Southeasterners because it is bad enough that “by their own estimation,” the people of the zone suffer underrepresentation

in various organs of the Federal Government. This was noted after observing the small number of Southeasterners who applied for vacancies in the 2021/2022 police recruitment exercise. All three participants from the Southeast mentioned bias in police recruitment and appointments in favor of Northern Nigeria. Other participants who said appointment and recruitment were skewed in favor of individuals from the North include one participant from the Southwest and one from the Northcentral.

7.2.3. Posting police officers

As was discussed earlier in 3.4.3., postings during colonial times in the Nigerian police were done to alienate the police from the citizen. This ensured that the colonial administration's political security was guaranteed. Such techniques created mutual mistrust between the individual police officers and members of the communities they policed. This was done by transferring police officers across zones and to communities where the police officers' ethnicities were different. Participants working within the Northcentral and South-eastern regions raised this point. This trend, or the perceptions of the trend, it is suggested, is one of the motivations for the unrest by agitating groups within the Southeast, specifically the confrontations between separatist movements such as the ESN, and the security forces, including the police. Participants in this region noted the general mistrust of Northern ethnic groups, particularly the Hausa and Fulani, by ethnic Ibos in the Southeast. Again, this is in line with the discussion on state-building and the monopoly on the legitimate use of force, where a state's failure to provide security as a public good is likely to result in opposition. This is broadly discussed in chapter 3.5 of this thesis. Although all participants working in South-eastern Nigerian mentioned this as a significant cause for excessive police use of force across South-eastern Nigeria, participants from other parts of the country did not highlight this as an issue in the regions they work in.

Furthermore, some participants argued that if police are not posted across regions, it would be problematic as a federal organization:

“Of course, yes, in the police here in Edo state, we have officers that are not from here in Edo that are here, as officers. so, the police is a national body, so of course, if I begin to see only Edo police officers, or maybe police officers from nearby Delta state in Edo without seeing other tribes, Ibo, Yoruba, Hausa, then I will begin to see that as an early warning.” (Participant working in South-South Nigeria. 11 July 2022, 15, Online)

While another working in the Northcentral region noted that current practice in policing rarely adopts posting across areas as a method of operations except in exceptional cases where police are sent on special assignments to turbulent regions such as the case with the Northeast and Southwest, respectively.

“I hardly find the issue of bias; what is commonplace is the normal abuse of process in the carrying out their duties. It’s very difficult to a state police command that you will not get them predominantly persons from that state extraction.” (Participant working in Northcentral Nigeria. 7 July 2022, Pretoria).

7.2.4. Checkpoints and roadblocks, stop and search operations

Some of the activities that are often perceived as means of abuse used frequently by members of the NPF include checkpoints, roadblocks, and stop and search operations noted by participants to be set up specifically for intimidation and extortion. Within and outside the Federal Capital Territory (FCT), these operations are carried out by the Nigerian police. The public often perceives them as a means used by officers to extort money from motorists (Sunday, 2021: Omonobi, 2022). A statement made in the Punch newspaper by the IG of Police, Usman Alkali Baba, addressing leaders of the NPF, hints at the acknowledgment of these kinds of activities being perpetrated by members of the NPF:

“To Area Commanders, DPOs, and Sectional heads, you must ensure that Checkpoint, Stop & Search operations, and patrols are not used to intimidate, extort, or fleece members of the public. Do not raid because you have ulterior motives. Do not be on stop and search because you want to extort. (IGP Inspector-General of Police, Usman Alkali Baba, 2022).

Incidences of excessive use of force by police during these operations are common across the country, for example, reports of the police killing four and injuring eight people surfaced in the media in 2002 when police officers opened fire on victims returning from church in Enugu. According to Oyewale (2005), the victims could not pay a bribe of 60 Naira, and as a result, the infuriated police officers operating the toll gate at Ogbenuke opened fire.

Numerous examples of police excessive use of force and outrageous extortions emerged across Nigeria before and during the #EndSARS protests. The 2016 World Internal Security and Police

Index ranked the Nigerian Police Force as the world's worst in a survey of 127 countries. In the survey, 81 percent of respondents stated that they had paid bribes to a police officer in the past year (Abdelmottlep, 2016). Many bribes were paid to officers of the SARS at makeshift roadblocks created specifically to extort drivers.

Police commit these acts despite international and local laws created to prevent them. The significant instrument protecting citizens from such abuse of police powers after the constitution is the Police Act 2020. Before 2020, previous laws governing policing in Nigeria were replicas of the 1967 Police Act, which made the NPF an agent of the Federal Military Government. As such, the police were given powers to execute military duties as required. Under previous police laws such as the 1967 Act., police officers were given powers to arrest without a warrant, coerce public citizens to assist in such arrests, search any house or business without a warrant, and detain or search suspects without reasonable suspicion or probable cause. Those powers were amended in the Police Act. 2020 which repeals the Police Act Cap. P19. Laws of the Federation 2004. Particularly, with regards to roadblocks, checkpoints, and stops and searches, the 2020 Police Act in Section 49 (2) states that a police officer may detain and search any person or vehicle where;

“(b) reasonable grounds for suspicion exist that the person being suspected is having in his possession; or conveying in any manner anything which he has reason to believe to have been stolen or otherwise unlawfully obtained.”

Section 54 states that “the following shall not be grounds for reasonable suspicions;

“(a) personal attributes, including a person's color, age, hairstyle, or manner of dress;

“(b) previous conviction for possession of an unlawful article; or

“(c) stereotyped images of certain persons or groups as more likely to be committing offences.”

Under the Police Act, Section 49 (2) b, police have been given the authority to stop and search persons whom they reasonably suspect of having or conveying anything that individual officers believe has been stolen or unlawfully obtained. According to Nwauzi (2018:30), this section of the police act gives the police the power to “mount roadblocks, stop and search points, flash points, and pin down points.” Moreover, the phrase “reasonably suspects of” having in his possession or

conveying in any manner suggest that to justify this police action, for arrests to be made, or for any other action to be taken under this law, the suspicion must be reasonable and not “capricious or whimsical.”

In the context of this research, the role of political ethnicity on police use of force, there were a few concerns by participants on the number of roadblocks and stop and search operations carried out by the police around the Southeastern region. A participant said the following:

“If you are going from Abuja, the capital city, traveling by road to the region, the number of roadblocks you will see by the Nigerian police are like 300 more if you are traveling from here to the northern region. The question has been why it is more (Participant working in the Southeastern Region, 29 April 2022, Online).

In response to his question, the participant suggested that extortion forms a source of income for some police officers, and this was the reason for their preferred postings to the Southeast. Other participants also made similar comments. The participants noted that the Southeast is the desired location for police officers to be posted. They also linked this to the fact that the Southeast is lucrative in terms of willing victims of extortion. Not just all three participants raised this concern from the Southeast but one from the Southwest and one from the Northcentral. As a participant from the Southwest stated,

“No, there is no document, there is no document, it is practiced, if you can get inside the police system, you probably would see the rate of posting to the southeast, particularly to Anambra or Enugu, and how people go in and come out and how some people have been there for, since forever, and refuse to move, do you understand? that they have moved out, they’ve come back, they have moved out, they come back...” (Participant working in Southwest, 30 April 2022, Online)

As seen above, when asked to provide data to support this, participants could not provide such data. Further research to find available literature failed to yield concrete information. The issue of the lack of transparency and open data on Nigerian police operations came up several times in participant responses.

7.2.5. Police training

Police training in Nigeria today derives from the traditions of police training during the colonial era. During colonial times, Nigerian police officers were trained with a goal and philosophy to ensure hostilities between the police and citizens (Onoja, 2017:128). The training differed from that in the metropolitan country, which was aimed at simply maintaining law and order. According to (Clinard and Abbot, 1973:216), policing in a colony required a more passive relationship between the police and the public. The British colonial authorities would only appoint individuals who had served as Royal Irish Constabularies or had trained in the Armed Forces of the Crown, a military apparatus of the British Government. This ensured that the police maintained a militaristic approach to policing in Nigeria (Onoja, 2017:128). Onoja (2017) notes that the job description of police officers in the colonial era in Nigeria before the 1930s, and which determined selection and training, was for the police to be able to ensure public security, not just from criminals as in the metropolitan state, but primarily, “against disturbance and unrest among primitive tribes that were less than open rebellion, and of a political rather than a criminal character.” The police standing orders below shed light on the goal of police recruitment and training during the colonial era in Nigeria;

“... emphasis is put on drill as the means of instilling obedience, discipline and self-control. Officers and men are required to model their drill standards on those of the military infantry, as the force is itself a semi-military organization... It is essential that every constable should be able to use his rifle with a fair amount of accuracy, for if a man is totally unable to shoot, he is useless to the force (Nigerian Police Standing Order, 1932:45, 93).

This kind of approach to training lasted throughout the colonial era. In addition to the training to create a paramilitary force, individual officers were expected to have certain personality types. The training and job description would ensure they acquired such personality types (Onoja, 2017). Those personality types included “authoritarianism, suspicion, aggressiveness, masculinity, alienation, and cynicism.”

Moreover, as discussed in section 7.2.1, police were recruited and posted to specific regions based on ethnic differences to isolate police officers from citizens effectively. In a letter, this mission was made clear by the former colonial governor of Lagos, H.S. Freeman, who noted that the

Muslims were hated by both the indigenes of Lagos and Europeans, who believed that the Muslims/Hausa were more independent than the Lagos people. Today, the posting of police officers still maintains the same structural patterns as some participants in this research have observed.

Post-colonial policing in Nigeria has maintained the orientation of the preceding colonial police (Onoja 2017). This has been blamed on the fact that post-independence Nigeria held similar fundamental structures and motives of governance as the colonial era. To Onoja (2017:131), policing colonial and postcolonial Nigeria are identical because both eras' political and economic structures are similar. According to Alemika and Chukwuma, (2000:35), the government remains alienated from the citizens and lacks legitimacy because of the absence of democracy. Another important observation that buttresses the debate in chapter 3.6 of this thesis of the questionable legitimacy of the state in Africa. Although democracy has since returned to Nigeria in 1999, a core argument in this research is that legitimacy of government is still primarily in question in Nigeria today. The thesis argues that although legal, in the sense that it is permitted and constitutional, fits within the law and is compliant with a legal framework, lacks legitimacy, in the sense that laws are population approved. This argument is predicated on the basis that government decisions hardly reflect the people's aspirations. It is not usually made following a correct, fair, genuine, moral, and ethical path simply because of ethnic exclusivities being transferred into politics and culture in Nigeria (Ake, 1993:2). In the context of this research, focus and attention are being placed on how ethnic exclusivities are being transferred into how and when police use excessive force in the context of ethnic diversity in Nigeria (Alemika, 1993; Eynde et al., 2016).

Moreover, Onoja (2017) argues that successive governments and political parties that have ruled Nigeria since 1999 upon return to democracy were composed of ex-military officials who served the country during the military regimes. This is demonstrated by their responses to crises and civil actions. An example is the government's approach to the end #EndSARS protests in October 2020, where security forces opened fire on protesters at the Lekki toll gate in Lagos, Nigeria (Sanusi, 2021).

In 1999, an embargo on recruitment in the police was lifted because Nigeria was considered under-policed. As a result, the government embarked on the mass recruitment of 40,000 policemen and

women annually. This resulted in a dip in the quality of the screening processes and overcrowded training facilities (Onoja, 2017:132).

In 2013 a viral video showed the terrible state of the Nigeria Police Training School. It showed the appalling conditions under which Nigeria trains future police officers. The footage provided unmistakable evidence of the neglect of even trainees' welfare (Adebayo, 2020). Ikuteyijo (2022) argues that principal police training facilities remain those built in the colonial era, including the ones in Kaduna, Enugu, and Ikeja.

Virtually all participants in this study noted the need for improvement in training Nigerian police officers. Some participants indicated that training does take place but has not been effective in solving some of the operational issues of policing in Nigeria; for example, the following participants noted that training is needed but might not be enough:

“Training for the police, but that also is not very effective because they transfer the police all the time” (Participant working in Southwestern Nigeria. 28 May 2022, Online).

The above participant believed there is a need to train communities on their rights, and lawyers on how to approach police misconduct. Another participant felt that training is necessary, but state policing might more effectively resolve some of the issues having to do with police conduct in Nigeria, as quoted below:

“Many people have talked about training and retraining, but personally I think a lot of that takes place. Maybe people don't know, but even the training I just mentioned to you under [inaudible], there was a chapter on the use of force. So, the police are constantly being told. But I think from a political perspective, many people believe that if we have a state police” (participant working in Northwestern Nigeria. 04 May 2022, Online).

It is the assumption in this research that training is an area that is lacking in the NPF. Based on participant responses and the literature discussed in this section, the premise is made. Other participants, such as the one quoted below, also noted the need for training.

“I think the police needs serious sensitization and capacity building in regard to modus operandi of their work of being security personnel. Police should be neutral, not so bias because of ethnic favoritism or religious favoritism. Because that is unprofessional, and

that has always been a challenge. To mitigate that, I think they need serious training, and sensitization” (Participant working in Northeastern Nigeria. 14 October 2021, Telephonic).

7.2.6. Corruption

The issue of extortion as a kind of police abuse of the use of force was discussed in the previous chapter. Here, corruption in the NPF generally is addressed as a structural issue that affects police use of force and can foster patterns of political ethnicity in the Nigerian police officers’ use of force. A discussion on corruption considering current realities should go beyond the strict definition of the term to include issues such as nepotism, abuse of office, embezzlement, and various forms of misappropriation, influence peddling, prevarication, insider trading, and abuse of the public purse (Adebayo and Ojo, 2009:72). The United Nations refers to Nigeria as being over-policed and under-secured because the country not only meets but surpasses the threshold of one police officer to every 450 citizens. Even though there is one police officer for every 450 citizens in Nigeria, insecurity continues to be a significant crisis in the country (Kimani, 2009). One reason for this, according to Adebayo and Ojo (2009:74), is the culture of corruption that has eaten deep into the marrows of the police structure.

Corruption in Nigeria has been blamed for many challenges today; the Corruption Perception Index (2021) ranked Nigeria 154 out of 180 countries. Nigeria also scored 24/100 in the Index where “a country’s score is the perceived level of public sector corruption on a scale of 0-100, where zero means highly corrupt, and 100 means very clean.” On the other hand, a country’s rank is its position relative to the other countries in the index. Ranks could change merely if the number of countries included in the index changes” (Corruption Perception Index, 2021).

Corruption in the Nigerian police force takes the form of bribery and extortion. The National Bureau of Statistics provides data showing that 117 million is paid in bribes each year, where the average bribe size is 5,700 Naira. In 2019, 33 percent of Nigerians who met the police paid a bribe, indicating that a significant percentage of the bribes go to police officers. Moreover, out of five Nigerian public institutions surveyed in 2019, the police were the most corrupt. Some participants voiced concerns over corruption and its effects on police use of force.

“These are the major issues, the corruption in police sector, the abuse of human rights, and unethical and unprofessional conduct; these are the major challenges which security sector

face. Security sector generally in Nigeria are bedeviled with these kind of situations” (Participant working in the Southeast. 30 April 2022, Online).

According to Adebayo and Ojo (2009:72), corrupt practices occur when gratification is given to influence another person’s behavior or outcome of an event. According to Iheukwumere (2019), corruption in the police is present at all levels. Senior officials in the past have been alleged of diverting funds. A case in point is former IG Sunday Ehindero, who faced trial in 2012 for embezzling 16 million Naira (an estimated 44,422USD at the exchange rate of the time) (Adeyemo, 2012; Iheukwumere, 2019; Times, 2012). Lower-level officers also engage in corruption by regularly extorting money from the public and crime victims, as previously discussed in the section on extortion.

One participant from the Southwest noted the following on police corruption in Nigeria;

“The problem we have in the justice system is a very deep-seated problem where people would usually take their matters to the police because they can pay the police to get quick results for them. That obviously has... it duplicates itself into many other problems. Where you have a situation whereby it goes to the highest bidder, where people are using police to manipulate other people, but what we really need is, we need more people to be educated” (Participant from Southwest Nigeria. 28 May 2022, Online).

The above participant commented above while discussing overcrowding in the detention centers and access to justice. Another participant buttressed this point below, noting how ethnicity is not much of a determinant of police corruption:

“When you talk about corruption, the police are corrupt, if you are reporting any case, you must give them money. Without that, they will not listen to you..... Once you have the money, you can bail yourself out of any case. It is not too much on ethnic groups, no matter what ethnic group you are from, once you have the money in your pocket, you can see yourself out” (Participant working in South-south Nigeria. 23 July 2022, Online).

Noticeable acts of corruption by law enforcement in Nigeria include, but are not limited to the following according to Adebayo and Ojo (2009); Traffic duties, arrest, and prosecution of crime suspects, court trial in the form of delay of justice, undue adjournment of cases, destruction of exhibits and evidence, issuance of licenses and permits, falsifications and tampering with

statements, and police investigations. In the previous chapter, we discuss some of these corrupt practices and their role in how police use force in the context of political ethnicity.

As for corruption, the assumption in this research is that it forms the bedrock for excessive use of force by the police in Nigeria and the context of political ethnicity because it harbors impunity (Odunaike et al., 2021; Tanzi, 1998). As a product of the problematic nature of the structure of the Nigerian state, corruption enables all forms of arbitrary use of force by police. This assumption is made because three essential reasons cause corruption in Nigeria; the first is that individuals believe committing a crime or malpractice will go unnoticed. Secondly, being caught does not necessarily mean they will face penalties or sanctions for crimes or malpractices. Thirdly, believing that the penalty for being caught is lower than the value of gains from corrupt practices (Eke and Tonwe, 2016:145; UNODC, 2019:81). The causes mentioned above are symptomatic, deeper systemic issues as discussed by Tanzi (1998), ranging from regulation and authorization, taxation, spending decisions, provision for goods and services at below market prices, financing political parties, etc., conditions that are endemic in Nigeria today. The more indirect factors that promote corruption, according to Tanzi (1998), include the quality of the bureaucracy, level of public sector wages, penalty system and institutional control. Although this research is not a discussion on corruption, corruption is assumed to play a significant role in how police use force in the context of political ethnicity in Nigeria. As such, the phenomenon is discussed in this section to demonstrate its role in police use of force in the context of political ethnicity in Nigeria. Each of the causes of corruption listed above are discussed next.

a. Regulations and authorizations

According to Tanzi (1998), licenses, permits, and authorizations are needed to engage in activities such as owning a car, owning a business, transporting goods and services, etc. In developing countries such as Nigeria, getting some of these licenses is difficult because the regulators require layers of bureaucracy and ques to obtain required permits, licenses, and authorizations. As a result, the room is created for facilitation through bribery and corrupt practices. This practice occurs in the Nigerian police and other regulatory and licensing authorities in Nigeria.

b. Spending expenditures

In terms of spending expenditures, capital investment projects, procurements spendings, and extra-budgetary accounts are some of the structures lacunae can be found. In most state-funded capital

investment spending, an official is given discretion in how projects and budgets are allocated. In some instances, several capital projects are included in annual budgets for individual state officials, gaining “commissions” from those awarded projects (Dada, 1945). The police in Nigeria is not left out of such acts

c. Subsidizing prices of goods and services

In countries like Nigeria, the government subsidizes the costs of goods and services such as petroleum products, tax incentives, privatization of government properties, etc. In such instances, government officials are given discretion in how they go about these kinds of provisions, and as a result, loopholes are open to exploitation (Abdul-Baki, 2021:4).

d. Financing political parties

Funding political parties in Nigeria is one of the biggest causes of diverting public funds and acts of corruption. This is so because political parties have numerous employees for campaigns under their payroll. Copious funds are needed for campaigns, and these monies must come from somewhere. For the 2023 elections in Nigeria, the cost of a presidential ticket to run for office in the ruling party, the All-Progressive Congress (APC), stood at 100,000,000 Naira (241, 360 USD, at the exchange rate of the time) (BBC, 2022). 17 presidential aspirants paid to take the APC ticket. Most of the aspirants are currently serving state officials. This does not automatically mean that the funds were obtained from corruption. However, it says something about the amount of money that is thrown into funding political parties in Nigeria.

e. Bureaucracy

The quality of the bureaucracy in any state can cause corruption. Tanzi (1998) notes that this has something to do with the pride individuals working in a bureaucracy attach to their job. The level of corruption is determined by the level of pride attached. Less pride will lead to more corruption, and more pride will lead to less corruption. According to a study by Rauch and Evans (1997), Pride in individual jobs is determined by recruitment and promotion. Their study concluded that when recruitment and promotion are not based on merit, there is less pride in their job, leading to higher corruption levels.

f. Level of public sector wages,

In a previous section, we discussed the salary scale of police officers in Nigeria. According to Osasona (2020), they are the least paid in the security sector. The police are appropriated far lower

budget sums than others in the security sector. Budgetary allocation for 2012 saw 1,600,000 Naira per soldier, 9,800,000 Naira per sailor, and 7,100,000 Naira per air force personnel; in sharp contrast to all other security forces, the police personnel was allocated 870,000 Naira per police personnel, half of the budgetary allocation per soldiers. Osasona (2020) argues that this is a significant cause of police corruption in Nigeria because officers are left with the option of supplementing their wages through corrupt practices such as embezzlement, extortion, and bribery.

g. Penalty system

According to Tanzi (1998), corruption can be reduced by increasing the penalties for those caught. As discussed earlier, one of the primary reasons for corruption in Nigeria is that perpetrators do not believe that they can be seen, will be punished proportionately, or that the punishment is less than the gain for engaging in corrupt practices. Odunaike et al. (2021) argue that “the lack of accountability within the NPF cascades down from the top to the lower ranks.” As a result, misconduct is committed by many police officers with the belief that there will be no punishment for them.

h. Transparency of rules, Laws, and processes

In many countries, such as Nigeria, the lack of transparency in the rules, laws, and procedures creates fertile grounds for corruption to thrive (Tanzi, 1998). When the rules are not so clear and confusing, for example, the principle of Federal Character in Nigeria that is recognized in the constitution, but adequate legal backing is not created to avoid marginalization in the public sector, then corrupt practices and misconducts are allowed to exploit such lacunae (Igbokwe-Ibeto and Agbodike, 2015:35; Okeke and Obidimma, 2021).

As discussed, the above factors affect corruption levels in Nigeria and the state worldwide. It is noted that corruption is blamed for numerous forms of malpractices in the governance of any given state (Corruption Perception Index, 2021). Corruption can also be viewed as symptomatic of a dysfunctional state and governance structure characterized by constitutional inadequacies, as observed in chapter 6 in the discussion of Nigeria’s constitutional federalism (Elaigwu, 2017; Majekodunmi, 2015; Mayowa, 2014). Police use of unjustified and excessive force and political ethnicity in all its forms can also be characterized as corruption and symptoms of a dysfunctional state and governance structure (Adebayo and Ojo, 2009).

To conclude this section, police training featured prominently playing a role in determining police officers' attitudes towards those they use force against. Almost all participants mentioned the substandard training police officers of all ranks receive and blamed this for the excessive use of force by police. Participants who observed political ethnicity as another factor that may play a role in how police use force also argued for a need to include training on human rights regarding diversity issues. These participants' concerns were also backed by the existing literature, which suggests that from the content of the training to the training facilities, the Nigerian Police Force's training is outdated (Adebayo, 2020; Ikuteyijo, 2022; Onoja, 2017).

7.3. Conclusion

This chapter is the second part of the analysis for this research. The first part, contained in chapter 6, focused on observable and unlawful use of force and analyzed several themes, including political ethnicity-encompassing ethnic politics, ethnic bias, and ethnic profiling. Other central concepts included legitimacy, use of force, a monopoly on the legitimate use of force, permissible and excessive use of force.

As a continuation of the analysis of data collected through interviews, here in chapter 7, the structural problems that present a breeding ground for police misconduct and malpractices are discussed. These challenges are discussed not only as themes observed from the participant responses, but as general challenges that the NPF face, as found in the literature. Links are created to show what role these structural challenges play in fostering political ethnicity and vice versa. Traces of exploratory evidence of structural challenges appear in areas such as the appointment of heads of security forces, and police recruitment, believed to be by some participants to be skewed towards certain regions, and police posting of officers across regions which appears to place a rift between the police and the people in the communities they police. Although the evidence is not generalized, it forms part of this exploratory study aimed at providing the imperative for further research. Hypothetically, these structural issues are also affected by operational issues such as setting up of police checkpoints and roadblocks which are problematic for being in excess in the Southeast compared with other regions, police training quality, and endemic corruption.

An important revelation from the interview responses is that, while it remains unclear what personality traits might drive individual police officers' attitudes towards people they use force against, it is clear that structural challenges of state-building play a role in reinforcing political

ethnicity's role in the use of force. This takes us back to an earlier point in chapter 1.1. of this research, where it was argued that political ethnicity creates a challenge for practically achieving some of the aspired to and ideal characteristics of a modern state, such as a sense of a unified national identity within the population. It was also argued that political ethnicity could affect the political stability of any state, as shown in the interview responses, since the challenges mentioned here lead to manifestations of political ethnicity. The glaring indications of political ethnicity shown in interview responses, including in police use of force, can be blamed for the rise of violent groups such as the ESN. The next chapter provides a concluding analysis of this thesis.

Chapter 8: An analysis of human rights reports and the intersection of identities in police use of force

8.1. Introduction

This chapter commences with a documentary review of National Human Rights Commission (NHRC) of Nigeria reports published in the public domain between 2019 and 2021. Reports containing demographic data fit for the purpose of this research were only produced within the three years under study but they provide a source of validity and reliability for the participant responses. The data corroborated participant accounts of religious discrimination in the Northcentral and North-western regions by showing some of the intersectionality that can be found in those regions. It also corroborated participant accounts of high levels of political ethnicity in police use of force in the Southeast as compared with other regions.

This chapter also discusses some of the trends emanating from the #EndSars protests that can be linked to political ethnicity. The intersectionality of age and gender featured prominently during the #EndSARS protest, and this chapter presented an opportunity to acknowledge and present that phenomenon in the context of state-building. Moreover, demographic data of the aftermath of the protest is presented as published by the SB Morgen (2022), and shows the discrepancies across the six geopolitical zones, hinting at some signs of political ethnicity in the use of force.

8.2. Documentary analysis of police use of force in Nigeria in the context of political ethnicity

The documents analysed are the annual reports of the NHRC of Nigeria published in the public domain from 2019 to 2021. The commission is guided by the NHRC Act, 1995 (as amended), and guided for complaint management by the STORP and Compliant Treatment Procedure Manual of the NHRC of Nigeria. Complaints were collected from protection departments at the headquarters, and state offices, complaints through inquiries and panel sittings, as well as cases adopted through human rights monitoring and survey for class action.

The complaints are categorised into several categories in the reports, however, the pertinent categories for this research included the freedom from discrimination categories and the law enforcement and dignity categories. Each category records the number of reports per annum in each state. This information is collected as primary data and analysed by creating charts from the figures tabulated in the reports for each year. The charts are then compared to the interview

responses as presented in chapter 6 and 7. The documentary analysis has been able to show areas of corroboration between the participant responses and the data from the reports. It shows that there is an intersectionality of religion and ethnicity in the Northcentral and Northwest. It also shows that there are high levels of ethnic discrimination in the Southeast as reported by participants.

8.2.1. Freedom from discrimination

On the right to non-discrimination, the Nigerian constitution in chapter II, 15.2. states that “Accordingly, national integration shall be actively encouraged, whilst discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited.” This constitutional provision feeds into the Nigerian police act and is the bases for other laws in Nigeria with regard to the right to non-discrimination. This law is intended to promote ethnic integration of ethnic communities as stated in the constitution. Despite the fact that discrimination was not defined as ethnic discrimination alone, age, religion, sex, and status fall under discrimination as per the Nigerian constitution. It is difficult to identify the specific kind of discrimination that is being mentioned in the report. It is also not possible to identify the particular state apparatus that complaints are levied against. However, the following are the figures of reported cases of discrimination according to region in Nigeria between 2019 and 2021 as per NHRC of Nigeria reports.

It should be noted that before 2019, there was no recorded data on ethnic discrimination. Although the 2019 report contained information on ethnic discrimination, it appears subsequent reports merged all discriminations into one category.

Region	2021	2020	2019	Ethnic discrimination
Northeast	16,197	16,708	140	
Northwest	34,457	10,354	168	
Northcentral	21,745	10,314	1,113	
Southeast	31,083	27,636	460	
Southwest	14,792	11,190	132	

South-south	41,827	57,594	505
Total	160,101	133,796	2,518

Table 3: Reported cases of discrimination across the six geopolitical zones.

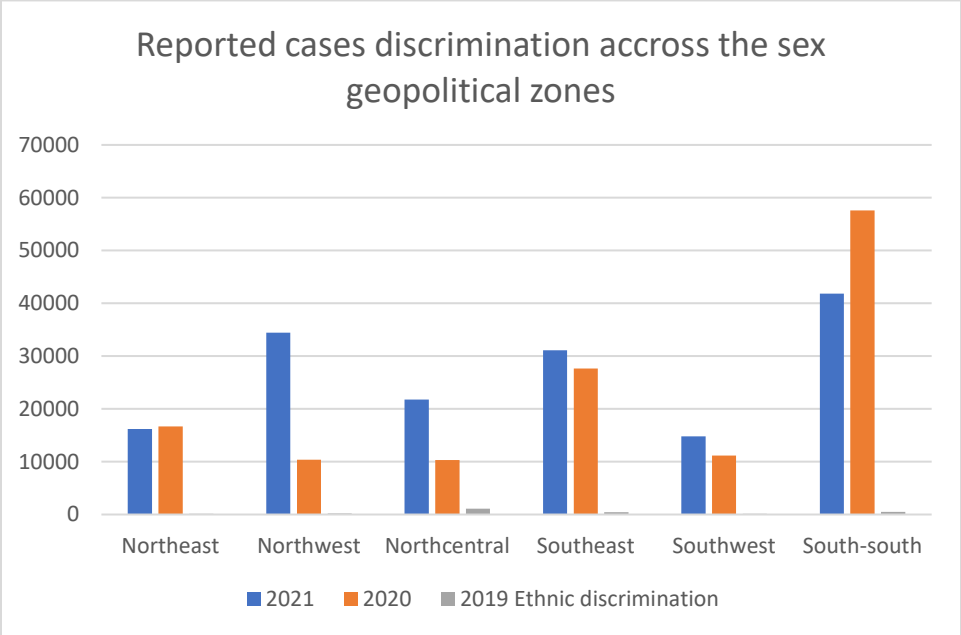


Chart 1: Reported cases of discrimination across the six geopolitical zones 2020 and 2021 compared with cases of ethnic discrimination in 2019.

In the Northwest, participants mooted ethnic discrimination as a form of political ethnicity that manifests in police use of force in that region as noted in chapter 6.4, but were not as pronounced as participants in the Southeast and Northcentral. They noted that ethnicity was more of a factor that plays a role in police use of force. When compared to the data provided in 2020, and 2021 Nigerian National Human Rights Commission’s annual reports, a link can be seen in the discrimination trends. However, it is unclear who the perpetrators of the discrimination are. It might be other government agencies and not just the police. Only the 2019 reports provide information on ethnic discrimination as reported or recorded by the commission.

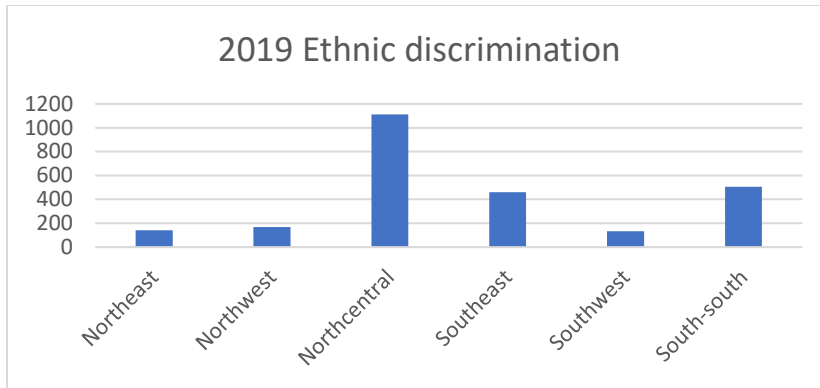


Chart 2: Ethnic discrimination cases recorded in 2019 by the National Human Rights Commission

The chart above represents the number of reported cases of ethnic *discrimination* recorded in 2019. Only the 2019 Nigerian National Human Rights Commission provides this information. The trends show a correlation between participants’ perceptions of political ethnicity in police use of force in Nigeria as reported in chapter 6.4, and reported cases of ethnic discrimination as per the NHRC reports. While participants in the Northeast, Southwest, and South-south noted that political ethnicity is not a major determinant of the use of force, participants in the Northcentral and Northwest, and Southeast argued that political ethnicity is a factor that determines police use of force in the states within those regions. The South-south data presented here goes against the participant responses however, as all participants from the South-south noted that political ethnicity was a challenge in Nigeria as a whole, but not observable in police use of force. The data shows that a high number of ethnic discrimination cases were recorded in 2019 within the region. Below is a chart comparing participant responses and the 2019 report on ethnic discrimination across the country.

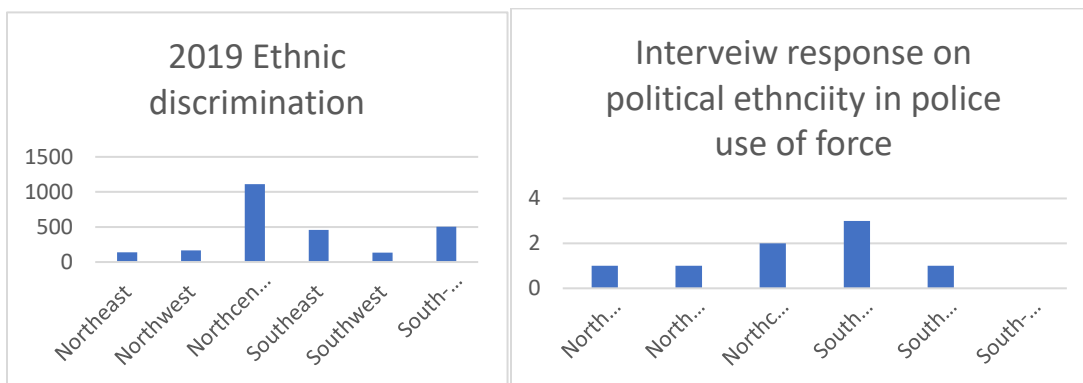


Chart 3: Ethnic discrimination in 2019

Char 4: Interview responses

8.2.2. Law enforcement and human dignity between 2020 and 2021

Another category contained in the 2020 and 2021 reports is the law enforcement and human dignity category which is assumed in this research to be related to security forces use of force, including the police. The numbers in the report are compared across the 36 states, and 6 geopolitical zones as bellow.

Region	2019	2020	2021
Northeast	3,199	6,592	9,787
Northwest	4,872	1,200	20,820
Northcentral	31,742	28,778	15,614
Southeast	3,902	26,120	18,781
Southwest	6,152	3,979	25,273
South-South	7,228	32,726	8,938
Total	59,114	99,395	99,213

Table 4: Reported cases on violation of rights to law enforcement and dignity

The table above represents the number of reports made to the NHRC on issues related to law enforcement and dignity between 2019 and 2021. The Nigerian National Human Rights Commission only began to publish reports with details of the categories in 2019 with the most recent being the 2021 report. The numbers indicate that reports of human rights abuses related to Law enforcement and human dignity rose from 59,114 in 2019 to 99,395 in 2020 and 99,213 in 2021. A number of factors might have caused this trend, according to the Nigerian National Human Rights Commission, the following might have caused the spike;

- The reduction in the new infection rate of the Corona Virus (COVID-19) pandemic led to the relaxing of the lockdown and movement restrictions and enabled more people to reach the Commission with their complaints.

- The increased use of social media and other virtual means of communication occasioned by the COVID-19 pandemic and its attendant movement restrictions.
- The increased wave of kidnapping and banditry across the country further compounded the security challenges that have been confronting the country and threw up human rights concerns.
- Increasing awareness of human rights and knowledge of the avenues to claim those rights. This might be an after-effect of the #EndSARS protests.

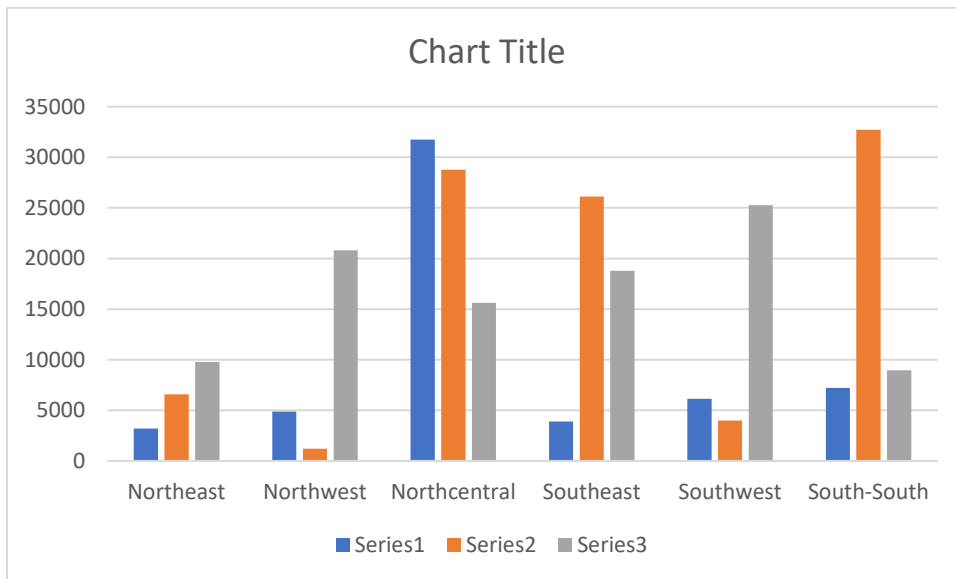


Chart 5: The chart above compared the reported case on human rights abuses related to law enforcement and dignity between 2019 and 2021.

In the table above, series 1 represents the year 2019, series 2 is 2020, and series 3 is 2021. The trends correlate with interview responses so far, as it shows that there are fewer complaints in the core Northern states (Northeast and Northwest) as noted in chapter 6.2.1. The conflict in North-eastern Nigeria entered its 11th year in 2019, Boko Haram forces were severely weakened in 2015/2016, however, the group resurface towards the end of 2018, and by 2019, alongside the farmer-herder crises, Boko Haram remained the major security threat to the region (Brechenmacher, 2019). Typically handled by military operatives and not police officers, the security situation perhaps can explain the underreporting of infringement of human rights abuses

having to do with law enforcement and human dignity to the Commission. In 2020, during the lockdown period, and the subsequent #EndSARS protest, there were less reports of protest against the police in the region as well. This indicates that police use of force in this region is experienced differently from other regions.

Similarly to the Northeast, the number of reported cases of police use of force are relatively low compared with other regions south of the core Northern regions. The Northwest also suffered insecurity as a result of the Boko Haram conflict, and the herdsmen crises in 2019. This was the major security threat during the period. 2020 was relatively calm at the start, until the period of the #EndSARS and subsequent looting that took place towards the end of the year.

In the Northcentral where most participants noted that political ethnicity plays a role in police use of force, the highest bar is above 300,000, while the lowest is above 150,000. It should be noted that, when analyzed state by state, the highest numbers belong to Abuja the capital, and is constantly high for the three years under study. This information was compared with the newspaper reports within the three years to observe some of the reasons behind the trend. Online news reports in Nigeria about the police reported several incidents that might have resulted in this trend. For example, it was in 2019 that several people including a police officer were killed in clashes between Shiite protesters and the police in the capital Abuja (Adebayo, 2019). There were protests leading up to, and after the elections in 2019 which might also account for the high numbers in the capital. Crime rate in a capital city like Abuja is perpetually high and might also account for large number of reports of human rights abuses related to police use of force as illustrated above. In 2020, the Covid 19 pandemic also might have affected the figures as the numbers of reports made to the commission dropped in that year, and the following year. Again, the bulk of the, around three quarters of the total cases were reported in Abuja. Without access to the raw data on these trends, it will impossible to understand the reasons for the trends.

In the Southwest, while the trend in 2019 and 2020 correlates with the information provided by the participants, (that political ethnicity hardly plays a role in police use of force, chapter 6.2.4.), the trend is different for 2021, as reports of human rights abuses spiked. This can be attributed to the awareness created after the #EndSARS protests. It should be noted that the high numbers in the trend for 2021 were recorded from Lagos state, the epicenter of the #EndSARS protests of 2020. The #EndSARS protest resulted in the creation of independent investigative panels with the

Commission playing an active role. In 2021, these panels concluded their sittings with many landmark achievements.

For the South-south, the trends also correlate with the participant responses in 2019 and 2021, however, 2020 saw a spike in the number of reports to the commission. Again, this can be viewed as the effect of the #EndSARS protest. It can also be observed that this was another major state where the #EndSARS protests took place, as the incident that triggered the protests occurred in Delta state. This is discussed further in 8.3.5. Moreover, close observation of state-by-state of data in the region reveals that Delta state recorded the greatest number of complaints, at least three times more complaints compared to other states in the region. It should also be noted that Delta state is also inhabited by ethnic Ibo people (about 25 percent), alongside other ethnic groups.

8.3. Age and gender in the police use of force in Nigeria

It is important to note that some links made in chapter 6 and 7 between political ethnicity and the use of force in Nigeria are real concerns, however, other factors that can influence police use of force in Nigeria do exist. For this reason, attention in this chapter is being paid to other contextual factors including religion, socioeconomics, age, and gender. In this chapter, it is acknowledged that there exist some intersectionality between ethnic, religious, socio-economic class, and age, which can also play a role in police use of force Nigeria.

Political ethnicity is one in a myriad of factors that play roles in the use of force in Nigeria. With regards to religion, core Northern Nigeria (Northwest and Northeast), a predominantly Muslim region, religion is prominent feature in responses and has been compared to the analysis from the three years NHRC of Nigeria annual reports. Participants in the core North argued that religion could influence individual force users' attitudes more than political ethnicity could, and the analysis from the reports showed higher levels of reports made against discrimination based on religion in this regions compared with the other regions. More detail of this can be found in section 8.3.1.

In terms of socio-economics class, and age, participants from all regions mentioned the central role of money and influence in police use of force. Details of this could not be deducted from the NHRC of Nigeria reports, however, the discussion on the #EndSARS protests provide information as to how age, socioeconomic class, and gender can play a role in how police use force in Nigeria. The possibility of all four factors, political ethnicity, religion, and socio-economic class playing

roles in police use of force is not ruled out in this research, however, the main focus is on the role that political ethnicity plays in how police use force in Nigeria.

This section discusses each factor, religion, age and gender as part of an intersectionality observed during the #EndSARS protests as a way of acknowledging that political ethnicity is one in a myriad of factors that play roles in police use of force in Nigeria.

8.3.1. Religious discrimination and police use of force in Nigeria

Apart from the 2019 National Human Rights Commission report, there are no open-source data which presented demographic illustrations of the role religion plays in police use of force, participant responses were compared with available ethnic and religious discrimination data from the 2019 NHRC annual report. The report corroborates participant responses. Participants in the Northwest and Northcentral noted the role of religion in police use of force, stating that it is more pronounced than ethnicity.

“Religion is the first before any other thing before you talk about ethnicity, they discriminate in terms of religion before they now begin to consider, ok, you are a Muslim, are you a Tivy (Northcentral ethnic group) man that converted, or are you a Berom (Northcentral ethnic group) man that converted, or are you a Yoruba man (Southwest ethnic group), or are you a Hausa/Fulani (Northwest and Northeast ethnic groups). That is when they will take you more seriously, that is when the discrimination will come, first of all, they will discriminate you from faith, before now discrimination of maybe ethnic group will come up” (Participant working in Northeastern Nigeria, October 14, 2021, Telephonic).

The above participant’s response is compared with the bar chart below, and religious discrimination is more pronounced in the Northwest and Northcentral as shown in the bar chart below. A possible explanation for this is that while the Northcentral, and to a lesser extent, Northwest are made up of diverse groups from both Christianity and Islam, the Northeast is made up predominantly of Hausa/Fulani Muslim people, while the Southeast and South-south are predominantly made up of diverse groups predominantly Christian. The Southwest is made up of a mixture of Christians and a slightly higher number of Muslims who practice a less intense version of Islam.

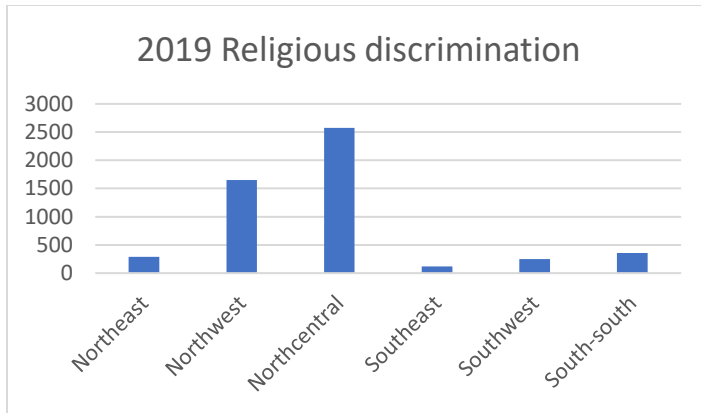


Chart 6: Reported cases of religious discrimination as per NHRC 2019 report

The above bar chart can be explained using several observations. Religion is a major identity in Northern Nigeria, with the practice of intense Islam associated with the Hausa/Fulani people. Grim (2011), argues that individuals in this region are more loyal to Islam than they are to other identities including ethnicity. This has been demonstrated earlier as mentioned by the participant working within this region. The participant noted that the politics of identity and exclusivity follows a hierarchical determinant. In this sense, religious bias is first used to determine who gets what before ethnic differences are deployed.

In Northern Nigeria, while the core North (Northwest and Northeast) is predominantly made up of Hausa/Fulani people who are predominantly Muslim, states South of the core North and toward the middle belt are made up of a mixture of diverse ethnic groups. These groups are composed of an almost equal number of Muslims and Christians. Participants suggested that there are different treatments not just for individuals from Southern Nigeria but also for ethnic groups South of the Northeast and Northwest, including ethnic groups from the Northcentral which is a conglomeration of minority groups, Muslims, and Christians (Sarumi et al., 2019). This represents the intersection between religion and ethnicity within this region. Below is an illustration of how religion and ethnicity compare to each other across the regions.

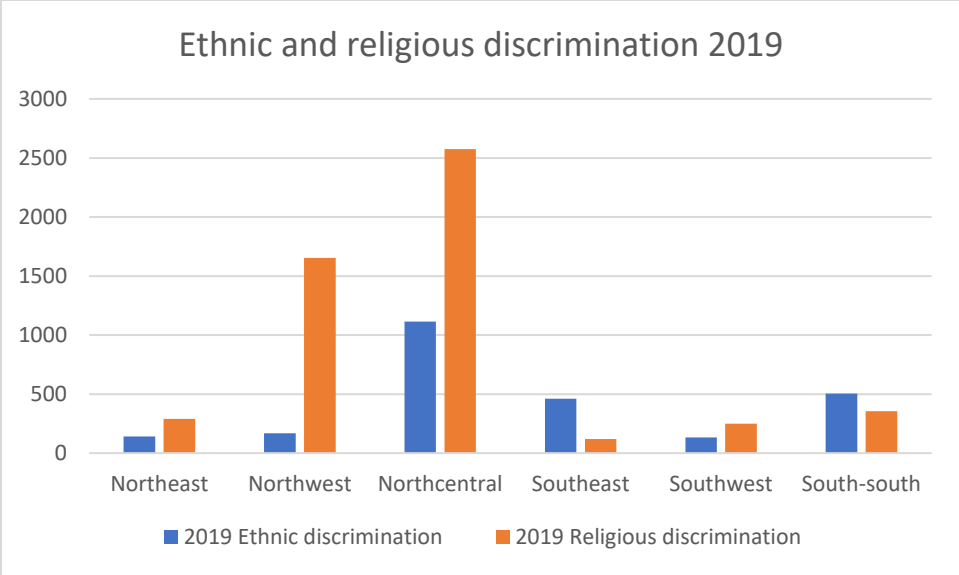


Chart 7: Comparison of reported cases of ethnic and religious discrimination across the six zones.

In the chart above, it can be observed that the number of reports for both ethnic and religious discrimination in the Northcentral appear higher than in other regions as stated previously. While Northern participants were generally less critical of the government and police deployment of political ethnicity as a tool to run the country’s affairs, participants working in areas composed of ethnic groups south of the core North were more likely to identify political ethnicity as an issue in government and policing in Nigeria. The reason is the religious and ethnic homogeneity in the core North (Northeast and Northwest) (Grim, 2011; Malumfashi, 2016:177). While there are minority ethnic and religious groups within this region, the Hausa and Fulani enjoy an overwhelming majority in the population. Islam is a core aspect of the ethnic identity in the core Northern states in Nigeria, evident in the fact that the Hausa and Fulani successfully implemented some Sharia Laws in parts of Northern Nigeria in recent times. The significant role that Islam plays within this region is apparent in how Boko Haram has been able to, since 2009, take over parts of core Northern Nigeria. The group is frequently supported by influential political and religious leaders (PBS, 2007). The region historically was home to some of the most prominent Islamic monarchies in West Africa, including the Sokoto Caliphate founded by Usman dan Fodio in 1804. According to Malumfashi (2016), Islam as a religion had easy penetration into Nigeria; its influence was felt mainly in the geographical zones around the North and extended to parts of the Southwest. In the core North, the Islamic civilization even became a replacement for the traditional and cultural

practices in most of the cities within the region (Malumfashi, 2016:177). The intertwined nature of religion and ethnicity within this region sheds light on participant responses and little emphasis on political ethnicity compared with participants from the other areas.

In terms of the overall correlation between the interview responses and the data contained in the 2019 NHRC report on ethnic discrimination, the following charts can be compared;

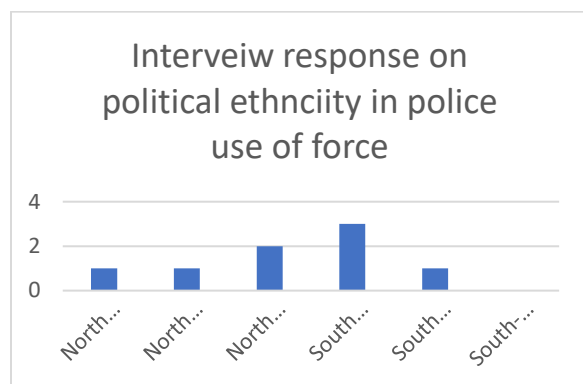


Chart 8: Interview responses

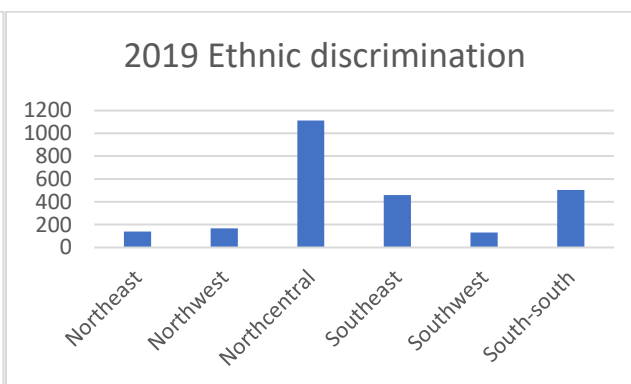


Chart 9: Reported cases of ethnic discrimination

8.3.2. State-building and the #EndSARS protest.

State-building, to be successful requires that public goods such as affordable healthcare, food security, access to justice, infrastructure, and security of lives and property are provided for by the government. Although all public goods are important and complimentary, it took a failure in the security sector for new agencies to develop – in Nigerian politics – which challenges the government of the day which resulted in Nigerian youth around the country rising to protest against police use of excessive force in the #EndSARS protests of October 2020. Philosophically, this can be traced to the centrality of the security sector to a state’s legitimacy. Max Weber (1922) defined a state in terms of legitimacy, as any entity that successfully claims the monopoly on the legitimate use of force. As discussed in chapter 2.3., legitimacy is central to this description of a state, as any entity with the capacity can use force and stand as an authority over a group of people regardless of acceptance by the people of such entity’s right to use force, however, a state is (ideally) defined by its claim to legitimacy, and monopoly on the use force.

Prior to the #EndSARS protest, a combination of failures in multiple sectors and a failure to deliver public goods created an environment of frustration and tension between the government and the people of Nigeria. Poverty, unemployment, and insecurity constantly increased, and the

government at the very top level came up with plans and allocated budgets running into billions of Naira to address these pressing issues. Somewhere along the way to deliver these public goods, however, money disappears. In addition, there is a gross failure in the security sector – according to the United Nations, Nigeria is overpoliced and under-secure, having more than the perfect ratio of police to citizens, but little security for citizens, to the extent that some of the police operatives, who are meant to protect citizens go rogue, becoming the actual oppressors, using excessive and lethal force to terrorize. The #EndSARS protests were triggered by the police killing of a man in Ugheli Delta state, where eyewitnesses claim that police had shot and driven away with the victim’s vehicle, causing mass outrage which sparked protests across Nigeria.

Politics in Nigeria since independence, and the reintroduction of democracy, in what is known as the Fourth Republic which started in 1999, has been dominated by men of the older generation, largely excluding Nigerian youth and women. Over the years, growing but mild demands for the inclusion of youth led to a passing of a “not too young to run” bill which saw the age of eligibility to run for political offices reduced. This demonstrated the awakening of suppressed political agency, and the #EndSARS protests served as an indication of the awakening. This section discusses the underlying causes of the #EndSARS protests, arguing that the protests served as a trigger for mass action for political change and increased participation in the governance of Nigeria by the previously suppressed agency. The section provides an analysis of possible outcomes and future impact of the #EndSARS protests for politics and governance in Nigeria. It serves as an acknowledgment that political ethnicity is one in a myriad of factors that play roles in police use of force in Nigeria. From this section, it can be understood that besides ethnicity, other identities such as socio-economic identity, age, and gender can play a role in how police use force in Nigeria.

8.3.3. State-building and the use of force,

Before moving forward, in this section, it is important to recap the relationship between the use of force and legitimacy in this research. Nigeria is ranked as the fourteenth most fragile state in the world according to the 2019 fragile state index. This can be traced to a failure of the government to deliver public goods in all sectors including education, health, infrastructure, and security because of the downward spiral that state building took since independence from colonial rule in 1960. State-building “means the establishment, re-establishment, and strengthening of a public structure in a given territory capable of delivering public goods.” (Armin von Bogdandy et al.,

1921). In state-building, it is important to create a monopoly on the legitimate use of force. Weber (1921) described a state as any entity that successfully claims the legitimate use of force. As noted in chapter 2.3., legitimacy is central to this description of a state, as any entity with the capacity can use force and stand as an authority over a group of people regardless of acceptance by the people of its rights to use force, however, a state is (ideally) defined by its legitimacy, and legitimate right to a monopoly on the use of force. This does not mean, that developing physical force is the main aim of state-building, what it means, however, is that the establishment of a state is a “concentration and expression of collective power without the need to exercise coercion.” Because the state and its sovereign powers must be widely accepted as legitimate, and the foremost source of legitimacy today is the “people.” A modern state is undermined when the people that make up the state perceive its government, and existing structures as illegitimate, and the result, as history has demonstrated is a revolution against the state. Over the years, there have been several definitions of legitimacy, however, for this paper, legitimacy is regarded as popular support gained from the ability of an entity to deliver public goods sufficiently. In this sense, failing to address failing sectors including security, while using force to oppress citizens of one’s own state falls outside of a legitimate claim to the use of force and undermines the state, because security, as a public good amongst others, has failed to be delivered.

8.3.4. Underlying state-building challenges that led to the #EndSARS protests

Since the return to democracy in 1999, ethnic tensions continue to define Nigerian politics. A centralized authority concentrates wealth and power in the centre and there are massive social and economic inequalities such as; in education, Onwuameze (2013:2) observed significant wealth and regional gaps in reading and numeracy achievements among Nigerian children, in addition to the underfunded and decaying tertiary education system (Dimunah, 2017). In health, despite the publicly funded system of healthcare, the majority of Nigerians, including the poor pay for healthcare from their private pockets (Audu, et al., 2013). Food security is increasingly becoming a challenge even though the country has massive arable lands, where, of the “78 percent of Nigeria’s total land area equivalent to 71.9 million hectares, only about 28.2 million hectares of the agricultural land is being cultivated” (Matemilola, 2017). Access to justice is elusive due to the poorly functioning criminal justice system, as Ukwai and Okpa (2017:1) in their study, concluded that there exists “rigidity of the penal law, holding charges, and delay in the disposal of cases by the agencies of Nigerian Criminal Justice System (NCJS).”(Ukwai and Okpa, 2017). The

consequences of the gross failures in all these sectors are evident in the poverty levels of the country which has now overtaken China with the highest number of poor people worldwide.

Since the return to democracy in Nigeria in 1999, successive governments have highlighted and shown their commitments to alleviating poverty through their various poverty alleviation plans. Former President Olusegun Obasanjo's year 2000 poverty alleviation program (PAP), launched with a budget of 10,000,000,000 Naira, was replaced in 2001 with the National Poverty Eradication Program (NAPEP), which trained 130,000 youths and engaged 216,000 people, but those reached have been described as non-poor (Wohlmuth, et al., 2008). Goodluck Jonathan came up with the Transform Agenda in his tenure, an attempt focused on holistically transforming Nigeria's economy to meet the future needs of Nigerians, in addition to meeting expectations of being among the top 20 economies of the world in 2020, another failed poverty alleviation attempt by yet another administration. (Thom-Otuya, 2015). In 2020, existing poverty alleviation programs were developed by President Muhammadu Buhari as part of a plan to lift 100 million Nigerians out of poverty within ten years of his tenure. Buhari's approach has included programs such as Trader Moni, which focused on the distribution 10,000 Naira, to traders in some markets across the country.

Evidently, these programs by various administrations have failed to alleviate poverty in Nigeria, instead, the number of poor continues to grow because, somewhere along its way to deliver public goods such as infrastructure, healthcare, food security, and security, money disappears within the system leading to abandoned projects. According to the World Bank, between 1990 and 2013, Nigeria's poor grew from 51 million to 35 million, the figure in 2020 is over 100 million poor people, overtaking China with the highest number of extremely poor globally. Moreover, unemployment rates also continue to rise every year. As at August 2020, reports from the Nigerian Bureau of Statistics (NBS) showed an increase in Nigeria's unemployment rate from 23.1 percent in the third quarter of 2018, to 27.1 percent in the third quarter of 2020 (Reuters, 2020).

Moreover, policing in Nigeria is faced with numerous challenges including corruption, oppression, delays in the criminal justice system, centralization, inadequateness, and mistrust between the police and Nigerian citizens (Johnson, 2013). The combined failures in all these sectors, mixed with an environment of enlightened young population which makes up 80 percent of Nigeria's population, and who bare the grunt of these gross failures is what, decidedly, underlays the

#EndSARS protests of October 2020. Police use of lethal and excessive force against civilians served as a trigger for mass action, when a man was allegedly shot on the street by the Special Anti-Robbery Squad, unit of the Nigeria police.

8.3. Police use of excessive and lethal force in Nigeria (age and gender intersectionality)

In terms of the use of force in Nigeria, specifically, by members of the Special Anti-Robbery Squad (SARS) unit of the Nigerian Police, Amnesty International documented 82 cases of torture, ill-treatment, and extra-judicial execution by SARS between January 2017 and May 2020. “The victims of the police unit, set up to fight violent crimes, are predominantly male between the ages of 18 and 35, from low-income backgrounds and vulnerable groups.” Anecdotal evidence suggests that for years, Nigerians have believed the notorious police unit has been guilty of harassment, unlawful arrests, torture, and killings (Mba, 2020). This demonstrates the major determinant of force users’ attitude, showing that political ethnicity is not the major determinant as age, gender, and socio-economic factors are a glaring factor.

8.3.5. The case that triggered the #EndSARS protests of October 2020

The protests were sparked by a video that surfaced online on October 3, 2020, allegedly showing a SARS officer shooting a young man, and escaping with his vehicle in Ugheli Delta state, Nigeria (BBC News Pidgin, 2020). The video sparked protests in Ugheli with videos of the protests circulating online. Police responded, saying the victim was still alive at the time, while government officials such as the Minister of State for Labour and Employment, Festus Keyamo, denied the incident was perpetrated by the police.

According to the BBC (2020) eyewitnesses in Ugheli claim that members of the defunct SARS unit of the Nigerian police stopped the victim while he was driving and shot him in the head. The minister of state for labour and employment, Festus Keyamo refuted these allegations against the police, saying it was not SARS officials, but another security agency (Operation Delta Safe, a special unit of the Nigerian Army), who carried out the acts, reiterating that the police did not shoot the victim and take his vehicle.

The Public Relations Officer for Delta State Police, Onome Umukoro, in an interview stated that there were two people in the vehicle, and upon seeing the police, they sped up, seemingly in an attempt to evade police, prompting police suspicion. The police were already on the lookout for

kidnapping suspects in the area at the time. When they were caught, one of the alleged suspects jumped out of the vehicle and sustained injuries to the head and body. While police tried to rescue him, they were attacked by an angry mob, which prompted them to flee as an evasive measure against violent confrontation with the mob.

Meanwhile, a video surfaced online and started to trend which showed the vehicle of the same Delta patrol team alleged to have murdered the victim, chasing a white vehicle belonging to the murdered suspect. The creators claimed that the police had shot and killed the driver, making away with his vehicle. During the same week, graphic videos of operatives of the SARS unit of the Nigerian police dragging two men on the ground and shooting one of them surfaced online fuelling the already growing outrage and protests across the country (Akinwotu, 2020).

8.3.6. Clientelism and the parochial political cultures

Ample evidence exists that suggests that Nigeria's revenue allocation mechanism contributes to an informal patron/client (neo-patrimonialism) political system, especially after the discovery of oil and the resultant increase in the country's revenue in the 1970s. An informal patron/client or neo-patrimonial political system is one in which state officials (patrons) use the resources of the state to gather the support of individuals within the society (clients). A perfect example of this can be seen in how politicians distribute cash, food, and other materials for supporters during elections in order to gain votes. This system also forms some of the basis for why politicians focus on amassing wealth by looting and siphoning public funds and the country's resources. This kind of system creates a citizen population loyal to politicians, and politicians loyal to themselves, hence a parochial political culture. A parochial political culture is one where some sections of society are careless about governance and politics.

In the 2019 election, of 81 million eligible and registered voters, 51 percent were young aged 18 to 35 (Alaja, 2019). According to Ajala (2019), more women than men were registered to vote in the 2019 elections for the first time. The election turnout was 35.6 percent according to INEC, which compared with 44 percent in the 2015 presidential election. Prior to the passage of the Not Too Young to Run bill in 2018, age qualification limits were used to prevent young people from running for elected positions, this law is contained in the constitution in sections 65, 106, 131, and 177 of the 1999 Constitution, was amended in 2019 to reduce the age qualification of political office holders. The age qualification for the office of president was reduced from 40 to 30 years,

governors' offices from 35 to 30, senators from 35 to 30, and for the house of representative members from 30 to 25 (Pardikar, 2018). This indicates a growing interest in political participation by women and youth in the governance of the state, it also provides a background for the sudden interest shown by youth and women in governance, which underlays the #EndSARS protests.

8.3.5. The rise of new political agency

Over the years, women and youth have featured poorly in Nigerian politics and state-building. This can be linked to a parochial political culture amongst youth and women brought about by a patriarchal culture that dismisses not only women but young people as leaders (Udemeh, 2018) The consequence has been the absence of women and youth leaders in prominent political offices (Oluyemi, n.d). Both groups, which intersect, combined to bring about one of the biggest protests in the history of Nigeria, the impact of which is still unfolding.

a. Role of women

Although #EndSARS protesters generally agree that they have no leader, some individuals and organizations, including celebrities have been at the forefront of coordinating and championing the cause. Prominent among the coordinators is recently founded a feminist group of young Nigerian feminists formed in July 2020. Their mission is to champion equality for women in Nigerian society with a core focus on education, financial freedom, and representation in public offices. They aim to fight injustice through peaceful protests, fundraising, and social media organization (Feminist Coalition, 2020), aims which they successfully applied to the #EndSARS protests. In a tweet by Feyikemi Abudu on 9 October, calling on Nigerians to donate 50,000 Naira for the provision of food and water for protesters sleeping overnight at the gates of the Lagos Government House, donations started to roll into millions of Naira in support of the #EndSARS movement (Ndifon, 2020). The feminist coalition was able to get private individuals to take action to raise funds over a short period of time, and as of the end of the 18 October, the total funds raised was 73,448,499.13 Naira. Funds raised have gone into medical, legal, and security assistance for protesters. The coordinating role that the feminist coalition has played in the #EndSARS protests demonstrates the future of female agency in Nigerian politics.

b. Role of youth in the #EndSARS protests

In 2020, Statista estimated Nigeria's population to be 200 million individuals (Statista, 2022). According to the National Bureau of Statistics, the youth population in Nigeria stands at 64 percent. The population of youth available to work stands at 40 million and from this, only 14.7 million are fully employed. Economic analysts note that "a high youth unemployment rate is synonymous with increased insecurity and poverty" (Nairametrics, 2020). Nigerian youth feature prominently among social media users around the world, and information systems and the internet has brought about a shift in the way people share information around the world (Buhari, 2014). In exposing police brutality in Nigeria, social media played a very prominent role as viral videos caused outrage among social media users, particularly on Twitter, as users, including celebrities, tweeted, replied to tweets, and retweeted about the issue using the hashtag #EndSARS. This led to the growth of the mass #EndSARS protests across the country from 8 October 2020, demonstrating the power of social media as a mobilization tool for young Nigerians. Social media was also used to coordinate assistance to for injured or detained protesters.

8.3.7. Impact of #EndSARS on the future of governance in Nigeria

The potential impacts of the #EndSARS protests include an increase in the participation of women and youth in the politics and governance of Nigeria as a result of a newfound belief in their abilities to influence government decision-making through civil disobedience. Just one week into the nationwide protest, the SARS unit was disbanded. This little win arguably created a sense of an ability to change policies and influence governance. Although these newfound voices and hope were short-lived following the eruption of violence and the government's reaction to the violence and protests. The government of Nigeria allegedly bullies protesters, prior to the #EndSARS protests, by using security forces to disperse crowd with excess and lethal force as occurred in the June 1993 protest against the voiding of the election of that year (Human Rights Watch, 1993). Even since the return of democracy to Nigeria and in the current administration, government forces have used lethal force against peaceful protesters, as in the 2003 protests against the petroleum price increase that resulted in police using teargas and live rounds, injuring and killing protesters (Human Rights Watch, 2003). The current administration also reacted in the same manner against peaceful Shia protesters in Abuja in 2019 (Human Rights Watch, 2019). This same reaction resulted from the government's pace, and reluctance to deliver the 5 demands of protesters, arguably dispirited, women, youth, and protesters generally, and like in previous attempts at a social or political protest in Nigeria, silences dissenting voices. However, according to Amnesty

International (2020), the difference this time is the amount of uncontroverted evidence available which points to government security forces' culpability if used effectively to seek justice, has the potential to influence the future of governance in Nigeria.

8.3.8. Political ethnicity as observed in the #EndSARS protests.

Although the protest was against arbitrary police use of force generally, there are traces of political ethnicity with respect to the states where protests took place and states where reports of human rights violations were made. Most regions had all states represented in their reports, with some having no reports submitted, only a few states had panels set up, and reports made by citizens as can be seen in the diagram below presented by SBM (2022).

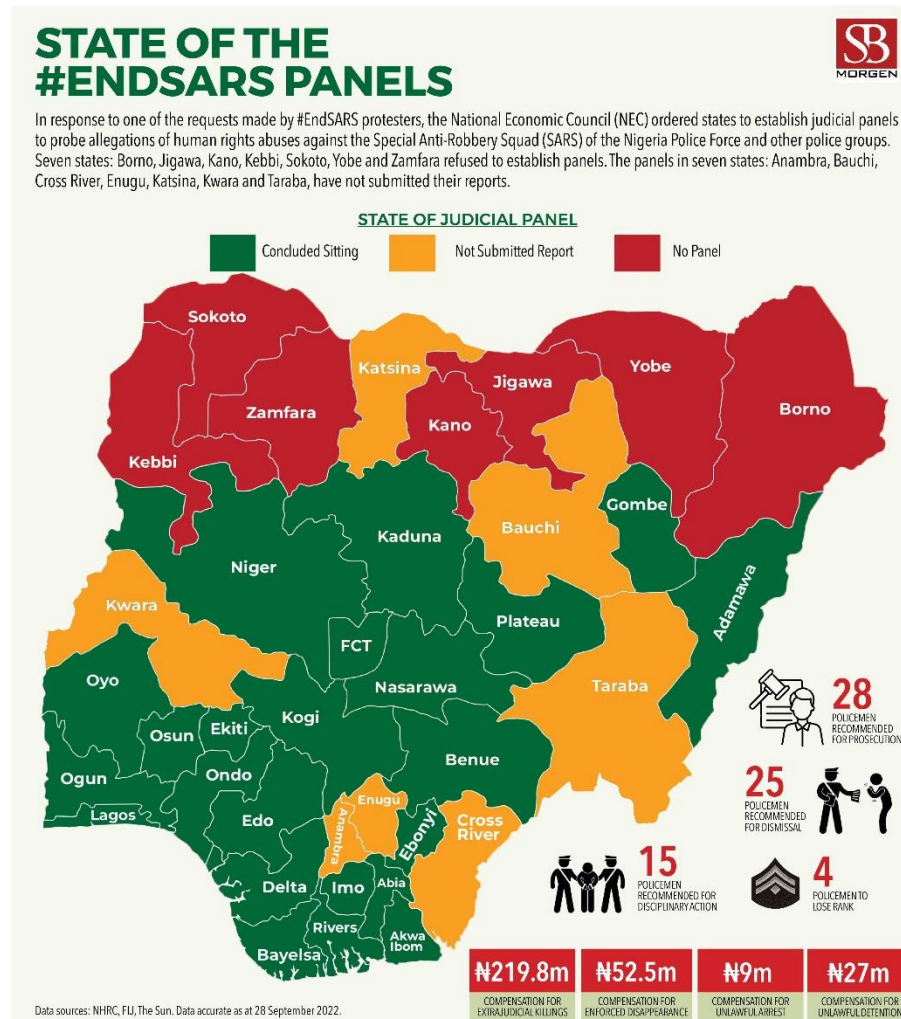


Figure 2: Graphic illustration of the state of the #EndSARS panels

8.4. Conclusion

This chapter has sought to address the question of validity and reliability of this research by providing documentary analysis to corroborate the findings from interview responses. The documents that were analysed include annual reports from the National Human Rights Commission of Nigeria. Three years reports from the year 2019 to 2021 were studied, with a particular focus on reports made to the commission on issues of discrimination, and right to law enforcement and dignity. The results were compared with participant responses and showed positive correlations in the Northcentral, Northwest, Southwest, and Southeast. There were slight differences in the results from the Northeast and South-south.

The chapter also provided discussions on the intersectionality of identities that can play roles in how police use force including religious, age, and gender identities. In terms of religious intersectionality, the Northwest and Northcentral had correlations between the interview responses and the data extracted from the NHRC. There was no information based on discrimination in terms of age. However, this was demonstrated in the analysis of the #EndSARS protests and its aftermath as discussed.

Chapter 9: Conclusion

9.1. Introduction

This study explored the role of political ethnicity in police use of force in Nigeria. The study's point of departure was a view of policing as a state-building apparatus and an instrument of delivering security as a public good; as noted earlier in chapter 3.4., the failure of states to provide security as a public good result in contestation between the state as an institution and oppositions. This can be observed in the case of Nigeria with the rise of regional vigilante and/or terrorist groups such as Amotekun, the ESN, and Boko-Haram (Kabir, 2021, Van Der Lijn, 2017). This is the case because the state is essentially perceived as legitimate based on how much of the public good it can deliver. Security as one public good is provided through the state apparatus, such as the police. Failure to deliver this good causes citizens to question police legitimacy and the state's legitimacy to a greater extent. However, contestations between opposition to the state in Africa, particularly in Nigeria, are usually faced with suppression from the government. This is particularly so because of the nature of the modern state in Africa, as discussed in 3.5, where sovereignty is legal as opposed to legitimate because it derived the bulk of its legitimacy from the international community in terms of international recognition.

From this premise, the central discussion of policing in the context of state-building in an ethnically diverse society such as Nigeria emerged. In such talks of state-building and policing in ethnically diverse societies, there is a need for a conversation on the role of political ethnicity in police use of force. Hence, the central focus of this research was to explore the role of political ethnicity in police use of force in Nigeria. To properly explore this topic, several concepts were identified as critical categorical variables, including political ethnicity, legitimacy, the legitimate use of force, and the use of force. These concepts interacted with each other throughout the study and were used to analyze themes generated from participant responses in chapter 6 and 7. The themes generated include ethnic bias, ethnic profiling and ethnic politics as observable mentions of political ethnicity in police use of force. Unlawful detention, extortion, torture, and extrajudicial execution were themes denoting the kinds of excessive use of force and human rights violations where political ethnicity could be observed in. A last set of themes were more structural challenges that lead to manifestations of political ethnicity in police administration and operational procedures. Based on the population studied, it was observed that while political ethnicity is a challenge that exists today in Nigeria, the structural challenges of governing serve to reinforce its manifestation in

administration and operations, including in aspects of policing. This conclusion is reached following participant responses, as well as available literature consulted for this study. The study is only generalised based on the population studied and leaves room for further robust studies with more evidence for country wide generalisation. This study offers an exploratory conclusion, inviting further research.

9.2. The role of political ethnicity in police use of force in Nigeria

Discussing police use of force in multi-ethnic societies forms part of a broader discussion of the politics of state-building in multi-ethnic states. State-building entails establishing, re-establishing, and strengthening a public structure in a territory capable of delivering public goods (2005:593). As mentioned in 8.1 above, security is a public good, and the police form part of the state apparatus responsible for providing security, adequate provision of which, has the potential to strengthen states' popular legitimacy, among other things. State legitimacy is a necessary condition for the justifiable use of force by the police in any given state (Jackson and Bradford, 2010:1), while the excessive and unjustifiable use of force may threaten popular legitimacy (Jackson and Bradford, 2010:1; von Bogdandy et al., 2005:593).

In Nigeria, over the years since colonial administration, state structure has been blamed for a myriad of challenges. State-building in Nigeria has been challenged since colonial times with the task of ensuring equal distribution of the public goods and promoting unity in the multi-ethnic society. Federalism was chosen by the colonial administrators and subsequently, by the nationalists who fought and won independence in Nigeria (Majekodunmi, 2015; Mayowa, 2014). Although federalism formed a critical tool for achieving the task of providing equitable distribution of the public goods while unifying Nigeria in the process, the version of federalism practiced in the country became adulterated by successive military regimes until it now resembles a unitary system, in what can be described as adulterated federalism (Elaigwu, 2017; Majekodunmi, 2015:110). It is understood that Nigeria's federalism needed to be tweaked due to the events that led to the civil war (1967 to 1970). However, the tweaks that followed did little to enhance federalism in the country. Adulterating Nigeria's federal system served the purpose of strengthen the Federal Government while weakening the regions and states by reversing administrative and fiscal autonomy (Elaigwu, 2017). Fiscal autonomy is a vital aspect of the legitimacy of governments (Groenendijk, 2011), in the same way that democratic legitimacy is essential for the survival of heterogenous states such as Nigeria (Arendt, 1973; Jackson and Rosberg, 1984:18; Rosanvallon,

2011). While the Federal Government needed to be financially powerful, citizens across all regions needed to be included in governance. Thus, military leaders, realizing the complexities of the heterogeneous Nigerian society, decided to adopt a “military federalism,” as Elaigwu (2017) described it.

The adulteration of federalism in Nigeria also affected police administrative structures, as all regional police units were disbanded and subsequently declared unconstitutional (Ogbuenyi, 2022; Vaaseh and Ehinmore, 2011). Currently, only the federal police operate in Nigeria but face a myriad of challenges attributed to structure, including the challenge of policing Nigeria’s multi-ethnic society. Structural challenges were identified as themes generated from interviews conducted and analysed with existing literature to determine the role that political ethnicity plays in police use of force in Nigeria. It can be observed that while political ethnicity is a challenge that exists today in Nigeria, the structural challenges of governing serve to reinforce its manifestation in operations, including in aspects of policing. This conclusion is reached following participant responses, as well as available literature. The themes that emerge in this study, which support the above point, include structural and operational challenges faced in; appointment of heads of security forces, police recruitment, posting of police officers, checkpoints and roadblocks, police training, and corruption.

In terms of structure, an area where participants expressed concern is that heads of security forces, including the police, have predominantly been individuals from Northern Nigeria. Stating that it is relatively more straightforward to gain promotion in government agencies as someone from Northern Nigeria than for someone from other regions. Further research on this point showed that there had been a slight imbalance in the appointment of Inspector Generals (IG) of Police since independence in 1960 as shown in chapter 7.2.1. Evidence for this is, however, considered exploratory and further research is required to go beyond hypothetical assumptions, however, the implications of this within the scope and context of this study, are far reaching for state legitimacy and the legitimate use of force. This is because some groups, particular as narrated by South-eastern participants, feel marginalised, believing that the government are against them, consequently, becoming opposition and contesting against the government.

In recruitment, narratives from participant responses and available literature suggest that individuals from Northern Nigeria have always been dominant in security forces, including the police. While recorded data represent evidence during colonial periods, data on police recruitment

in Nigeria today is not made available to the public, a cause for inquiries into why. However, participant responses as presented in chapter 7.2.2., and available literature suggest that these trends did not stop with the colonial administration. The evidence for this in this study is also considered exploratory and require further interrogation, but the hypothetical implications of these trends are far-reaching for the role of political ethnicity, as it reinforces citizen perception of ethnic bias, even in the Nigerian police officers' use of force. Again, participants observed that this trend is part of the reasons for armed opposition to the government such as the ESN. This consequence is in line with the argument in this thesis that state legitimacy is undermined by manifestations of political ethnicity.

Postings during colonial times in the Nigerian police were done to alienate the police from the citizen and to ensure the colonial administration's political security. Such techniques ensured mutual mistrust between the individual police officers and members of the communities they policed. This was done by transferring police officers across zones and to communities where the police officers' ethnicities were different. Participants working within the Northcentral and South-eastern regions raised this point. Similar to trend in recruitment, this trend, or the perception of the trend is one of the motivations for the unrest by agitating groups within the Southeast, specifically the confrontations between separatist movements such as the ESN, and the security forces, including the police. Participants in this region noted the general mistrust of Northern ethnic groups, particularly the Hausa and Fulani, by ethnic Ibos in the Southeast.

Another structural challenge observed in this study is the number of roadblocks, checkpoints, and stop and search operations carried out by Nigerian Police Force. These missions, participants argue, have become a way for police officers to extort motorists. Many participants discussed that this trend is heightened in South-eastern Nigeria.

In terms of training as a structural issue, a key finding in this study is the need for training, as virtually all participants suggested a need for more training programs to cater to NPF officers. The absence of a modern training curriculum for the police, in not just issues surrounding political ethnicity but human rights in general, is another key theme that came out of the data for this study. Current training facilities and curriculum, it is suggested, are relics of colonial times, with participants mentioning that some officers are not aware of the stipulations of the most recent Nigerian Police Act of 2020, suggesting the need for constant training and re-training of officers

at all levels. This showed some of the origins of the failure of government to provide security as a public good. A poor police training is likely to lead to poor police performance.

Corruption is another structural problem that has been woven into the structure of governance in Nigeria. Noticeable acts of corruption by law enforcement in Nigeria include, but are not limited to the following, according to Adebayo and Ojo (2009): Traffic duties, arrest, and prosecution of crime suspects, court trial in the form of delay of justice, undue adjournment of cases, destruction of exhibits and evidence, issuance of licenses and permits, falsifications and tampering with statements, and police investigations (Onwueme, 1986). These corrupt practices were also reflected in the interview responses. Again, this can be viewed as a failure on the part of government to provide the public goods. In this sense, the police are perceived as performing poorly because of corruption, and as discussed in chapter 3.3, this can result in contestations for the legitimate use of force, evident in the rise of vigilante groups such as Amotekun, secessionist groups such as IPOB and ESN, as well as terrorist organisations such as Boko Haram. Details of these discussions can be found in chapters 3.3, and 6.2.

Patterns of political ethnicity, which are symptomatic of the structure of governance, can be traced to how police officers decide when and against whom to use force. This manifest in several actions narrated in participant responses. According to participants, from illegal detention to extortion and torture, police officers carry out these human rights violations indiscriminately, but patterns of biases can be found in terms of religion, socioeconomic status, and, more pertinent to this research, ethnicity. A participant in the Northeast noticed a high number of Fulani ethnic nationals populating detention centres in the area and linked this trend to general perceptions of Nigerians. He links it specifically to police officers' perceptions about the Fulani involvement in crimes committed as part of the farmer/herder crises across the Northern part of the country. This view was backed up by all other participants working in the Northeast. This presents a case of ethnic profiling of the Fulani. Other participants mention the unlawful use of force by police officers towards Ibo people from the South-eastern parts of Nigeria. In South-eastern Nigeria, police are reported to carry out extortions regularly around this region, mainly targeting motorists. This point is buttressed by the number of roadblocks and police checkpoints within the region. It is suggested that more roadblocks and police checkpoints are leading towards South-eastern Nigeria, and these checkpoints are set up for extortion by police. Other participants in the Northcentral mentioned unlawful arrests by police, where individuals are indiscriminately picked up from the streets by

police and detained without cause. One participant blamed this on the fact that police officers are of different ethnic groups from the communities they police. It should be noted that in two regions (Southeast and Northeast), where all participants agreed that ethnic profiling as political ethnicity affects police use of force, there is notable political unrest. While there are separatist movements in the Southeast, there are also terrorist organizations such as Boko-Haram and armed herders in the Northeast, more than in other regions. In this regard, participants noted that police officers sent to zones where there is unrest are prone to adopting ethnic profiling to decide when to use excessive force on suspects. These were the most pronounced patterns of political ethnicity observable in the data. Overall, while Nigeria remains a large country with a population of an estimated over 200 million people, 18 Civil Society participants participated in this research, and analysis is done using interview responses, triangulated with news reports as found in chapter 5, scholarly literature as found throughout the study, and Police Service Commission annual reports as found in chapter 8.2. Generalisations are only made based on the population, and consulted literature.

While some scholars and practitioners in state-building will argue that ethnicity is constructed to avoid potentially disparaging societies with the truth about identity differences, political ethnicity remains a challenge in different aspects of society. The fact that ethnic groups are constructed does not make them less real (Ake, 1993). This is also true of the challenges that come with ethnicity in multi-ethnic states. This research has explored the role of political ethnicity on police use of force in Nigeria. The discussion led to the conclusion that the manifestations of political ethnicity in police use of force are symptoms of a faulty structure embodied in a defective version of federalism. In this regard, most participants mentioned Nigeria's version of federalism as a reason for the existence of political ethnicity generally, specifically in police administration, and at varying degrees, in police use of force across Nigeria.

9.3. Limitations of the study

Access to interview police officers of the Nigerian Police Force was not granted, and this had methodological implications. Perspectives from police officers would have added the advantage of triangulation and provided a comprehensive understanding that gives both sides of the story. The researcher made attempts to interview police officers of the NPF but was met with rejection. The NPF sighting the sensitive nature of the research and the potential of findings to highlight the seams of ethnic diversity in Nigeria. The study explores a sensitive topic perceived as salient yet

circumvented in discussing Nigeria's state-building project. In this regard, there is a need to acknowledge and securitize problematic issues that come with managing diversity within a state to develop practical solutions to the question of diversity in all aspects of state-building, including in policing in Nigeria.

Because of inaccessibility to the police, only CSOs were interviewed. Whereas participation of both CSOs and the individual police officers would have produced a comprehensive study of force users' attitudes towards those against whom they use force in the context of ethnic diversity, the refusal to participate by the Nigerian police means that the study only generalizes based on the inputs made by CSOs, and literature consulted. In this regard, there is a need for further research that involves police officers.

Nevertheless, the expertise of each chosen CSO participant makes up for the research limitation. The participants have worked extensively with police across the regions and provided an excellent source of first-hand information about police conduct across the country. Furthermore, interviewing CSOs across the country provided an excellent exploratory explanation of the role of political ethnicity in police use of force in Nigeria. Moreover, as the research is exploratory, CSOs offer a decent source of information to lay the groundwork for further research into the critical issues that arise from policing diverse societies like Nigeria. Even though the scope of the study covers the entire Nigeria, the analysis is only generalized based on the population and sample size.

9.4. Original contribution

There has not been research on the role of political ethnicity in police use of force in Nigeria. A myriad of scholars have discussed ethnic bias and ethnic politics in general. However, there is little discussion on how the concept of political ethnicity, encompassing ethnic profiling, ethnic politics, and ethnic bias, plays a role in determining officers' attitudes towards individuals they may potentially use force against. This research provides original and exploratory literature on the topic and lays the foundation for future research in the area.

9.5. Further research and recommendations

While several participants noted that there are noticeably more roadblocks and police checkpoints around South-eastern Nigeria, there was no available data to support this, and other data reliant claims. There is, therefore, a need for research into this claim, as it will help securitize the issue and develop measures to mitigate the problem. Moreover, in the absence of transparency on the part of government and police administration in Nigeria, research is needed to provide data on

police recruitment and staff compositions, including demographic data. This will also give a clear picture of alleged employment bias favouring some ethnic groups and against others. This kind of knowledge is essential to be brought to the fore to encourage transparent administration and citizen involvement. It also has the potential to minimize ethnic mistrust in society. Speculative knowledge of this kind of data breeds ethnic suspicion; however, accurate data, if the Federal Character principles are followed, will promote trust and unity. The research studies the role that political ethnicity might play in individual force-users' attitudes towards those against whom force might be used/is used. The research is critical in that it is focused on challenging the taken-for-granted or hidden power structures to offer alternative perspectives and explanations for the social reality of policing in an ethnically diverse society like Nigeria.

The findings in this research demonstrate that political ethnicity is one of a myriad of factors that might lead to excessive police use of force, and as such, there is a need for action to be taken to mitigate its role in the use of force. There is a need for attention to be paid to police training, as all participants mentioned the need for training police officers on how to be impartial in the discharge of their duties. Participants noted that ethnic and religious tolerance should be embedded in their police training curriculum.

Still, on training, there is a need to demilitarize police training by redesigning the curriculum to fit modern-day Nigeria. As was discussed in 7.2.5, the Nigerian police training culture has been passed on from colonial times and follows colonial objectives which are not suitable for independent Nigeria. This will entail regular training and retraining of current police officers from the highest to the lowest ranked officers. This will also entail outsourcing police training to the private sector in order to ensure quality and to be in tune with civilian relations. There is also a need for more funding for the NPF, to cover the cost of training, training centres, and all other police facilities. Funding also needs to be provided for police remuneration, as low funding has been blamed in the literature, and by participants as a possible cause of police corruption in Nigeria.

9.6. Final reflection

The problem statement for this research is that claims to the monopoly on the legitimate use of force in sub-Saharan Africa remain essentially legal as opposed to legitimate. This conclusion stems from the argument that African states were given legitimacy by the international community

in consultation with a few African elites. As such, ethnic exclusivities continue to be transferred into aspects of state operations and administration, including the police (Ake, 1993:2; Alemika, 1993; Eynde et al., 2016). A recap on how legality is defined in this research is that it represents something permitted and constitutional, fits within the law, and complies with a legal framework. On the other hand, legitimacy reflects the people's aspirations and has been carried out following a correct, fair, genuine, moral, and ethical path. It has proven challenging to transform legality into legitimacy in African states (Englebert, 2007:62-63; Jackson, 1986). This argument is detailed in chapters 1.2., 3.3, and 3.5.

Weber's (1921) definition of a state as an entity being able to claim the monopoly on the legitimate use of force is compared with other descriptions of states and statehood in chapter 3.2. This research emphasized a description of the state in the sub-Saharan African context as an 'entity that can claim the *legal* use of force and has *sufficient means to back its claim.*' Evidence of the inability by African states to 'back their claims' to the monopoly on the use of force is found in the literature and in the way in which participants referred to police use of excessive force laced with ethnic bias, ethnic profiling, and ethnic politics. Human rights abuses are committed in a manner perceived to be driven by political ethnicity through unlawful detention, extortion, torture, and extrajudicial execution. Excessive use of force with impunity demonstrates the oppressive nature of the state through its security apparatus. The persistence of African statehood, despite opposition for over six decades since independence, reinforces the argument in this thesis that there is a monopoly on the legal, as opposed to the legitimate, use of force by the state. This conclusion is reached because the state remains intact despite these human rights violations and failures to create the enabling environment for the progressive realization of human rights. This conclusion is also in line with Englebert's (2007) argument on the nature of sovereignty in Africa being *de jure* but lacking in legitimacy.

Moreover, a state being merely 'legal' within its vicinities but considered legitimate by the international community lays the foundation for excessive use of force within the state with little or no caution or consequences. Sovereignty prevents the international community from directly enforcing human rights policies except for proven crimes against humanity. This lack of enforcement makes it challenging to link international law and human rights to the reality of police conduct in sub-Saharan African states such as Nigeria. An example of the gap between

international and local laws can be found in Force Order 237, which allows violent assemblies to be dispersed using firearms amongst other vague use of force guidelines, falling short of what is permissible by international laws. A blatant example in practice is the shooting of civilians that occurred during the #EndSARS protest in 2020. Despite numerous reports by Amnesty International (2021), the media, and other human rights groups presenting evidence of government involvement, the hands of the international community remained tied.

Another example of the problematic nature of state legitimacy in Nigeria was raised in how federalism was adopted and tweaked into a unitary system through an undemocratic process. The process has been argued to undermine the state's legitimacy and, by extension, police legitimacy. The above lays the foundation for political ethnicity in the use of force to thrive, as noted by participants across the six geopolitical regions. Political ethnicity manifests in police administration: recruitment, the appointment of heads of security forces, and mounting roadblocks in specific locations that seemingly target particular ethnic groups. It is displayed through ethnic profiling, ethnic bias, and ethnic politics. To mitigate this challenge that is assumed to stem from the structures, including recruitment and appointments, Federal Character Principle is mentioned in the constitution. Still, there are no sufficient legal instruments to enforce Federal Character Principle, which is evident in how it is violated, as reported by participants regarding appointments of heads of security forces and recruitment.

While noting that some of the points made above are links between political ethnicity and the use of force in Nigeria, it is important to also bear in mind other factors that can influence police use of force in Nigeria. In chapter 8.3, attention was paid to other contextual factors including religion, socio-economics, age, and gender. This thesis acknowledges as is shown in the data presented in chapter 8.3, that there exist some intersectionality between ethnic, religious and socio-economics, age, and gender, which can also determine police use of force in Nigeria. Political ethnicity is one in a myriad of factors that play roles in the use of force in Nigeria. With regards to religion, core Northern Nigeria (Northwest and Northcentral), predominantly Muslim regions, religion was a prominent feature in responses. Participants argued that religion could influence individual force users' attitudes more than political ethnicity could. More detail of this can be found in section 8.3.1. In terms of socioeconomic and class, participants from all regions mentioned the central role of money and influence in police use of force, this was demonstrated in 8.3.2. Victims of

excessive use of force are classified as the poor in society, and in many cases political ethnicity is likely to not play a role in how police use force, but the inability of the victims to pay their way out through bribes, would determine how they are treated by police. The #EndSARS protests revealed that age and gender were also categories that play roles in how police use force in Nigeria. This is regardless of whether they are guilty of the crime committed or not. The possibility of all mentioned factors, political ethnicity, religion, socio-economic class, age, and gender playing roles in police use of force is not ruled out in this research, however, the main focus is on the role that political ethnicity specifically plays in how police use force in Nigeria.

The oppressive nature of the state and its failure to provide public goods, including security, especially in a climate of political ethnicity, results in contestations from opposing groups. The Boko Haram insurgence, the renewed IPOB movement, IPOB's military wing ESN, the rise of Amotekun, and the Fulani herders form significant opposition to the failure of the state to provide security in Nigeria. In this study, these are all seen as being tied to the problem of political ethnicity as these groups are predominantly members of divergent ethnic groups expressing dissatisfaction with the Federal Government of Nigeria. In conclusion, this research has provided exploratory knowledge showing that political ethnicity plays a role in police administration and consequently in individual officers' attitudes towards people they use force against, and in creating opposition to the Nigerian government. On the answer to the major research question, "what role does political ethnicity play in police use of force in Nigeria,": it is not the only role player as other factors and intersectionality also drive police use of force, however, political ethnicity plays a role of determining how and when police use force, which in turn can undermine police legitimacy, and by extension, state legitimacy.

References

- Aas, G. (2021). Fieldwork in police studies—the ethical dilemma in participatory observation with police patrols. *Police Practice and Research*, 22(1), 835-848.
- Abdelmottlep, M. A. (2016). World Internal Security and Police Index 2016. *International Police Science Association (IPSA)*.
- Abdul-Baki, Z., Uthman, A. B., & Kasum, A. S. (2021). The role of accounting and accountants in the oil subsidy corruption scandal in Nigeria. *Critical Perspectives on Accounting*, 78, 102128.
- Abiodun, F. T., Oloyede, A. O., Ademola, O. E., Abah, O., & Kehinde, O. S. (2020). Unlawful killings of civilians by officers of the special anti-robbery squad (SARS) unit of the Nigerian police in southwest Nigeria: implications for national security. *African Journal of Law, Political Research and Administration*, 3(1), 49-64.
- Aborisade, R. A., & Obileye, A. A. (2017). Systematic brutality, torture, and abuse of human rights by the Nigerian Police: Narratives of inmates in Ogun State prisons. *The Nigerian Journal of Sociology and Anthropology Vol*, 15(1), 2.
- Aborisade, R., & Fayemi, J. (2015). Police corruption in Nigeria: A perspective on its nature and control. *Nigerian Journal of Social Sciences*, 17(2), 245-262.
- Achumba, I. C., Ighomereho, O. S., & Akpor-Robaro, M. O. M. (2013). Security challenges in Nigeria and the implications for business activities and sustainable development. *Journal of economics and sustainable development*, 4(2).
- Adangor, Z. (2017). Separatist agitations and the search for political stability in Nigeria. *Donnish Journal of Law and Conflict Resolution*, 3(1), 1-17.
- Adebayo, B. (2019). Protests turn deadly as the Islamic Movement of Nigeria clash with police. CNN. Retrieved from: [Nigeria protests turn deadly as Shiite protesters clash with police Nigerian police | CNN](#)
- Adebayo, P. F., & Ojo, E. O. (2009). The challenges of effective policing as measure of controlling the phenomenon of police corruption in Nigeria today. *International NGO Journal*, 4(3), 070-075.

- Adebayo, R. (2020). Lack of fund, training, equipment limiting performance of Nigeria Police – NPTF. Daily Post: retrieved from; [Lack of fund, training, equipment limiting performance of Nigeria Police - NPTF - Daily Post Nigeria](#)
- Adegbami, A., & Uche, C. I. (2015). Ethnicity and ethnic politics: An impediment to political development in Nigeria. *Public Administration Research*, 4(1), 59.
- Adeniji, A. S., & Ofiwe, M. E. (2015). The Impact of Ethnicity on Nigeria's Political Development: An Assessment, 1999-2011. *International Journal of research and Development Organisation*, 2(12).
- Adeyemi, M., Afolabi A., Omofoye, T., Akingboye. & S., Rotimi A. (2019). Southwest on edge as violent crime buffets region. The Guardian. Retrieved from: [South West on edge as violent crime buffets region | The Guardian Nigeria News - Nigeria and World News — Sunday Magazine — The Guardian Nigeria News – Nigeria and World News](#)
- Adeyemo, A. (2012). Former IG of Police, Sunday Ehindero Remanded in Kuje Prisons for Embezzling N16million & Misappropriating over N500million. Bella Naija. Retrieved from: <https://www.bellanaija.com/2012/09/former-ig-of-police-sunday-ehindero-remanded-in-kuje-prisons-for-embezzling-n16million-misappropriating-over-n500million/>
- Adibe, J., (2019). How Boko Haram has evolved over the past ten years. *The Conversation*. <https://theconversation.com/how-boko-haram-has-evolved-over-the-past-ten-years-126436>.
- Adom, D., & Hussein, E. K. (2018). Theoretical and Conceptual Framework: Mandatory Ingredients of a Quality Research. *International Journal of Scientific Research*, 7(1), 93-98.
- Ake, C. (1993). What is the Problem of Ethnicity in Africa?. *Transformation*, (22).1-14.
- Akinlua, T., Meakin, R., Umar, A. M., & Freemantle, N. (2015). Map of Nigeria showing the 6 geo-political zones, 36 states and federal capita territory. Retrieved from: <https://doi.org/10.1371/journal.pone.0140021.g001>

- Akinwotu, E. (2020). Outcry in Nigeria over footage of shooting by notorious police unit. The guardian. Retrieved from: [Outcry in Nigeria over footage of shooting by notorious police unit | Nigeria | The Guardian](#)
- Akpoghome, T. (2018). Diversity question in Nigeria: Analyzing the role of the law and the challenges in ensuring the unity of the nation. *International Journal of Law* 82 *International Journal of Law* 4(1), 82-90.
- Akubo, J. (2020). Puzzle over Nigeria's unity as North Central rediscovers identity. The Guardian. Retrieved from: [Puzzle over Nigeria's unity as North Central rediscovers identity | The Guardian Nigeria News - Nigeria and World News — Politics — The Guardian Nigeria News – Nigeria and World News](#)
- Alaja, O. (2019). What to expect as 84 million Nigerians go to the polls. The Conversation. Retrieved from: [What to expect as 84 million Nigerians go to the polls \(theconversation.com\)](#)
- Alan, B. (2011). *Business research methods*. Bell, Emma, 1968- (3rd ed.). Cambridge: Oxford University Press.
- Alemika, E. (1993). Colonialism, state and policing in Nigeria. *Crime, Law and Social Change*. Kluwer Academic Publishers. (20), 187-219.
- Aleyomi, M. B. (2013). Is State Police a Panacea to Security Threat in Nigeria. *Afro Asian Journal of Social Science*, 4(2), 1-21.
- Alharahsheh, H. H., & Pius, A. (2020). A review of key paradigms: Positivism VS interpretivism. *Global Academic Journal of Humanities and Social Sciences*, 2(3), 39-43.
- Ali, M. A., & Ahmed, F. A. (2019). Nigerian federalism problems in prospects. *Journal of Economic Info*. 6(2), 12-18.
- Ali, M., Fjeldstad, O. H., Jiang, B., & Shifa, A. B. (2019). Colonial legacy, state-building and the salience of ethnicity in sub-Saharan Africa. *The Economic Journal*, 129(619), 1048-1081.
- Aljazeera (2010). Video shows Nigeria 'executions'. Retrieved from: <https://www-aljazeera-com.cdn.ampproject.org/v/s/www.aljazeera.com/amp/news/2010/2/9/video-shows->

[nigeria-executions?amp_js_v=a6&gsa=1&usqp=mq331AQKKAFOArABIICAw%3D%3D#aoh=16318944237961&referrer=https%3A%2F%2Fwww.google.com&tf=From%20%251%24s&share=https%3A%2F%2Fwww.aljazeera.com%2Fnews%2F2010%2F2%2F9%2Fvideo-shows-nigeria-executions](https://www.google.com/search?q=nigeria-executions&js_v=a6&gsa=1&usqp=mq331AQKKAFOArABIICAw%3D%3D#aoh=16318944237961&referrer=https%3A%2F%2Fwww.google.com&tf=From%20%251%24s&share=https%3A%2F%2Fwww.aljazeera.com%2Fnews%2F2010%2F2%2F9%2Fvideo-shows-nigeria-executions)

All Africa (2019). Nigeria: Police Most Corrupt Institution in Nigeria – Survey. Retrieved from: <https://allafrica.com/stories/201903270011.html>

Amnesty International (2008). "Nigeria: 'Pragmatic Policing' Through Extra -Judicial Executions and Torture." Retrieved from: [FIN 40 005 2010 - AIL & AICL combined audited accounts 2009 \(amnesty.org\)](https://www.amnesty.org/en/documents/AFR44/038/2009/en/)

Amnesty International (2009). Killing at Will Extrajudicial Executions and Other Unlawful Killings by The Police in Nigeria. Retrieved from: [https://www.amnesty.org/en/documents/AFR44/038/2009/en/.](https://www.amnesty.org/en/documents/AFR44/038/2009/en/)

Amnesty International (2016). Use Of Force: Guidelines For Implementation Of The Un Basic Principles On The Use Of Force And Firearms By Law Enforcement Officials. Retrieved from: [ainl_guidelines_use_of_force_short_version_0.pdf \(amnesty.nl\)](https://www.amnesty.org/en/documents/AFR44/038/2009/en/)

Amnesty International (2020). Nigeria: Killing of #EndSARS protesters by the military must be investigated. Retrieved from: <https://www.amnesty.org/en/latest/press-release/2020/10/killing-of-endsars-protesters-by-the-military-must-be-investigated/>

Amnesty International (2020). Nigeria: Time to end impunity: Torture and other human rights violations by special anti-robbery squad (SARS). Retrieved from; [Nigeria: Time to end impunity: Torture and other human rights violations by special anti-robbery squad \(SARS\) - Amnesty International](https://www.amnesty.org/en/latest/press-release/2020/10/killing-of-endsars-protesters-by-the-military-must-be-investigated/)

Amnesty International (2021). Nigeria Human Rights. Retrieved from: <https://www.amnestyusa.org/countries/nigeria/>

Amnesty International (2021). Nigeria: No justice for victims of police brutality one year after #EndSARS Protests. Retrieved from:

<https://www.amnesty.org/en/latest/news/2021/10/nigeria-no-justice-for-victims-of-police-brutality-one-year-after-endsars-protests/>

- Amusan, L., & Saka, L. (2018). The Nigerian police force and the task of policing democratic Nigeria: Issues and problems. *Anthropologist*, 31(1-3), 105-116.
- Anderson, B. (1983). *Imagined communities: Reflections on the origin and spread of nationalism*. London, Verso.
- Anghie, A. (1992). Human rights and cultural identity: new hope for ethnic peace. *Harv. Int'l. LJ*, 33(2), 341-352.
- Anti-Torture Act (2018). Federal Republic of Nigeria Official Gazette. Retrieved from: [ng-government-gazette-dated-2018-01-09-no-3.pdf \(gazettes.africa\)](#)
- Arendt, H. (1973). The origins of totalitarianism [1951]. *New York*.
- Areo, O. (2021). An inexhaustible list of police brutality stories and fundraisers across Nigeria. Business Day. Retrieved from; <https://businessday.ng/bd-weekender/article/an-inexhaustible-list-of-police-brutality-stories-and-fundraisers-across-nigeria/>
- Arotiba, A. (2020). SARS protests: Names of people wey dia deaths from 'suspected' police brutality shake Nigeria. Retrieved from: [SARS protests: Names of people wey dia deaths from 'suspected' police brutality shake Nigeria - BBC News Pidgin](#)
- Audu, D. T., Ojua, T. A., Ishor, D. G., & Abari, C. A. (2013). Inequality and class difference in access to healthcare in Nigeria. *Res Humanities Soc Sci*, 3(16), 45-51.
- Ayoola, F. J., Adeyemi, M. A., & Jabaru, S. O. (2015). On the estimation of crime rate in the Southwest of Nigeria: Principal component analysis approach. *Global Journal of Science Frontier Research: F Mathematics and Decision Sciences*, 15(2-F), 125-134.
- Baderinwa, R. (2019). Farmers-Herders Conflict in Nigeria: A Review of Relevant Literature. Available at SSRN 3912973.
- Barau, A. S. (2005). An account of the high population in Kano State, Northern Nigeria. *Department of Geography, FCE Kano*.
- Bardhan, A. B. (1973). *The unsolved tribal problem* (No. 13). Communist Party of India.

- Bassey, C. O., & Agbor, U. I. (Eds.). (2015). *Public policy and politics in Nigeria: A critical discourse*. Concept Publications Limited. Lagos.
- BBC (2017). Apo Six murders: Nigeria sentences two policemen to death. Retrieved from: https://www-bbc-com.cdn.ampproject.org/v/s/www.bbc.com/news/world-africa-39219494.amp?amp_js_v=a6&_gsa=1&usqp=mq331AQKKAFQArABIACAw%3D%3D#aoh=16323099143948&referrer=https%3A%2F%2Fwww.google.com&_tf=From%20%251%24s&share=https%3A%2F%2Fwww.bbc.com%2Fnews%2Fworld-africa-39219494
- BBC (2021). Nigeria police brutality inquiry hears graphic testimony. Retrieved from: <https://www.bbc.com/news/world-africa-54706977>
- BBC (2022). APC 100 million form: Nigeria ruling party put N100m price for presidential form. Retrieved from: [APC 100million form: Nigeria ruling party put N100m price for presidential form - BBC News Pidgin](#)
- BBC Africa (2020). BBC News Africa on Twitter: "A warning - This film contains disturbing scenes including images of torture. <https://t.co/qwq7eud36G>"/Twitter
- BBC News Pidgin (2020). SARS killing in Ughelli': Nigeria Police SARS kill boy inside Ughelli? See wetin make e boil for police brutality. Retrieved from: ['SARS killing in Ughelli': Nigeria Police SARS kill boy inside Ughelli? See wetin make e boil for police brutality - BBC News Pidgin \(ampproject.org\)](#)
- Ben-Porat, G. (2008). Policing multicultural states: lessons from the Canadian model. *Policing & Society*. Vol. 18, No. 4.
- Benson, N., (2022). REVEALED! Why North Dominates Police Recruitment. The Whistler. Retrieved from: [REVEALED! Why North Dominates Police Recruitment – The Whistler Newspaper](#)
- Berman, B. J. (1998). Ethnicity, patronage, and the African state: the politics of uncivil nationalism. *African affairs*, 97(388), 305-341.
- Bernard, H.R. (1988). *Social Research methods: qualitative and quantitative approach*. Sage publications.

- Blum, A., Hazlett, C., & Posner, D. N. (2021). Measuring Ethnic Bias: Can Misattribution-Based Tools from Social Psychology Reveal Group Biases that Economics Games Cannot? *Political Analysis*, 29(3), 385-404.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative research in psychology*, 3(2), 77-101.
- Brechenmacher, S. (2019). Stabilizing Northeast Nigeria After Boko Haram. Carnegie Endowment for International Peace. [Stabilizing Northeast Nigeria After Boko Haram - Carnegie Endowment for International Peace](#)
- Buhari, S. R., Ahmad, G. I., & HadiAshara, B. (2014, April). Use of social media among students of Nigerian polytechnic. In *International Conference on Communication, Media, Technology and Design* (Vol. 2, No. 4, pp. 302-305).
- Callamard, A. (2021). A/HRC/47/33: Extrajudicial, summary or arbitrary executions - Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (Advance Unedited Version). Retrieved from: <https://www.ohchr.org/en/documents/thematic-reports/ahrc4733-extrajudicial-summary-or-arbitrary-executions-report-special>
- Camp, W. (2001). Formulating and evaluating theoretical frameworks for career and technical education research. *Journal of Vocational Education Research*, 26(1), 4-25.
- Campbell, J. & Quinn, N. (2021). What's Behind Growing Separatism in Nigeria? *Council on Foreign Relations*. Retrieved from: [What's Behind Growing Separatism in Nigeria? | Council on Foreign Relations \(cfr.org\)](#)
- Carruthers, J. (1990). A Rationale for the Use of Semi-structured Interviews. *Journal of Educational Administration*. 28 (1).
- Chaney, C. & Robertson, R. (2013). Racism and Police Brutality in America. *Journal of African American Studies*. 17. 10.1007/s12111-013-9246-5.
- Chukwuma, I. (2000). Police transformation in Nigeria: Problems and prospects. *Crime and Policing in Transitional Societies*, 127-34.

- City Population (2021). Nigeria: States & Agglomerations: Federal Republic of Nigeria. Retrieved from: [Nigeria: States & Agglomerations - Population Statistics, Maps, Charts, Weather and Web Information \(citypopulation.de\)](http://www.citypopulation.de)
- Clarke, V. & Braun, V. (2013) Teaching thematic analysis: Overcoming challenges and developing strategies for effective learning. *The Psychologist*, 26(2), 120-123.
- CLEEN Foundation (2010). Policing Elections in Nigeria: Assessment of the Role of the Nigeria Police Force in Elections in Nigeria. Retrieved from: <http://new.cleen.org/Policing%20Election%20Report.pdf>
- Clinard, M. B. & Abbott, D. J. (1973). *Crime in developing countries: A comparative perspective* (p. 4). New York: Wiley.
- Cohen, R. (1978). Ethnicity: Problem and focus in anthropology. *Annual review of anthropology*, 7, 379-403.
- Collier, D. & Mahoney, J. (1996). Insights and pitfalls: Selection bias in qualitative research. *World politics*, 49(1), 56-91.
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (1984). Office of the High Commissioner for Human Rights. Retrieved from: [cat.pdf \(ohchr.org\)](http://www.ohchr.org)
- Corruption Perceptions Index (2021). Transparency International. Retrieved from: [2021 Corruption Perceptions Index - Explore the... - Transparency.org](https://www.transparency.org)
- Creswell, J. W. (2009). *Research design: qualitative, quantitative, and mixed methods approaches*. SAGE Publications
- Criminal Code Act in Nigeria (1994). Laws of Nigeria. Retrieved from: [C38.pdf \(placng.org\)](http://www.placng.org)
- Criminal Code Act in Nigeria. Extortion by public officers (n.d). Torture. *Jurist*. Retrieved from: [Section 99 of the Criminal Code Act in Nigeria. Extortion by public officers. Sec 99 \(jurist.ng\)](http://www.jurist.ng)
- Cronin, P., Ryan, F., & Coughlan, M. (2008). Undertaking a literature review: a step-by-step approach. *British journal of nursing*, 17(1), 38-43.

- Dada, J. A. (2012). Impediments to human rights protection in Nigeria. *Annual Survey of International & Comparative Law*, 18, 67.
- Dada, J. A. (2015). Security votes in Nigeria: A desideratum for security or recipe for corruption. *Public Policy and Administration Research*, 5(7), 24-31
- Daily Trust (2021). Inside Killings, Arrests in Southeast. Retrieved from: <https://dailytrust.com/inside-killings-arrests-in-s-east>
- DBN Stories (2020). ENDSARS List of Victims of Police Brutality. Retrieved from: [#EndSARS - List of victims of police brutality in Nigeria - DNB Stories Africa](#)
- De Benoist, A. (1999). What is sovereignty? *Telos*, 1999(116), 99-118.
- De Heredia, M. I. (2017). Legitimacy, violence and extraction in the practice of building states. In *Everyday resistance, peacebuilding and state-making* (25-49). Manchester University Press.
- Dimunah, V. O. (2017). *Underfunding of federal university in Nigeria and perceived impact on administration: an exploratory case study* (Doctoral dissertation, Northeastern University).
- Dudovskiy, J. (2016). The ultimate guide to writing a dissertation in business studies: A step-by-step assistance. *Pittsburgh, USA*, 51.
- Ebegbulem C, J. (2011). Ethnic politics and conflicts in Nigeria: Theoretical perspective.
- Eke, S. J. & Tonwe, D. A. (2016). Address causes not symptoms: Engaging the festering culture of impunity from the dimension of fragility in Nigeria. *African Studies*, 75(1), 133-152.
- Elaigwu, J. I. (2017). *The politics of federalism in Nigeria*. Adonis & Abbey Publishers Ltd.
- Emeka, J. O., Achu, A. A., Dien, U. U., & Uyang, F. (2016). Awaiting trial among suspected criminal persons and lack of legal representation in Cross River State-Nigeria. *International Journal of Sociology and Anthropology Research*, 2(1), 1-6.
- Emmanuel, O. O. (2009). Federalism and the search for national integration in Nigeria. *African Journal of Political Science and International Relations*, 3(9), 384-395.

- Emmel, N. (2013). Purposeful sampling. In *Sampling and choosing cases in qualitative research: A realist approach* (pp. 33-44). SAGE Publications Ltd, <https://dx.doi.org/10.4135/9781473913882>
- Englebert, P. (2007). *Africa: Unity, Sovereignty, and Sorrow*. Boulder, Colo.: Lynne Rienner.
- Esbensen, F. A. (1991). Ethical considerations in criminal justice research. *Am. J. Police*, 10, 87.
- Evans, C. & Lewis, J. (2018). Analysing semi-structured interviews using thematic analysis: Exploring voluntary civic participation among adults. SAGE Publications, Ltd. Retrieved from: [5y1.org_c109cae800991dcd400eb3ffc7a12ec0.pdf](https://www.y1.org/c109cae800991dcd400eb3ffc7a12ec0.pdf)
- Ewetan, O. O. & Urhie, E. (2014). Insecurity and socio-economic development in Nigeria. *Journal of sustainable development studies*, 5(1), 40-63.
- Eynde, O.V., Kuhn, Patrick M., Alexander M. (2016). Trickle Down Ethnic Politics: Drunk and Absent in the Kenyan Police Force. CSAE Working Paper. (1957 – 1970). Retrieved from: <https://ideas.repec.org/s/csa/wpaper.html>.
- Eyongndi, D. T. A. (2021). The Administration of Criminal Justice Act, 2015 as a harbinger for the elimination of unlawful detention in Nigeria. *African Human Rights Law Journal*, 21(1), 441-468.
- Feminist Coalition (2020). Page. Retrieved from: [Feminist Coalition \(feministcoalition2020.com\)](https://www.feministcoalition2020.com)
- Flick, U. (2007). Sampling, selecting and access. In *Designing qualitative research*. SAGE Publications, Ltd. Retrieved from: <https://dx.doi.org/10.4135/9781849208826.n3>.
- Force Order 237 (n.d). Policing Law Info. Retrieved from: [Nigerian Police Force Order 237.pdf \(policinglaw.info\)](https://www.policinglaw.info/Nigerian-Police-Force-Order-237.pdf).
- Foucault, M. (2006). 23 January 1974. In *Psychiatric Power* (33-264). Palgrave Macmillan, London.
- Freeman to the Duke of Newcastle, December 31, 1863 in CSO/1/1/1, National Archives, Ibadan
- Fusch, P., Fusch, G. E., & Ness, L. R. (2018). Denzin's paradigm shift: Revisiting triangulation in qualitative research. *Journal of social change*, 10(1), 2.

- Gaudet, S. & Robert, D. (2018). *A journey through qualitative research: From design to reporting*. Sage.
- Gill, P., Stewart, K., Treasure, E., & Chadwick, B. (2008). Methods of data collection in qualitative research: interviews and focus groups. *British dental journal*, 204(6), 291-295.
- Gillham, B. (2000). *Case study research methods*. Bloomsbury Publishing.
- Global Terrorism Index (2015). Global Terrorism Index. Institute for Economics and Peace. Retrieved from: [Global Terrorism Index 2015, Institute for Economics & Peace.pdf \(privacyinternational.org\)](https://www.economicshome.org/terrorism/global-terrorism-index-2015)
- Göbel, C., Ottolini, L., & Schulze, A. (2021). Science as a Lever: The Roles and Power of CSOs in Citizen Science. In: *The Science of Citizen Science*. Springer, Cham. https://doi.org/10.1007/978-3-030-58278-4_17
- Grim, B. J. & Hsu, B. (2011). Estimating the Global Muslim Population: Size and Distribution of the World's Muslim Population. *Interdisciplinary Journal of Research on Religion*, 7.
- Guest, G., MacQueen, K. M., & Namey, E. E. (2012). Introduction to 906 applied thematic analysis. *Applied Thematic Analysis*, 3(20), 907.
- Heynes, C. (2014). Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns. *Office of the High Commissioner for Human Rights*. https://www.ohchr.org/sites/default/files/HRBodies/HRC/RegularSessions/Session26/Documents/A-HRC-26-36_en.doc.
- Highfield, J. B. (2017). *Food and foodways in African narratives: community, culture, and heritage*. Routledge.
- Holland, S. & Novak, D. (2017). Critical analysis. In M. Allen (Ed.), *The sage encyclopedia of communication research methods*, 1. 295-296. SAGE Publications, Inc, <https://dx.doi.org/10.4135/9781483381411.n109>
- Human Rights Watch (1993). Democracy Derailed Democracy Derailed: Hundreds Arrested and Press Muzzled. Retrieved from: [NIGERIA938.PDF \(hrw.org\)](https://www.hrw.org/report/1993/05/01/democracy-derailed-democracy-derailed)

- Human Rights Watch (2003). Nigeria: Renewed crackdown on freedom of expression. Retrieved from: [Microsoft Word - nigeria1203.doc \(hrw.org\)](#)
- Human Rights Watch (2005). Rest in Pieces": Police Torture and Deaths in Custody in Nigeria. Retrieved from: <https://www.hrw.org/report/2005/07/27/rest-pieces/police-torture-and-deaths-custody-nigeria#:~:text=Despite%20national%20and%20international%20law,to%20be%20widespread%20and%20routine.>
- Human Rights Watch (2010). " *Everyone's in on the Game*": Corruption and Human Rights Abuses by the Nigeria Police Force. Retrieved from; <https://www.hrw.org/sites/default/files/reports/nigeria0810webwcover.pdf>
- Human Rights Watch (2019). Nigeria: Deadly Crackdown on Shia Protest Allow Peaceful Demonstrations; End Use of Excessive Force. Retrieved from: <https://www.hrw.org/news/2019/07/24/nigeria-deadly-crackdown-shia-protest>
- Human Rights Watch (2021). Nigeria Events of 2020. Retrieved from: <https://www.hrw.org/world-report/2021/country-chapters/nigeria>
- Ibeto, C. J., Agbodike, F. C., & Anazodo, R. O. (2015). The application of federal character principle and its implication on service delivery in Nigerian federal civil service. *International Journal of Human Resource Studies*, 5(3), 1-22.
- Iheukwumere, M. (2019). Fighting Police Corruption in Nigeria: An Agenda for Comprehensive Reform. *The Global Anticorruption Blog*. Retrieved from: [Fighting Police Corruption in Nigeria: An Agenda for Comprehensive Reform | GAB | The Global Anticorruption Blog](#)
- Ikuteyijo, L. & Rotimi, K. (2012). Community partnership in policing: The Nigerian experience. *The Police Journal*, 85(2), 123-131.
- Ikuteyijo, L. (2022). Nigeria's police work under terrible conditions: what needs to be fixed. *Defenceweb*. Retrieved from; [Nigeria's police work under terrible conditions: what needs to be fixed - defenceWeb](#)
- Ilogu, E. (1974). *Christianity and Ibo culture*. Brill Archive.

- Innocent, E. O. & Ogbochie, A. N. (2014). Limitations of state police in Nigeria. *Mediterranean Journal of Social Sciences*, 5(15), 130-130.
- International Convention on Civil and Political Rights (1966). Office of the High Commissioner for Human Rights. Retrieved from: [ccpr.pdf \(ohchr.org\)](#)
- Jackson, J. & Bradford, B. (2010). Police Legitimacy: A Conceptual Review. Available at SSRN: <https://ssrn.com/abstract=1684507> or <http://dx.doi.org/10.2139/ssrn.1684507>.
- Jackson, J., & Bradford, B. (2010). What is Trust and Confidence in the Police?. *Policing: A journal of policy and practice*, 4(3), 241-248.
- Jackson, R. & Rosberg, C. (1984). Popular Legitimacy in African Multi-Ethnic States. *The Journal of Modern African Studies*, 22(2), 177-198.
- Jackson, R. H. (1986). Negative sovereignty in sub-Saharan Africa. *Review of International Studies*, 12(4), 247-264.
- Jenkins, R. (2008). Ethnicity etcetera. In *Rethinking ethnicity* (42-53). SAGE Publications Ltd, <https://dx.doi.org/10.4135/9781446214855.n4>
- Johnson, I. (2013). Policing in contemporary Nigeria: issues and challenges. *African journal for the psychological studies of social issues*, 16(1), 71-77.
- Just, A. (2017). Race, ethnicity, and political behavior. In *Oxford research encyclopedia of politics* (1-24). Oxford University Press.
- Kabir, Y. (2021). Nigeria's human rights record 'very poor', worse than average in sub-Saharan Africa. *Premium Times*. Retrieved from: <https://www.premiumtimesng.com/news/headlines/469652-nigerias-human-rights-record-very-poor-worse-than-average-in-sub-saharan-africa.html>
- Karlsson-Vinkhuyzen, S. (2015). The legitimization of global energy governance: A normative exploration. In *Transitions to sustainability* (119-130). Springer, Dordrecht.
- Kazeem, Y. (2020). Young Nigerians are leading protests yet again to disband a rogue police unit. *Quarts Africa*. Retrieved from: <https://qz.com/africa/1915472/endsars-young-nigerian-protest-rogue-police-unit/>

- Kimani, M. (2009). Security for the highest bidder. *Africa Renewal*. Retrieved from: <https://www.un.org/africarenewal/magazine/october-2009/security-highest-bidder>
- Klahm, C. F., Frank, J., & Liederbach, J. (2014). Understanding police use of force: Rethinking the link between conceptualization and measurement. *Policing: An International Journal of Police Strategies & Management*, 73(3), 573.
- Kukathas, C. (2014). A Definition of the State. *University of Queensland Law Journal*, The, 33(2), 357-366.
- Kunle, F. (2017). Death Sentence: Ten Things to Know About Apo Six Murder Case. Retrieved from: https://punchng-com.cdn.ampproject.org/v/s/punchng.com/death-sentence-10-things-to-know-about-apo-six-murder-case/?amp_js_v=a6&_gsa=1&&usqp=mq331AQKKAFAQrABIACAw%3D%3D#aoh=16323099143948&referrer=https%3A%2F%2Fwww.google.com&_tf=From%20%251%24s&share=https%3A%2F%2Fpunchng.com%2Fdeath-sentence-10-things-to-know-about-apo-six-murder-case%2F
- Kuper, A., Lingard, L., & Levinson, W. (2008). Critically appraising qualitative research. *Bmj*, 337.
- Law on Police use of Force Worldwide Project. (2020). Retrieved from: [Home | The Law on Police Use of Force \(policinglaw.info\)](https://www.policinglaw.info/)
- Leander, A. (2004). *Globalisation and the State Monopoly on the Legitimate use of Force*. Syddansk Universitet.
- Levy, Y. (2021). Theorizing the domestic legitimacy of using force. *Int Polit* 58, 1–17 <https://doi.org/10.1057/s41311-020-00210-2>
- Lund, C. (2006). Twilight institutions: public authority and local politics in Africa. *Development and change*, 37(4), 685-705.
- Lynch, C. (2008). Reflexivity in research on civil society: Constructivist perspectives. *International Studies Review*, 10(4), 708-721.

- Mafeje, A. (1971). The ideology of 'tribalism'. *The journal of modern African studies*, 9(2), 253-261.
- Maguire, M. & Delahunt, B. (2017). Doing a thematic analysis: A practical, step-by-step guide for learning and teaching scholars. *All Ireland Journal of Higher Education*, 9(3).
- Majekodunmi, A. (2015). Federalism in Nigeria: The past, current peril and future hopes. *Journal of Policy and Development Studies*, 289(1850), 1-14.
- Malumfashi, L. Y. (2016). The spread and development of Islamic civilisation in northern Nigeria: Case study of Katsina state. *International Journal of Business, Economics and Law*, 9(5), 173-179.
- Marenin, O. (2009). The futures of policing African states. *Police Practice and Research: An International Journal*, 10(4), 349-363.
- Mastrofski, S. D. (2002). The romance of police leadership. *Crime & Social Organization*, 153.
- Matemilola, S. (2017). The challenges of food security in Nigeria. *Open Access Library Journal*, 4(12), 1.
- Mati, J.M. (2019). *Ethnicity and Politics in Kenya*. In: Ratuva S. (eds) *The Palgrave Handbook of Ethnicity*. Palgrave Macmillan, Singapore. https://doi.org/10.1007/978-981-13-0242-8_24-1
- Mayowa, A. (2014). Pre-Colonial Nigeria and the European's Fallacy'. *Review of History and Political Science*, 2(2), 17-27.
- Mazrui, A. A. (1983). The reincarnation of the African state: A triple heritage in transition from precolonial times. *Nouvelle série*, (127/128).
- Mba, F. (2020). Enough is enough': Nigerians demand SARS police unit scrapped. Aljazeera. Retrieved from: ['Enough is enough': Nigerians demand SARS police unit scrapped | Police News | Al Jazeera](#)
- Mbachu, D. (2021). Why support for secession is growing in southeast Nigeria. *The New Humanitarian*. Retrieved from:

<https://www.thenewhumanitarian.org/analysis/2021/9/14/why-support-for-secession-is-growing-in-southeast-Nigeria>

- Mbao, M. L. & Osinibi, O. M. (2014). Confronting the problems of colonialism, ethnicity and the Nigerian legal system: the need for a paradigm shift. *Mediterranean Journal of Social Sciences*, 5(27 P1), 168-168.
- Merriam, S. B. & Grenier, R. S. (Eds.). (2019). *Qualitative research in practice: Examples for discussion and analysis*. John Wiley & Sons.
- Mohammed, D. A. (2013). *Corruption is endemic in police – IGP Abubakar*. Daily Post. Retrieved from: <https://dailytrust.com/amp/corruption-is-endemic-in-police-igp-abubakar>
- Moro, L. N., Gordon, R., Dau, P. T., Maxwell, D., & Santschi, M. (2017). Statebuilding and legitimacy: experiences of South Sudan.
- Mutahi, P. & Ruteere, M. (2019). Violence, security and the policing of Kenya's 2017 elections. *Journal of Eastern African Studies*, 13(2), 253-271.
- Nairametrics (2020). 13.9 million Nigerian youth are unemployed – NBS. Retrieved from: <https://nairametrics.com/2020/08/14/13-9-million-nigerian-youth-are-unemployed-as-at-q2-2020-nbs/>
- Ndifon, N. (2020). NIGERIAN WOMEN VS SARS: A COALITION AGAINST POLICE BRUTALITY. Retrieved from: <https://www.blackwomenradicals.com/blog-feed/nigerian-women-vs-sars-a-coalition-against-police-brutality>
- Neuendorf, K. A. (2018). Content analysis and thematic analysis. In *Advanced research methods for applied psychology* (211-223). Routledge.
- Nigeria Police Force (2022). Force Structure. [Nigeria Police Force \(npf.gov.ng\)](https://www.npf.gov.ng)
- Nkwocha, O. (2010). *Republic of Biafra: Once Upon a Time in Nigeria: My Story of the Biafran Nigerian Civil War-a Struggle for Survival (1967-1970)*. AuthorHouse.
- Noble, H. & Smith, J. (2015). Issues of validity and reliability in qualitative research. *Evidence-based nursing*, 18(2), 34-35.

- Nolte, I., Jones, R., Taiyari, K., & Occhiali, G. (2016). Research note: exploring survey data for historical and anthropological research: Muslim–Christian relations in south-west Nigeria. *African Affairs*, 115(460), 541-561.
- Nothwehr, D. M. (2008). *That they may be one: Catholic social teaching on racism, tribalism, and xenophobia*. Orbis Books.
- NPO Reporting (2020). *Clash Imminent as New Pro-Police Hashtag #Pro-SARS Counters #End-SARS Campaigners*. Retrieved from: <https://nporeports.com/clash-imminent-as-new-pro-police-hashtag-pro-sars-counters-end-sars-campaigners-4251>.
- Nwankwo, O. D., Fasugba, C. M., Ohakwe, G. C., Peters, A. E., & Oborgu, C. C. (2020). Nigerian Police’s Aggressive Tendencies In Eastern Nigeria (Biafra): Roles Of Psychological Well-Being, Empathy, And Emotional Intelligence (“Black Lives Matter” Campaign Implications). *Global Journal of Arts, Humanities and Social Sciences*. 8(7)22-43.
- Nwauzi, L. & Ogon, P. (2018). A Critical Analysis of the Scope of Police Powers of Law Enforcement in Nigeria. *CRANBROOK LAW REVIEW*, 8(1), 26-41.
- Oarhe, O. (2010). Patron-client politics: Democracy and governance in Nigeria, 1999-2007. *Africana*, 4(2), 39-64.
- Obaro, O. A. (2014). The Nigeria Police Force and the Crisis of Legitimacy: Re-Defining the Structure and Function of the Nigeria Police. *European Scientific Journal*. 10(4), 421-436.
- Obikwu, E. (2017). The Federal Constitution, National-Ethnic Minority Groups and The Creation Of States: The Post-Colonial Nigerian Experience. *Petita: Jurnal Kajian Ilmu Hukum dan Syariah*, 2(1), 1-16.
- Oboh, G.E. (2017). Influence of ethnicity and religion in Nigerian elections and the imperative of media intervention. *Sociol Int*, 1(3), 79-84. DOI: [10.15406/sj.2017.01.00013](https://doi.org/10.15406/sj.2017.01.00013)
- Odiegwu, M., Ubabukoh, O., Baiyewu., L., & Okpi., A (2012). Constitution: Six Geopolitical Zones Divide North, South. Retrieved from: <http://www.punchng.com/news/constitution-six-geopolitical-zones-divide-north-south/>

- O'donoghue, T. (2006). *Planning your qualitative research project: An introduction to interpretivist research in education*. Routledge.
- Oduah, C. (2021). Gone: The lost victims of Nigeria's 'most brutal' police station. Aljazeera. Retrieved from; <https://www.aljazeera.com/features/2021/1/20/gone-the-lost-victims-of-nigerias-most-brutal-police-station>
- Odunaike, D. A., Lalude, O. M., & Odusanya, T. O. (2021). I Will Kill You and Nothing Will Happen: Extra-Judicial Killings in Nigeria and Public Interest Litigation. *Bialostockie Studia Prawnicze*, 26(6), 145-162.
- Office of the High Commissioner for Human Rights (1996). *International Human Rights Standards for Law Enforcement: A Pocket Book on Human Rights for the Police*. Retrieved from: [International Human Rights Standards for Law Enforcement: A Pocket Book on ... - United Nations. Office of the High Commissioner for Human Rights, United Nations Centre for Human Rights - Google Books](#).
- Office of the High Commissioner for Human Rights (nd). *International Human Rights Standards for Law Enforcement*. Retrieved from: [Pocketbk.PDF \(ohchr.org\)](#)
- Ogbuenyi, N. (2022). Insecurity and the death knell of the state police. Premium times. Retrieved from: [Insecurity and the death knell of state police, By Nosike Ogbuenyi - Premium Times Nigeria \(premiumtimesng.com\)](#)
- Ogundipe, S. (2019). Why we arrested 140 'northerners' coming into Lagos — Police. Premium Times. Retrieved from: <https://www.premiumtimesng.com/news/top-news/349757-why-we-arrested-140-northerners-coming-into-lagos-police.html>
- Ogundiya, I. S. (2009). The cycle of legitimacy crisis in Nigeria: A theoretical exploration. *Journal of Social Sciences*, 20(2), 129-142.
- Ojem, V. (2021). Nigeria records significant human rights abuses in 2020-US 2020 Report. Vanguard. Retrieved from: <https://www.vanguardngr.com/2021/04/nigeria-records-significant-human-rights-abuses-in-2020-us-2020-report/>

- Ojewale, O. (2021). What's driving violence in Nigeria's north central region. *The Conversation Africa*. Retrieved from: [What's driving violence in Nigeria's north central region \(ampproject.org\)](https://ampproject.org)
- Ojo, M. O. D. (2014). The Nigeria police and the search for integrity in the midst of diverse challenges: An effective police management approach. *International Journal of Police Science & Management*, 16(2), 87-100.
- Okeke, O. E. & Obidimma, E. O. C. (2021). The Federal Character of Nigeria: A delicate bedrock for national unity and loyalty. *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 12(2), 9-17.
- Okeke, R. C., Iloh, E. C., & Eze, J. N. (2021). Problems and Prospects of Nigeria's Federalism: Between Weakening the Center and National Disintegration. *Journal of Political Science and Leadership Research*, 7(1), 13-23.
- Okogu, J. O. & Umudjere, S. O. (2016). Tribalism as a Foiled Factor of Africa Nation-Building. *Journal of Education and Practice*, 7(7), 92-94.
- Okon, A. O. (2004). Nigeria and a people's constitution: the imperative of democracy and change. *The Constitution*, 4(1), 11-36.
- Okon, I. E., Agorye, A. O., & Aov, K. F. (2021). Mapping the Incidences of Crime in Makurdi Metropolis, Benue State, North-Central Nigeria. *Open Access Library Journal*, 8(8), 1-15.
- Oladipo, B. S. (2013). Ethnicity and marginalization within the Nigerian state: A case study of the Nigeria police force. *Ethnicity*, 3(1).
- Olaleye M. (2011). Nigeria: South-West and Politics of Marginalization. All Africa. [Nigeria: South-West And Politics of Marginalisation - allAfrica.com](https://allafrica.com)
- Oluwafemi, A. (2021). Know The Law: Police officers enforcing stop-and-search must be in uniform or present ID. The Cable. Retrieved from: [Know The Law: Police officers enforcing stop-and-search must be in uniform or present ID \(thecable.ng\)](https://thecable.ng)
- Oluyemi, O. (n.d). Retrieved from: https://unstats.un.org/unsd/gender/Finland_Oct2016/Documents/Nigeria_paper.pdf

- Omonobi, K. (2022). Stop converting checkpoints, stop and search, patrols into avenues for extorting, fleecing of Nigerians — IGP warns Policemen. Retrieved from: [Stop converting checkpoints, stop and search, patrols into avenues for extorting, fleecing of Nigerians — IGP warns Policemen - Vanguard News \(vanguardngr.com\)](#)
- Onoja, A. F. (2007). Sustaining a tradition of policing through alienation: An assessment of recruitment and training in the colonial and postcolonial Nigeria police. *Afrika Zamani*, 13(14), 137-151.
- Onyeji, E. (2017). Apo Six: Why judge freed three police officers, sentenced two to death. Premium Times. Retrieved from: <https://www.premiumtimesng.com/news/headlines/225683-apo-six-judge-freed-three-police-officers-sentenced-two-death.html>
- Onyishi, A. E., Obiorah, C. B., & Oji, C. C. (2021). The Federalism Practice in Nigeria and The Demand for Restructuring. *Journal Of the Management Sciences (Jomas)*, 57(2), 137-348.
- Open Society Justice Initiative (2020). Ethnic Profiling in Europe What is Ethnic Profiling? Retrieved from: <https://www.justiceinitiative.org/uploads/d9856daf-4f11-4c4e-b62b-4add385351b2/profling-20200403.pdf>
- Oraegbunam, I. & Ewulum E. B. E. (n.d). Ethnic Profiling in Terrorist Investigation in Nigeria: A Violation of The Fundamental Right of Freedom from Discrimination. Retrieved From: [\(3\) Ethnic Profiling In Terrorist Investigation In Nigeria: A Violation Of The Fundamental Right Of Freedom From Discrimination | Ikenga Oraegbunam and Emefie B E Ewulum - Academia.edu](#)
- O'Reilly, K. (2009). Interpretivism. In *Key concepts in ethnography* (119-124). SAGE Publications Ltd, <https://dx.doi.org/10.4135/9781446268308>
- Orjinmo, N. (2020). End Sars protests: The young Nigerians who forced the president to back down. *British Broadcasting Corporation*. Retrieved from: <https://www.bbc.com/news/world-africa-54508781>.
- Orugun, J. J. & Nafiu, A. T. (2014). An exploratory study of Igbo entrepreneurial activity and business success in Nigeria as the panacea for economic growth and development. *International Journal of Scientific and Technology Research*, 3(9), 158-165.

- Osasona, T. (2020). The Political Economy of Police Corruption in Nigeria. *International Journal of Law and Political Sciences*, 14(8), 591-596.
- Osuji, G. A., Obubu, M., & Obiora-Ilouno, H. O. (2015). An Investigation on Crime Rate in Southeastern Nigeria. *European Journal of Statistics and Probability*, 3(4), 1-9.
- Owen, O. (2014). The Nigeria Police Force: Predicaments and Possibilities. *Nigeria Research Network (NRN) Working Paper No 1*.
- Oyewale, D. (2005). Feeding their Deadly Lust. *Tell Nigeria*, No. 31.
- Pardikar, R. (2018). Not Too Young to Run: Politics, Gender and Social Media In Nigeria. GenderIt.Org. Retrieved from: [Not too young to run: Politics, gender and social media in Nigeria | GenderIT.org](#)
- Patton, M. Q. (1990). *Qualitative evaluation and research methods*. SAGE Publications, inc.
- PBS News (2007). Ethnicity in Nigeria. Retrieved from: [Ethnicity in Nigeria | PBS NewsHour](#).
- Pinto, B. (1987). Nigeria during and after the oil boom: A policy comparison with Indonesia. *The World Bank Economic Review*, 1(3), 419-445.
- Posner, D. N. (2005). *Institutions and ethnic politics in Africa*. Cambridge University Press.
- Premium Times (2019). Police most corrupt institution in Nigeria – Survey. Retrieved from: [Police most corrupt institution in Nigeria - Survey | Premium Times Nigeria \(premiumtimesng.com\)](#)
- Priyadarshini, A. (2020). *Conducting and analyzing semi-structured interviews : a study of open innovation in food firms in Ireland* (Ser. Sage research methods. cases). SAGE Publications. Retrieved from: <https://methods.sagepub.com/case/semi-structured-interviews-study-of-open-innovation-in-food-firms-ireland>.
- Punch, M. (1985). *Conduct unbecoming: The social construction of police deviance and control* (p. 14). London: Tavistock.
- Qu, S. Q. & Dumay, J. (2011). The qualitative research interview. *Qualitative research in accounting & management*.

- Radcliffe-Brown, A. R. (1952). Historical note on British social anthropology. *American anthropologist*, 54(2), 275-277.
- Ranganatha, B. (2014). Tribal Identity and the implications for Political and Cultural Development: A Sociological Analysis. *International Journal of Applied Science and Engineering*, 2(1), 27-40.
- Ravindran, A., Li, J., & Marshall, S. (2020). Learning ethnography through doing ethnography: Two student—researchers' insights. *International Journal of Qualitative Methods*, 19, 1609406920951295.
- Reuters (2020). Nigeria's unemployment rises to 27.1% in Q2 2020 – NBS. Retrieved from: [Nigeria's unemployment rises to 27.1% in Q2 2020 - NBS | Reuters](#)
- Romanova, I. (2007). *Oil boom in Nigeria and its consequences for the country s economic development*. GRIN Verlag.
- Rosanvallon, P. (2011). Democratic legitimacy. In *Democratic Legitimacy*. Princeton University Press.
- Roulston, K. & Choi, M. (2018). Qualitative interviews. *The SAGE handbook of qualitative data collection*, 233-249.
- Rumney, P. N. (2005). Is Coercive Interrogation of Terrorist Suspects Effective-A Response to Bagaric and Clarke. *USFL Rev*, 40(1), 479-513.
- Saidu, B., Rasheed, Z. H., Zakuan, U. A. B. A., & Yusoff, K. Z. B. H. (2019). Restructuring and the dilemma of state police in Nigeria: to be or not to be?. *Journal of Business and Social Review in Emerging Economies*, 5(1), 41-50.
- Saldaña, J. (2021). *The coding manual for qualitative researchers* (4E ed.). SAGE.
- Sanders, D., Heath, A., Fisher, S., & Sobolewska, M. (2014). The Calculus of Ethnic Minority Voting in B ritain. *Political Studies*, 62(2), 230-251.
- Sanusi, T. (2021). #EndSARS: Lekki Shooting Was a 'Massacre'. What Does This Ruling Mean For Activists?. Global Citizen. Retrieved from: [#EndSARS: Lekki Shooting Was a 'Massacre'. What Does This Ruling Mean For Activists? \(globalcitizen.org\)](#)

- Sarumi, R. O., Faluyi, O. T., & Okeke-Uzodike, O. E. (2019). Transcending ethnic and religious barriers in decision-making: A case of a Muslim women civil organisation in Nigeria. *Frontiers in psychology*, 9, 2693.
- Schildkraut, D. J. (2009). The dynamics of public opinion on ethnic profiling after 9/11: Results from a survey experiment. *American Behavioral Scientist*, 53(1), 61-79.
- Schostak, J. & Schostak, J. (2015). *Writing research critically: Developing the power to make a difference*. Routledge.
- Schutter, O. & Ringelheim, J. (2008). Ethnic profiling: A rising challenge for European Human Rights law. *The Modern Law Review*, 71(3), 358-384.
- Sharp, J. (1988). Ethnic group and nation: The apartheid vision in South Africa. *South African Keywords: The Uses & Abuses of Political Concepts, Cape Town: David Philip*, 79-99.
- Sollund, R. (2005). Obstacles and possibilities in police research. *Outlines. Critical Practice Studies*, 7(2), 43-64.
- Statista (2022). Population of Nigeria in selected years between 1950 and 2022. Retrieved from: <https://www.statista.com/statistics/1122838/population-of-nigeria/#:~:text=In%202020%2C%20Nigeria's%20population%20was,most%20populous%20country%20in%20Africa>
- Sunday, O (2021). Police arrest 4 officers involved in viral extortion video in Abuja. Retrieved from: [Police arrest 4 officers involved in viral extortion video in Abuja - Daily Post Nigeria](#)
- Sundita Post (2021). South East: Intersociety accuses security forces of exchanging lives of innocent citizens in place of ESN. Retrieved from: <https://sundiatapost.com/south-east-intersociety-accuses-security-forces-of-exchanging-lives-of-innocent-citizens-in-place-of-esn/>
- T. N. (1970). *The police in modern Nigeria, 1861-1965: Origins, development, and role*. Ibadan: Ibadan University Press.
- Tankebe, J. (2013). Viewing things differently: The dimensions of public perceptions of police legitimacy. *Criminology*, 51(1), 103-135.

- Tanzi, V. (1998). Corruption around the world: Causes, consequences, scope, and cures. *Staff papers*, 45(4), 559-594.
- The Guardian (2022). Underrepresentation of Southeast in Police recruitment. Retrieved from: <https://guardian.ng/opinion/underrepresentation-of-southeast-in-police-recruitment/>
- The Herald (2020). #ProSARS: Arewa Youths Form Parallel Movement to Support SARS. Retrieved from: <https://www.herald.ng/prosars-arewa-youths-form-parallel-movement-to-support-sars/>
- The Law on Police Use of Force Worldwide (2020). Retrieved from: <https://www.policinglaw.info/international-standards>
- The Punch (2020). 104,403 northerners, 23,088 southerners apply for police recruitment. Retrieved from: [104,403 northerners, 23,088 southerners apply for police recruitment \(punchng.com\)](https://punchng.com/104403-northerners-23088-southerners-apply-for-police-recruitment/)
- Thom-Otuya, B. E. (2015). President Goodluck Jonathan's Transformation Agenda and Nigeria's Foreign Policy. *Social Science Review*, 1(1), 29-35.
- Throup, D. (1993). Elections and political legitimacy in Kenya. *Africa*, 63(3), 371-396.
- Tilly, C. (1985). *War Making and State Making as Organized Crime Bringing the State Back*. Peter Evans (ed), Dietrich Rueschemeyer, and Theda Skocpol. Cambridge University Press. Cambridge.
- Times (2012). Abuja court rules former police boss, Ehindero, 'must' face corruption trial. Retrieved from; <https://www.premiumtimesng.com/news/100987-abuja-court-rules-former-police-boss-ehindero-must-face-corruption-trial.html>
- Tripepi, G., Jager, K. J., Dekker, F. W., & Zoccali, C. (2010). Selection bias and information bias in clinical research. *Nephron Clinical Practice*, 115(2), 94-99.
- Udalla, E. A. & Ezegwu, C. (2011). Contradictory Projection of Development in the South-South States of Nigeria: *Implications for Scaling Up and Sustaining Development*. Available at SSRN 1905217.

- Udemeh, H. (2018). Age qualifications to hold political office: a civil society experience from Nigeria. Retrieved from: [Age qualifications to hold political office: a civil society experience from Nigeria \(civicus.org\)](#)
- Ugwu, C. E., Ikeanyibe, O. M., Edwin, I., & Attama, P. I. (2021). Assessment of COVID-19 Pandemic Lockdown and Problems of Security Agents' Brutality in Southeastern Nigeria. *African Renaissance*, 18(3), 11.
- Ukwayi, J. K., & Okpa, J. T. (2017). Critical assessment of Nigeria criminal justice system and the perennial problem of awaiting trial in Port Harcourt maximum prison, Rivers State. *Global journal of social sciences*, 16, 17-25.
- United Nations Office on Drugs and Crime (2018). Extortion. Retrieved from: [Organized Crime Module 4 Key Issues: Extortion \(unodc.org\)](#)
- United State Institute of Peace (n.d). Legitimate State Monopoly Over the Means of Violence. Retrieved from: <https://www.usip.org/guiding-principles-stabilization-and-reconstruction-the-web-version/safe-and-secure-environment/nec-0#:~:text=The%20legitimate%20state%20monopoly%20over,and%20principles%20of%20good%20gov>
- University of Pretoria (n.d). Code of Ethics for Research.
- UNODC (2019). Corruption in Nigeria: patterns and trends second survey on corruption as experienced by the population. Retrieved from: [Microsoft Word - Corruption in Nigeria merged \(unodc.org\)](#)
- Vaaseh, G. A. & Ehinmore, O. M. (2011). Ethnic Politics and Conflicts in Nigeria's First Republic: The Misuse of Native Administrative Police Forces (NAPFS) and the Tiv Riots of Central Nigeria, 1960-1964. *Canadian Social Science*, 7(3), 214-222.
- Van der Lijn, J. (2017). The Future of the Monopoly on the Legitimate Use of Force: Four alternative global futures. *Friedrich Ebert Stiftung*. Retrieved from: [\(PDF\) The Future of the Monopoly on the Legitimate Use of Force: Four alternative global futures \(researchgate.net\)](#)

- Von Bogdandy, A., Häußler, S., Hanschmann, F., & Utz, R. (2005). State-building, nation-building, and constitutional politics in post-conflict situations: Conceptual clarifications and an appraisal of different approaches. *Max Planck Yearbook of United Nations Law Online*, 9(1), 579-613.
- Von Bogdandy, A., Häußler, S., Hanschmann, F., & Utz, R. (2005). State-building, nation-building, and constitutional politics in post-conflict situations: Conceptual clarifications and an appraisal of different approaches. *Max Planck Yearbook of United Nations Law Online*, 9(1), 579-613.
- Walker, A. (2012). US Institute of Peace. Retrieved from: <http://www.jstor.org/stable/resrep12178>.
- Walliman, N. (2018). *Research Methods: the basics*. Routledge. London and New York.
- Weber, M. (1921). "Politik als Beruf," *Gesammelte Politische Schriften (Muenchen, 1921)*, pp. 396-450. Originally a speech at Munich University, 1918, published in 1919 by Duncker & Humblodt,
- Weiss, T. (2011). The blurring border between the police and the military: A debate without foundations. *Cooperation and Conflict*, 46(3), 396–405.
- White, M. D., & Escobar, G. (2008). Making good cops in the twenty-first century: Emerging issues for the effective recruitment, selection and training of police in the United States and abroad. *International Review of Law, Computers & Technology*, 22(1-2), 119-134.
- Wohlmuth, K., Alabi, R. A., Burger, B., Jerome, A. (2008). *New Growth and Poverty Alleviation Strategies for Africa: International and Regional Perspective*. African Development Perspectives.
- World Bank (2004). *Taxation and State Participation in Nigeria's Oil and Gas Sector*. Energy Sector Management Assistance Programme (ESMAP) Technical paper; no. ESM 057. Washington, DC. © World Bank. <https://openknowledge.worldbank.org/handle/10986/18078> License: CC BY 3.0 IGO.”

World Internal Security and Police Index (2016). International Police Science Association.
Retrieved from: <http://www.ipsa-police.org/images/uploaded/Pdf%20file/WISPI%20Report.pdf>

Wulf, H. (2007). Challenging the Weberian Concept of the State: The Future of the Monopoly of Violence. *The Australian Centre for Peace and Conflict Studies (ACPACS) Occasional Papers Series*. Brisbane. Qld. Retrieved from: www.uq.edu.au/acpacs

Yanow, D. & Schwartz-Shea, P. (2015). *Interpretation and method: Empirical research methods and the interpretive turn*. Routledge.

Appendixes

Appendix 1: Letter requestion permission

Department of Political Sciences
University of Pretoria
Pretoria 0002
012 420 2034 (office)

Dear Sir or Madam (*Head of organisation's Personal Details*)

RE: Letter Requesting Permission

I am a student at the University of Pretoria, currently enrolled for my PhD, in the Department of Political Sciences. As part of the requirements for the fulfilment of my study, I am conducting research on the Exploring the Role of Political Ethnicity in Police Use of Force in Nigeria; a civil society perspective, and I would therefore like to invite you to participate in this research.

You have been selected to be interviewed as part of the study. This is because your work at your organisation is known to be directly involved in matters concerning human rights and police use of force in Nigeria. I am therefore requesting permission to go ahead with interviewing you, Mr/Ms.....in your official capacity.

Should permission be granted for the interview, kindly note that you will be asked questions about the above-mentioned topic. The interview time and date will be chosen by you, at your convenience and schedule. The interview is voluntary and based on informed consent. Therefore, should you choose to withdraw from the interview process, that option is available. You will also have an opportunity to ask questions relating to the study before signing a consent form and you have a right to access the data that will be collected.



To ensure your confidentiality, a pseudonym will be used. The research results will be documented in the form of a *Doctoral* Dissertation. The results may also be used and cited for the purposes of the thesis only, or the thesis and related articles, depending on how you fill out the informed consent form attached herewith.

At the end of the research, raw data will be safely stored on the researcher’s computer in a password encrypted folder, as well as uploaded to the UP Repository to be stored for fifteen years, during which access will be restricted to the University through the ITS and strictly for legal and ethical purposes as well as for technology migration where necessary. Access to the data by any other internal or external parties should be requested and administered in accordance with the relevant University guidelines and procedures regarding the Promotion of Access to Information Act (PAIA) (Act 2 of 2000).

Kind Regards

Supervisor:

.....

Co-Supervisor:

.....

Student:



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Humanities

Fakulteit Geesteswetenskappe
Lefapha la Bomo



Appendix 2: Explanation of the research aim to participants

Student name and surname: Samuel Ajogwu Igba

Student Number: u18336762

Degree: Doctor of Philosophy in Political Science

Institution: University of Pretoria

Research title: Exploring the Role of Political Ethnicity in Police Use of Force in Nigeria; a civil society perspective

Aim of the research

Policing multi-ethnic societies, like other sectors of governance, presents unique challenges for the state, including the need to appear impartial towards all citizens regardless of individual ethnicities. This is so because there is a tendency, in multi-ethnic societies such as Nigeria, to experience the phenomenon called political ethnicity which is, according to Claude Ake, the politicization and transformation of ethnic exclusivity into major political cleavages. Using a qualitative research methodology of semi-structured interviews with members of civil society organisations working in the area of police use of force in Nigeria, the research sought to understand police officers' attitudes towards those against whom they use force. The end goal of the research will be, in comparing police uses of force across the six geopolitical zones of Nigeria, to demystify and make clear the ethnic dimension of police uses of force. By doing this, the context for developing human rights policies and exploring ways of legitimizing the use of force in multi-ethnic states in Sub-Saharan Africa will be set.

What is expected of you:

The interview will be carried out using semi-structured interviews: the semi-structured interview involves prepared questioning guided by identified themes in a consistent and systematic manner interposed with probes designed to elicit more elaborate responses.

- The interview time and date will be chosen by you, at your convenience and schedule
- The duration of the interview will be between 20 minutes and one hour depending on how much you are willing to say
- You will be asked four predetermined questions
- Other issues and questions may arise during the interview, due to the nature of semi-structured interviews.

Appendix 3: Individual informed consent forms 1

Department of Political Sciences

University of Pretoria

Pretoria 0002

012 420 2034 (office)

INTERVIEW: INDIVIDUAL INFORMED CONSENT

Student name and surname: Samuel Ajogwu Igba

Student Number: u18336762

Degree: Doctor of Philosophy in Political Science

Institution: University of Pretoria

Research title: Exploring the Role of Political Ethnicity in Police Use of Force in Nigeria; a civil society perspective

I, the undersigned,

TITLE:

INITIALS AND SURNAME:

INSTITUTION / COMPANY/INTEREST GROUP:

POSITION / APPOINTMENT:

ADDRESS:

have been fully informed about the purpose of the research and understand the conditions of informed consent under which I shall be interviewed. I hereby grant permission for the interview on the condition that:

*** Delete what is not applicable**

the interview *may / may not be *electronically recorded/documentated in an electronic format /
documentated in a written form for research purposes

*my name and affiliation to _____ may be used and cited for the
purposes of *the thesis only/the thesis and related articles.

*if the researcher wishes to pursue publication at a later date, my name and affiliation to
_____ *may be cited / may be cited only with prior informed
consent

*my name may not be used or cited, or my identity otherwise disclosed, in this research
project, thesis or related articles, but the interview can be used or cited on a basis of
anonymity

*the interview may not be used or cited, or my identity otherwise disclosed, in this research
project, thesis or related articles

Interviewee signature: _____ Date:----- Place:

Researcher signature: _____ Date:----- Place: -----

Supervisor signature: _____ Date:----- Place: -----

(if applicable and/or required)

Appendix 4: Individual informed consent 2

Department of Political Sciences
University of Pretoria
Pretoria 0002
012 420 2034 (office)

(Interviewee particulars)

Dear ...

INTERVIEW: INDIVIDUAL INFORMED CONSENT

Please complete and sign this attached form for individual informed consent and return it to the researcher for record purposes.

Samuel Ajogwu Igba is a registered postgraduate student for the Doctor of Philosophy in Political Science degree the Department of Political Sciences, University of Pretoria. He is conducting research on **Exploring the Role of Political Ethnicity in Police Use of Force in Nigeria; a civil society perspective** under the supervision of **Dr. Cori Wielenga**.

The purpose of the study is academic (in fulfilment of degree requirements) and is aimed at demystifying and making clear, the ethnic dimension of police uses of force in order to set the context for **developing human rights policies and exploring ways of legitimizing the use of force in multi-ethnic states in Sub-Saharan Africa**.

This interview is unstructured and explores themes pertaining to the research. The purpose of the interview is to obtain some perspectives, explanations, and experiences on police uses of forces in the context of multi-ethnic societies from experts in the field. The interviewee may – by notifying the researcher and without any consequences – withdraw and terminate his/her participation prior to, during or after the interview. Should the interviewee withdraw, records of the interview will not be used for research purposes and will be destroyed.

The interviewee has the right of access to the researcher and/or the academic department (see the contact particulars indicated in the letterhead) should the need arise.

Please tick yes or no to answer each question bellow;

1. Will the participant be will to take part in the interview? Yes No
2. Does the interviewee grant permission to the researcher permission to use the inputs of this interview for purposes of writing and documenting the research thesis? Yes No
3. whether note taking, recording or both, would be preferred as a means for capturing the interview, does the interviewee choose whether to remain anonymous in either of these cases? Yes No
4. If requested in advance and to ensure that the account of views expressed as an expert in the field is correct, does the interviewee agree to be given insight into all references attributable to him/her and the interview in the thesis prior to its examination and publication? Yes No
5. Is the interviewee open to little risks or discomforts (mentally) during the interview?
Yes No
6. The data and/or notes generated by the interview will, in accordance with university policy and requirements, be stored for 15 years at Department of Political Sciences, University of Pretoria. The research results will be documented in the form of a thesis that will be available in the public domain at the University library. Does the interviewee agree with the above data management policy?
Yes No
7. The research data generated through the interviews will be used for the stated purposes of the aforesaid thesis and is not intended for re-use. Should an application be made for the re-use of the research data after the completion of thesis and during the mandatory storage period, will you be willing to grant access for reuse of data? Yes No

Sincerely

Student name

Appendix 5: Interview schedule

Department of Political Sciences

University of Pretoria

Pretoria 0002

012 420 2034 (office)

Student name and surname: Samuel Ajogwu Igba

Student Number: u18336762

Degree: PhD Political Science

Research title: Exploring the role of political ethnicity in police use of force in Nigeria: a civil society perspective

INTERVIEW SCHEDULE

The broad research themes and questions to be explored in the interviews are listed below. This is not an exhaustive list of questions since new issues and questions may arise during the interview, due to the nature of unstructured interviews.

Interview Question for Civil Society Organizations (Network of Police Reform in Nigeria)

1. Describe the work of _____ as an NGO and member of the Network of Police Reform in Nigeria (NOPRIN), working to achieve police reforms.
2. Your organization deals with promoting police reforms and identifying areas of lapses in police work, including with regard to excessive use of force. In the work that you do, have you experienced human rights abuses against you or anyone else that can be linked with political ethnicity?
3. What kinds of human rights abuses committed by police in their use of force have you observed?



4. Are there any differences in the use of force in the region that you work in as compared with other regions?
5. If, in your opinion, ethnic bias is indeed a factor that influences police use of force in Nigeria, what can be done to mitigate this challenge, in your opinion?

Appendix 6: Gatekeeper permission to interview Civil Society Organizations



NOPRIN FOUNDATION
44 Alheja Kofoworola Street,
Ogba 101233,
Ikeja, Nigeria

Samuel Igba
University of Pretoria,
South Africa,

1st October, 2021

Permission to Interview Civil Society Organisation Members of NOPRIN

This letter grants Samuel Ajogwu Igba the permission to interview member organisations of the Network on Police Reform in Nigeria (NOPRIN). The Network on Police Reform in Nigeria (NOPRIN) is a network of 53 Civil Society Organizations spread across Nigeria and committed to promoting police accountability and respect for human rights. Established in 2000, NOPRIN provides opportunity for civil society involvement in police reform and the enhancement of safety, security, and justice.

Permission is given to Samuel to interview Civil Society Organisation actors working in the area of policing across Nigeria's six geopolitical zones including Northwest, Northeast, Northcentral, Southwest, Southeast and South-south. The letter is issued with the understanding that the interviews are for completion of his PHD thesis at the University of Pretoria.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Emmanuel Ikule'.

National Coordinator.
NOPRIN Foundation
+2348167178486
emmanuel.ikule@noprin.org

Appendix 7: Ethics clearance letter from University of Pretoria



Faculty of Humanities
Fakulteit Geesteswetenskappe
Lefapha la Bomotheo



31 August 2022

Dear Mr SA Igba,

Project Title: Exploring the role of political ethnicity in police use of force in Nigeria: A civil society perspective
Researcher: Mr SA Igba
Supervisor(s): Dr C Wielenga
Department: Political Sciences
Reference number: 18336762 (HUM001/0821 Line 1) (Amendment)
Degree: Doctoral

Thank you for the application to amend the existing protocol that was previously approved by the Committee.

The revised / additional documents were reviewed and **approved** on 31 August 2022 along these guidelines, further data collection may therefore commence (where necessary).

Please note that this approval is based on the assumption that the research will be carried out along the lines laid out in the amended proposal. Should your actual research depart significantly from the proposed research, it will be necessary to apply for a new research approval and ethical clearance.

We wish you success with the project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen Harris'.

Prof Karen Harris
Chair: Research Ethics Committee
Faculty of Humanities
UNIVERSITY OF PRETORIA
e-mail: tracey.andrew@up.ac.za

Research Ethics Committee Members: Prof RL Harris (Chair); Mr A Blais; Dr A-M de Beer; Dr A dos Santos; Dr P Gubura; Ms KT Govinder Andrew; Dr E Johnson; Dr D Krige; Prof D Maree; Mr A Mohamed; Dr I Noomé; Dr J Okeke; Dr C Puttergill; Prof D Reyburn; Prof M Soer; Prof E Taljard; Ms D Mokalepa

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