

# **POLICE POWERS AND FEDERAL SYSTEMS:**

## **The Nigerian Case in Comparative Perspective**

By

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## INTRODUCTION

Rather than plunge straight into the central subject of our discourse, let me begin the Lecture by means of a few concrete illustrative examples that can help us slowly but steadily connect with the subject. I believe all of us gathered here at the Achievers University know that this University, like any other institution of the kind, is an autonomous, self-acting, and degree-awarding academic community of higher learning, with its own set of authorities, body of rules and laws for regulating the behaviour of its members, and an enforcement mechanism for securing not just compliance with the University's rules and regulations but also safety and welfare of all its members. As part of that enforcement mechanism (and in the absence of having a permanent detachment of Nigeria Police Force on campus)<sup>1</sup>, the University must recruit, hire, and maintain its own body of security personnel (or farm that function out to any of the country's many private security guard companies) to help in the maintenance and securing of order and discipline on campus. I can see some of the private security personnel engaged by the University either seated or on guard at the venue of this Lecture.

For another concrete illustrative example that you all will have been familiar with, the city of Owo and its environs where this University is situated is the headquarters of one of the seven hundred and sixty-eight (768) local government council areas spread across the 36 States of the Nigerian Federation, plus the Federal Capital Territory of Abuja. Among the functions of a local government council are collection of rates, radio and television licences, establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets, motor parks, and public conveniences, registration of all births, deaths and marriages, and any such other functions as may be conferred on a local government council by the House of Assembly of the respective State. I am sure, while coming here from the city of Owo, or travelling from the many other local government council areas of the country, you have many times encountered on the road all kinds of State or/and Local government officials dressed in all manners of uniforms kitted by their respective governments and observed them asking road users to show their tax receipts, evidence of payment of rates and levies, and licenses for the radios, television sets and such other equipment being transported either within or across given local government council areas.

For our third illustrative material, we come from homes where most of our families are engaged in fending for ourselves and the elemental needs of our members, including the provision of welfare and basic security, largely because of the failure of the Nigerian State to provide these<sup>2</sup>. Unavailability of electricity, cooking gas and kerosene for use in most homes has meant that people now look for charcoal or even firewood to cook their food. In most urban centres, national electricity power grid has become known for its constant power failures; in some places these services have ceased for days, weeks, if not months. Individuals from the elites who can afford these buy their own private electric plants for generating and supplying power to their homes and for running their businesses, while the use of lanterns and lamps has returned to most

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<sup>1</sup> In 1978, and by the then federal military government's promulgation, the stationing of detachments of the Nigerian Police Force on university campuses was banned

<sup>2</sup> A former colleague of mine at Ibadan once described a typical Nigerian home as "a functioning local government council". What an apt analogy!

middle-and-low-income homes. Chemicals are not available to municipal or state boards to purify pipe-borne water, and in most cases water is not available due to mechanical breakdown of equipment and lack of spare parts. To cope with the water problem, the rich have established their own privately owned water-generating plants (bore-hole and water-pumping equipment, etc), and the poor have sunk their own shallow wells, or returned to old picture of drawing their “drinking” water from running streams. The deteriorating working conditions in government-run schools and colleges, coupled with lack of motivation on the part of teachers, the phenomena of persistent strikes, and rampant school closures, have resulted in school children, pupils and students no longer receiving any education and training from such institutions. A familiar strategy of the elites for coping with this is to hire and pay private teachers (some of whom are drawn from among the publicly employed but underpaid ones), to provide extra-coaching courses or lessons to their children. But, perhaps, most relevant all, most of our families now engage private security men (and women) for protecting their homes, the lives of members as well as property.

The fourth concrete illustrative material, and we are done with the preliminary points for introducing the central subject of our discourse: It is not unusual for an upcountry person visiting Lagos State these days, after such a long absence from that State, to run afoul of some of the new laws and rules that the State government has enacted for dealing with the myriad of problems confronting the inhabitants, including environmental sanitation, transportation, and traffic congestion, and be accosted by the State enforcement agents with statements such as the following: *Kick against indiscipline, KAI! Oga, why u stop and pack here? U no fit read the road sign “no parking”?* Or, *why u na piss for public place? U no know dis act na indiscipline? Or, why u de drive on dis part of street? U know no say dis place wey dem mark yellow na for Government bus? Oga, u na offend Lagos State o. I done book u, u go follow am go LASTMA Office.* (Which translates literally thus: “Kick Against Indiscipline, KAI! Sir, why have you stopped and packed here? Can’t you read the “No Parking” sign? Or, why are you urinating in this public place? I am sure you know your act constitutes an act of indiscipline, or don’t you? Or, why are you driving within the yellow lines reserved only for public buses? I am sorry to inform you, Sir, you have offended against Lagos State law. You have been booked. Come with me to our LASTMA Office”).

## **1. STATEMENT OF THE PROBLEM**

Throughout the remaining three months of this past year 2010 alone, Governor Fashola of Lagos State had used every occasion of talking about or helping to (re-)launch any of the aspects of the pet programme on community policing which his Action Congress of Nigeria (ACN) party government had initiated, namely the Lagos State Security Trust Fund, to jolt Nigerians back to consciousness about a public subject of considerable controversy that will simply not go away — the subject of “state policing”, and to re-state what has been the position of the Lagos State Government since the country’s second return to civilian democratic rule in 1999, namely that State policing is and remains the most viable way of effectively combating crime in Nigeria and also for achieving effective community policing.

Of course, the debate as to what appropriate structure to adopt for policing the Federation of

Nigeria, that is whether to establish or not establish separate state police forces operating side by side of the currently centralized Nigerian Police Force, why, and to what consequences, is not new but goes back considerably in time, and even before Nigeria became independent. For example, just before the 1958 London Constitutional Conference, it had been among the knotty constitutional questions that the nationalist leaders had debated. The question about the creation of state police was to resurface by the beginning of '80's, stimulated this time by the uses to which centralized police powers inherited from the previous military regime came to be put by the Federal authorities under the Shehu Shagari civilian presidency (1979-83). The third phase of the debate on the question about the creation of state police is the current one, except that this time around the debate about the creation of state police has been taking place against the background of an overhanging atmosphere of generalized insecurity and violence that has enveloped the land, combined with rising frustration from the public about the declining capacity of the Nigerian Police Force in dealing with the latter.

There have been arguments thrown up by the debate regarding the desirability or otherwise of State policing in Nigeria. The arguments marshaled in support of the project and those against can be briefly summarized as follows:

#### **Arguments For:**

- (A) That Nigeria needs, and should have, Federal Police, State Police, and Local Police, not just for the purpose of mirroring the structure and processes of policy-making and policy-implementation at the three tiers of government Federal, State, and Local, and ensuring their smooth and harmonious running, as a limited and shared system of rule established by and recognized under the Nigerian Constitution. But the territorial expanse of the country, size and heterogeneity of its population, and complexity of customs and traditions of the various component groups, which have been among the major factors and forces initially propelling the evolution of federalism here, also necessitate the need for this decentralized structure of police organization. Besides bringing policing functions closer to the local areas and communities where such functions are needed, a decentralized system of police powers along the lines suggested has the additional advantage of making areas and communities so involved in the business of providing security and welfare for citizens key stakeholders and partners in policing, and creating a more community-friendly environment for policing. Above all, a considerably decentralized system of policing has the potential of producing better and more positive results, by delivering cheaper, more effective, and more efficient service, than has been the case under the currently centralized police organization.

#### **Arguments Against**

- (B) That the facts of Nigeria's history, including the oppressive uses to which were put the previous regional combined with provincial and local police forces in some of the regions that had them under the Balewa era, plus the many years of military rule and their centralizing impact on policing functions, make a return to the past well-nigh impossible and even undesirable. Besides, at this conjuncture of things in the country's

development, and against the background of rising ethnic, religious, and communal tensions and conflicts, including extremely violent and bloody ones, the project on the creation of state police is unwise and ill-advised. Already, the Security agencies have had problem coping with the plethora of armed ethnic militias dotting the country's civil-military landscape, such as the O'Dua People's Congress (OPC) in the South West, the Bakassi Boys in the South East, the Egbesu Boys and the Meinbutsu in the South South, the Arewa People's Congress (APC) in the North among others. The challenge is certain to be greater, if and when these armed militias begin to fight one another. In addition to potentially compounding the internal security difficulties arising from the existence of these armed ethnic militias, the prospect of sectionalisation of policing functions, that the establishment of State and Local police forces portends, may encourage further fragmentation of the body politic, with the danger of this leading to balkanization and even disintegration.

While the purpose of this Lecture is not to take side in the debate, preferring instead to let the insights from Theory and the facts from Comparative experience to speak on the issue, and allow the students themselves decide where the weight of logic and evidence leads, this Lecturer cannot but observe the tendency in some of the arguments of opponents summarized above either amounting to blackmailing advocates of creation of state police or using scare tactics to create fear in public mind regarding the project, rather than debate and prove wrong some of the points contained in a given rival's argument (Is it true, for example, "that decentralized police powers are more compatible with the essence of federalism"; "that bringing policing functions closer to local areas and communities where such functions are needed has the advantage of making those areas directly impacted by the business of providing security and welfare key stakeholders and partners in policing"; "that involvement of local areas and communities creates a more community-friendly environment for policing"; "that a considerably decentralized system of policing has the advantage of producing better and more positive results, by delivering cheaper, more effective, and more efficient service, than has been the case under the currently centralized police organization"? These are some of the issues that the advocates are raising). Rather than debate or prove wrong some of these contentions, the tendency has been for supporters of the status quo to see advocates of the state police project as not "sufficiently patriotic", "enemies of Nigeria", "people who will like the country balkanized", etc.

As I said, the purpose of the Lecture is not to take side in that debate, but allow the insights from Theory and the facts from Comparative experience (including the facts about the Nigerian case) speak to us. The research questions that the Lecture sets out to ask and for which attempts are made to provide answers to in the course of the analysis include the following:

1. What is the essence of federalism? Or, to put the latter question in slightly different words:
2. What political theory informs federalism as a form of government?

3. What appropriate form of police organization goes with the policing functions in a federal society?
4. Why and how are the requirements for policing in a unitary state different, and ought to be different, from those in a federal state?
5. Why and how do we say that the requirements for military organization in federal society cannot be the same as those for policing in federal society?
6. What are some of the consequences of using inappropriate organizational structures, such as centralized and/or increasingly militarized policing structures, for the maintenance and securing of order, safety and welfare of citizens in badly divided federal political systems?
7. How do the comparative experiences from and insights into the organization and operations of systems of police powers under federalism in other lands help in answering some of these questions? Last, but by no means the least:
8. What is Nigeria's own experience in the area?

The remaining part of the Lecture is divided into three major sections. The next major section, immediately following this statement of the problem, is devoted to a theoretical explication of the subject. We attempt in that section to bring out the essential characteristics or features defining federalism as a system of government, including the meaning of dividing and distributing functions and powers of government between and among three tiers of authority Federal, State, and Local; ways of linking definition of the essence of federalism with the requirement for policing functions in federal political systems; the theoretical contrasts existing between military functions and policing functions, and how not to confuse one with the other particularly in the governance of federal systems. That theoretical part of the presentation ends with a set of working hypotheses for guiding further analysis and research on the relationships between police powers and federal systems.

In the section on comparative overview of the subject area that follows the theoretical analysis, we draw on the comparative experiences from and insights about the nature of police organizations and their relationships to structures of rule or governmental processes in other lands for enriching our theoretical generalizations and comparative analysis. The cases covered are mostly federal and drawn from conveniently classified groups of states. (a) the world's classic cases of federalism (USA, Canada, Australia, and Switzerland), Europe (Germany and the former Union of Soviet Socialist Republics or USSR), Asia (India and Malaysia), and Africa (Nigeria and post-1991 Ethiopia, of which the Nigerian case being of central interest to us from this group can be found detailed in our analysis below). But a couple of cases of unitary states, namely the United Kingdom and France, are also included in the comparative overview, as useful foils for preventing over-hasty generalizations.

The last major part of the presentation is devoted to the Nigerian case, its nature and evolution from past to present, operations, and consequences.

## 2. THEORETICAL FRAMEWORK

In the theoretical framework for the Lecture which I proceed to lay out, I analyse the essential characteristics or features defining federalism as a system of government, including the meaning of dividing and distributing functions and powers of government between and among territorially demarcated levels of authority; the ways of linking that definition of the essence of federalism with the requirements for policing functions in federal political systems: the contrasts existing between military functions and policing functions, and how and why not to confound one with the other; and the set of working hypotheses postulated by the Lecturer for guiding further analysis and research on the relationships between police powers and federal systems.

### i. Defining The Essence of Federalism

Let me beginning the theoretical part of my presentation by drawing a distinction conceptually between the terms “*The State*” (with the initials “T” and “S” as capitals), “*a Federal State*” (also with the initials “F” and “S” as capitals), and “*a State in a Federation*”. That the term *The State* has “The” as an adjective qualifying the noun “State” and the initials of “T” and “S” in both the adjective and noun respectively in capitals is done deliberately for two reasons: first, in order to help students avoid confusing that concept with those two other terms, namely “a Federal State” and “a State in the Federation”; and, second, to use the implied differentiation in meanings between “The State” (e.g. the Nigerian State), “a Federal State” (e.g. the Federal Republic of Nigeria, as opposed to its neighborly but non-Federal State the Republic of Benin), and “a State in a Federation” (such as Adamawa, Benue, Kogi, or Ondo in the Federation of Nigeria), in order to underline straightaway the core differences between the three concepts, particularly the first two, namely “The State” and “a Federal State”. *The indispensable quality of a Federal State is a distribution of the powers and responsibilities of government between the federal authority and the federating units (a shared authority and sovereignty, that is); whereas, with regards to The State (e.g the Nigerian State or Nation) as a conceptual category, the government has a claim to the exclusive control of legitimate use of the means of physical coercion in enforcing its order and rules within a given political order*<sup>3</sup>. It is true of course that the concept of “The State”, to which the latter definition refers, applies more to the unitary variant than the federal one; even though, whether unitary or federal, “The State”, any State whatsoever, including a Federal State, must satisfy that initial definiens of state-ness in order to qualify to be so called. This is an important qualification to add here.

Thus stated, a *unitary state* and the *federal state* can be conceived of as *two polar extremes* with both existing at each of the ends of a continuum, and ranged according to the degree of concentration or dispersal of their power or authority structures. But the implication of this is that a *unitary state* and the *federal state* should be conceived of only as *ideal-types or*

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<sup>3</sup> The most apt and famous definition of ‘The State’ is and remains that of the C19 German political sociologist Max Weber who defines the phenomenon as “a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory”. The necessary elements included in that definition of The State are: (a) People, (b) Territory, (c) Bureaucracy, (d) Coercive Power, and (e) Government.

*models*; and that, as such, in actuality, it is possible for a nominally termed “federal” political system in its features and operations to be closer to a nominally called “unitary” state. This will be the case, where or when a federal state sheds its dispersed or decentralized essence, and comes to acquire more centralized and concentrated traits, regarding its authority and power structure. (An example one has in mind here is Nigeria under the years of military rule spanning the two periods, from January 15, 1966 to September 30, 1979, and from January 1, 1984 to May 28, 1999). Vice versa, a nominally “unitary” state may in its features and operations be closer to the ideal of federalism than a nominally “federal” state. The latter will be the case, where or where a “unitary” state does not just have some subsidiary law-making bodies established for the sub- Central tiers of government. It also empowers these to legislate on matters which as one will normally have assumed fall under the jurisdiction of the Central Government. (A very good example for illustrating the latter point is the United Kingdom).

By the set of statements we have just made about “where and when a federal state may sometime be more unitary than federal” and “where and when a unitary state may sometime be more federal than unitary in essence”, we are alluding to the descriptions like ‘unitary federalism’, ‘centralized federalism’, ‘a strong-centred federalism’, ‘a federal system with an over-bearing centre’, ‘a constitutional hybrid of federal and unitary features’, ‘an originally unitary state form but with new increasingly devolutionary arrangements turning it *de facto* into a federation in all but name’, ‘a military federalism’, and the like,, which one encounters in the literature.

The point remains, though, and this a crucially important point to bear in mind when defining the essence of federalism, in order to qualify as federal, ideally, any state so termed must satisfy at least the following three essential characteristics of federalism:

1. *Division and distribution of powers* between federal and state authorities in a way that permits both to see and respect one another as exercising responsibilities which are, if not “equal”, at least “coordinate”.
2. *Existence of a supreme written Constitution*, which has the division and distribution of powers and responsibilities noted in (1) formally spelt out, and is not unilaterally amendable but will require the consent of a significant population of the constituent units to alter.
3. *Provision of mechanisms for acting as an umpire and settling disputes* between federal and state authorities, or among the constituent state units (The Supreme Court of Nigeria plays this kind of role in the Nigerian case)<sup>4</sup>.

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<sup>4</sup> In other lands, a special Constitutional Court is established and charged under the Constitution for that arbitrating function. In other places still, and as a result of past practices and precedents, fora and platforms for inter-governmental exchanges and dialogues, including institution of Federal/state joint committees drawing their membership from respective arms of government, have emerged and come to take on such a role. But in a sizeable number of functioning federal democracies, a mode for settling knotty constitutional issues of conflict between the Federal authorities and states tends to be by appealing to the people either through election or by a national referendum.

You will find these essential or defining characteristics of federalism stated in all the standard texts and works of scholars engaged in studies on federalism (see Select Bibliography).

However, whether or not a given nominally termed “federal” state succeeds in satisfying these essential characteristics of federalism is not something to be decided *apriori*. Rather, it will depend on the circumstances of each case, including the historical background, configuration of the federal society in which the federal system of government is situated, and the factors and forces driving the evolution of the system of government from past to present.

## **ii. Linking Federalism to the Requirement for Law Enforcement**

Surprisingly, while generally agreed on the essence of federalism and its defining characteristics that we have just summarized, most of the theorists, scholars and experts (including the Nigerian) working in the area are either silent on or have not sufficiently addressed the enforcement dimension of law making, law implementing and law adjudication functions that necessarily go with the division and distribution of powers and responsibilities in a federal state; although there are bits and pieces on the subject that can be gleaned from a few of the works. Is there not something at once both incongruous and unpractical for a State unit within a federation to be vested with power and authority to maintain law and order in that sphere of jurisdiction but without the means of discharging that responsibility? Or, to put that same question more specifically by recourse to the Nigerian case, what is the sense in assigning a State Governor the constitutional responsibility as “the Chief Security Officer” of a State, but without the power of law enforcement? Most of the theoretical works on federalism have been silent on or not sufficiently addressed this kind of issues centring on the enforcement dimension to federalism. By the phrase “the enforcement dimension to federalism” here we refer to police powers (but not to “military functions”, sometimes also referred to as “war powers”, or simply “defence”)<sup>5</sup>, and the question about which tier of government controls these, how much, and to what extent compatible with the division or distribution of functions and responsibilities worked. To be sure, *no theory of federalism is complete without a collateral hypothesis or set of hypotheses on the structure of police powers dealing with the enforcement dimension of federalism.*

But, it may be asked, where do policing functions stand in relation to other functions within the whole scheme of division of powers across federal political systems? Or, to put the latter question in slightly different words, in what categories does one place policing functions in relation to the division between the **exclusive**, the **concurrent**, and the **residual** functions that have come to be accepted and used for evaluating the distribution of powers among federal political systems? Does policing properly speaking fit in with the exclusive list of federal government powers? Or is it better to consider policing as a concurrent subject for both the Federal and State governments legislate and take action upon? Or, perhaps, policing

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<sup>5</sup> Details of this distinction between “police powers” and “military functions”, its importance as well as relevance for understanding and analyzing the nature and operation of federalism are given below in the next section of this theoretical part of the presentation.

is to be treated as a shared responsibility involving all tiers of government, including the local government areas and communities? Where do majority of federal political systems stand on this range of issues centring on division and distribution of police powers?

While there is no single formula for determining the appropriate allocation of powers between levels or tiers of government within federations, there are important commonalities (but also significant differences) regarding what kind(s) and how much of powers are allocated to which level or tier of government generally and the relationship of these to the policing functions, which can be summarized briefly as follows. Unlike *Currency or Control of Money* (which is accepted everywhere and always as Federal responsibility), *Defence or War Powers* (always Federal, but sometimes with Constituent-Unit input), *Foreign Affairs/Diplomatic Relations* (always Federal), *Treaty Ratification and Implementation* (almost always Federal, but sometimes with Constituent-Unit input), *External Trade* (usually Federal, occasionally Concurrent, Joint or Shared), and *Customs/Excise Taxes* (almost always Federal, sometimes Concurrent), or for that matter such other areas as *Intra-state Trade or Commerce* (usually a Constituent-Unit responsibility, sometimes Concurrent), *Primary/Secondary Education* (usually Constituent-Unit affair, occasionally Concurrent, rarely Federal), *Health Care* (usually Constituent-Unit, sometimes Concurrent, Joint or Shared) and *Agriculture* (invariably a shared responsibility involving all tiers of government, from local Community through State to Federal), *Policing function is usually a shared power, occasionally concurrent or joint, but rarely a solely federal or solely constituent-unit function.*<sup>6</sup>

Worthy of note, from that theoretical scheme on distribution of powers and functions of levels of government just summarized, is the contrast in the distribution of powers and functions between Defence or War Powers (always federal) and Police Powers (rarely a solely federal or solely constituent-unit responsibility), that most of the world's federations have come to accept and maintain as the norm. It is indeed *not normal* to have the roles of the two functions being reversed in the constitution of any federal state that seeks to be described as "truly federal": that is, for Defence or War Powers in a federal political system to be shared, occasionally concurrently or joint, but rarely made a solely federal or solely constituent-unit responsibility; or, vice versa, for Police Powers to be made an exclusive responsibility of the federal government.

We proceed in the next sub-section of the presentation to answer the question why and how the requirements for military organisation in a federal system cannot be the same as those for policing a federal political system.

### **iii. Military Functions Contrasted with Police Powers**

The theoretical framework for this Lecture will not be complete without a consideration of what (and if any) relationships exist between *military functions*, *police powers*, and *federalism*, if only because of the relevance of these to the Nigerian case which we discuss

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<sup>6</sup> These descriptions are adapted mostly from George Anderson's (1989) concise and easy-to-read book, see pp. 24-24.

later. The relationships involving the three concepts (or phenomena) are best broken up and approached, analytically, in three separate parts, namely the relationships involving, first (a) military functions (or defence) and federalism, next those involving (b) military functions and police powers, and finally those involving (c) police powers and federalism. While taking up those dimensions and aspects of the central question earlier raised one by one and in the order in which they have been just framed (but without using any such divisions, preferring rather that the audience follow up the points imaginatively), our central interest here of course is in bringing out the contrasts between military functions and police powers, and drawing theoretical implications of these contrasts for the theory and practice of federalism.

As was previously mentioned, military affairs, defence, or war-making functions of The State (or, simply, the war powers) are always the centralized responsibility of government in federal systems, even if allowance is sometimes made for some inputs from the federating units in the composition of personnel running the organisation. Professor Kenneth C. Wheare in the chapter titled “Federal Government and the War Power” of his pioneering work on **Federal Government** (first published 1947, 4<sup>th</sup> Edition 1963) had long asserted this. A sample of quotations from other scholars affirming the same includes such ones as the following:

“All federations, with unanimity which springs out of necessity, insist that the only means of preventing internal strife is to abolish, or rigidly to limit, the armed forces of the federating states and vest full power over defence and military forces in the federations.”

- Ivor Jennings

“All federal constitutions assign the war powers to the national government.”

- Ivo D. Duchacek

“Defence, or control of the armed forces, is the first on the list of subjects considered important enough to be left to the exclusive jurisdiction of the Centre vis-à-vis the regions or states within federations.”

- J. ‘Bayo Adeganye

All this in spite of, or even because of, the insight from Professor Wheare about the contrasting character of war and federalism! The essence of federalism is plural, Wheare had written, while the essence of war is unitary. Pursuing that Whearean insight, this author had not too long ago done a theoretical typological piece titled “military organization and federal society”<sup>7</sup>, in which he sought to show that military organization and federal system are two fundamentally different kinds of political organization. Military organization is based on unitary command, concentrated authority, specialization of functions, hierarchy, discipline,

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<sup>7</sup> Originally presented in the Institute of African Studies Seminar Series, University of Ibadan, Nigeria, May 7, 1980, subsequently published as a Journal article in 1981/82, and now embodied as a Chapter in a Book of readings, see Adeganye, forthcoming.

continuous communications, and esprit de corps; federal system is characterised by plural leadership, dispersed authority, division of functions, plural relations, compromise, communication discontinuities, and cultural dissensus. In a sense, this Lecture on police powers and federal systems is intended to be an antithesis of that typological piece.

This takes us back to some of the conceptual clarifications with which we started. ... The fact is that monopoly of the physical means of coercion and its use, as we saw, is an essential definition of The State, whether *unitary* or *federal*. “The State”, any State whatsoever, including a *Federal State*, must satisfy that initial defining characteristic of *state-hood* in order to qualify to be so called. Any “federal political system” (or better still, a *Federal State*) which denies its Central ‘governments the means or control of common defence (that is, leaves the latter as separate functions in the hands of its constituent or state units) falls short of the Federal ideal (and may well be closer to what can be classified as a confederation, meaning a loose political association of independent states). Unlike military functions, or war powers, which are necessarily always and almost invariably centralized functions of, and exclusive to, the Central government in federal system, however, policing functions are the exact opposite of this. As was previously noted, policing functions or police powers in federalism tend to be a shared responsibility, occasionally concurrent or joint, but rarely a solely federal or solely constituent-unit function. To turn upside down what Professor Wheare once wrote about the contradiction between war power and federal society, while the essence of defence organization or war powers is unitary, that of policing and maintaining law and order is plural. While the demands of defence or military organization are centralizing, law enforcement in order to be effective must be viewed as a local matter and rooted in the grassroots.

The essence of policing in federalism derives from a central requirement necessitating the establishment of this form of political organization. Since federalism derives from a compelling need for striking a good and workable balance between unity and diversity, policing within such a political system cannot but be actuated by similar consideration. The point is that the interests of the Central government in the maintenance and securing of public order and collective safety for all the population, on the one hand, and the concerns of federating units for the welfare, security, local customs and traditions of their inhabitants combined with a felt need for securing recognition, autonomy and respect for these values, on the other, create genuinely conflicting demands and claims for law enforcement, thereby making the policing functions among other things a subject of necessarily shared interest to both tiers of government within a federal system.

As Donald Watts observed in his book on **Administration in Federal Systems** written nearly 40 years ago (1972): “The control of the police is generally placed under state responsibility because this would make for promptitude in action and permit adaptation to local needs, but in most federations there has also been a central police force responsible for public order and the police have usually been a matter in which both levels of government have been concerned.”

To summarise our answer to the question about the triadic interrelationships involving military functions, police powers, and federalism, then, it is logical to conclude from the following analysis that the essence of policing (a plural and community-based function) is much closer ideally to that of federalism (also plural) than it is to war making (a unitary function).

#### **iv. Hypotheses Orienting the Central Subject of Analysis**

From the foregoing analysis can be deduced at least five major hypotheses that may be taken as orienting the theoretical framework, as indeed the whole subject of our discussion. The five major hypotheses are as follows:

##### **Hypothesis One**

*That decentralized police functions and powers are both a logical and necessary requirement for running any genuinely federal political system*

##### **Hypothesis Two**

*That a federal political system is not genuinely federal, if/when/where the police functions or powers are centralized (A corollary of Hypothesis 1)*

##### **Hypothesis Three**

*That the federal-ness of federal political systems can be measured by among other things the greater or lesser the amount of division and distribution of police powers existing between and among the tiers of government federal, state, and local (that is, whether the division and distribution of police powers existing between and among those tiers of government is centralized or decentralized)*

##### **Hypothesis Four**

*That a federal political system is only nominally federal (meaning it is a de facto unitary state), if/when/where police functions or powers are centralized rather than decentralised*

##### **Hypothesis Five**

*That in a unitary state with decentralized system of police functions or powers, the process of government tends to approach the essence and spirit of true federalism*

### **3. COMPARATIVE OVERVIEW OF SUBJECT AREA**

I commence the comparative overview of the subject of our Lecture on police powers and federal society with the generalization that *most of the world's genuinely federal political systems do not have centralized police powers*. The materials adduced for our analysis here are sourced from what is veritably today's laboratory for research, the Internet.<sup>8</sup> The cases

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<sup>8</sup> The author acknowledges the inputs of two of his colleagues at the Babcock University's Department of Political Science, Mr. Aaron Ogundiwin and Mrs. Rachael O. Iyanda, in helping to download from the Internet much of the

covered are mostly federal states and drawn from the following conveniently classified groups of states: (a) the world's classic cases of federalism (USA, Canada, Australia, and Switzerland), Europe (Germany and the former Union of Soviet Socialist Republics or USSR), Asia (India and Malaysia), and Africa (Nigeria and post-1991 Ethiopia, of which the Nigerian case being of central interest to us from this group can be found detailed in our analysis below). But a couple of cases of *unitary states*, namely the United Kingdom and France, are also included in the comparative overview, for three reasons: first, as useful foils for preventing over-hasty generalizations; second, for enriching our insights about the nature of police organizations and their relationship to structures of rule or governmental process in comparative perspective; and, third, to help sharpen the distinction between unitary and federal states made at the beginning of the analysis, and provide useful illustrative materials for the fifth of our hypotheses. This is the hypothesis which states that *in a unitary state with decentralized system of police functions or powers, the process of government tends to approach the essence and spirit of true federalism*. A summary of the research materials bearing on the cases selected for our comparative overview of the subject is as follows.

**Australia** has a considerably decentralized system of police powers, one that more or less reflects the structure of that country's federalism. Apart from the Australian Federal Police, which is the central police force and controlled by the Federal government, there are other police forces owned and operated by the constituent states, among which are the New South Wales Police, Northern Territory Police, Queensland Police, South Australian Police, Tasmania Police, Victoria Police, and Western Australia Police. The list of law enforcement agencies in **Canada** includes the Royal Canadian Mounted Police, Royal Newfoundland Constabulary, Ontario Police, and *Sureté du Québec*. Canada is of course a federation whose component units are called provinces (not states).

**Ethiopia** was formerly organized as a centralized, ex-imperial Amhara-dominated state system before becoming federal.<sup>9</sup> The 1994 Constitution, turning Ethiopia into the ethnic-based Federal Democratic Republic, including the stipulation of the right to self-determination up to and including secession granted to nations, nationalities, and peoples composing the Ethiopian Federal State, was a last-ditch device seized upon to halt the country's slide toward complete disintegration by the time of Col. Miriam Mengistu fall. There are other interesting provisions of the 1994 Constitution of Federal Democratic Republic of Ethiopia which time and space will not permit us to go into here.<sup>10</sup> But to move straight to our subject of inquiry, while granting to the Federal government the powers and functions of establishing and administering national defence and public security forces as well as a federal police force (among the exclusive powers of the Federal State listed in Article 51 of the 1994 Constitution, Article 52 Sub-Section 2(g) expressly and concurrently

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data used here, and apparently relying predominantly on [http://en.wikipedia.org/wiki/State\\_police](http://en.wikipedia.org/wiki/State_police). This paper draws heavily from that source.

<sup>9</sup> According to the 1994 Constitution, the Member States making up the Federal Democratic Republic of Ethiopia federation are nine (9) in number, and listed as: Tigray, Afar, Amara, Oromia, Somali, Benshangul/Gumuz, Southern Nations, Nationalities and Peoples, Gambela Peoples, Harari People

<sup>10</sup> For additional details bearing on case, see Adekanye, 2008.

permits each of the federating states the power “to establish and administer a state force, and to maintain public order and peace within the State”.

A number of governments in unitary states permit much local autonomy in the organization and administration of their police affairs, whereas the majority tend to centralize police control. **France** is an example of a unitary state with centralized police organization. As with the organization of the state, the structure of policing functions in France is highly centralized, with the affairs of the police organization being run from the organization’s headquarters at the state capital Paris; while the officers and men (and women) posted to operate at the levels of *departments and communes, arrondissements* and *cantons* (the last two being merely electoral areas) are aimed merely at securing greater coordination with the organisation’s headquarters in the nation’s capital, Paris. In short, the French system of policing, just like the nature of the highly centralized state structure itself, is based on the principle of *deconcentration* (not decentralization) of police powers.

After the turbulent vicissitudes and vicious cycles it had had to go through over the centuries, federalism as a system of government was restored to **Germany** after World War II and to be become further deepened with the reunification of former West Germany and former East Germany in 1990. Now constituted as Federal Republic of Germany, the federation is organized into units known as in the past as *lander* (the equivalent of states).<sup>11</sup> Under the German Constitution (1949), police powers are predominantly the responsibility of the *Land* governments, while permitting Federal legislation in this field. That is to say, the German constitution delegates the majority of law enforcement responsibilities and functions to the 16 states making up the federation. The *Landespolizei* (or LaPol), as these state police forces are called in German, is a term used in Germany to denote the law enforcement services that perform law enforcement duties in the States of the Federal Republic of Germany.

In **India**, each state of the Federal Union has a state police force and its own distinct State Police Service, headed by the Commissioner of Police (State) or Director General of Police (DGP) who is an Indian Police Service (or IPS) officer. The IPS is not a law enforcement agency in its own right; rather it is the body to which all senior police officers of all states belong regardless of the agency for whom they work. The state police is responsible for maintaining law and order in townships of the state and the rural areas. In addition to the state police, major cities in Indian have their own police called Metropolitan Police which is quite similar to other normal police forces except their different rank designations. India is the world’s largest functioning democracy.

In **Malaysia**, also a federation,<sup>12</sup> the Royal Malaysian Police is apparently the only officially recognized organization assigned with primary responsibility for internal security; although there exist a number of Auxiliary police force units of non-governmental kind and not attached to that central body, but operating with the tacit support of the Royal Malaysian

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<sup>11</sup> There are 16 of these units currently making up the German federal states, 11 of these in what used to be found the area covered by old West Germany and the remaining 5 in the former East Germany.

<sup>12</sup> Malaysia is a federation comprising of 13 States and 3 Federal Territories.

Police and granted the power of carrying out investigation, making arrest, and meting out punishment for offences committed within their area of jurisdiction.

**Switzerland** is the oldest of existing federal states and described in the literature as one of the world's four classic cases of federalism (the three others being the United States of America, Canada, and Australia). It is organized into autonomous self-governing units known as cantons (equivalent of states in the Nigerian federal parlance). The Swiss are a nation, though without a common religion, without a common language, and for a long time without a strong central government, but shaped by the circumstances of common historical experience and geographical factors of location and congruity of their constituent units. The *cantons* are very jealous of their rights and autonomy; and, in fact, Article 3 of the Constitution asserts that “*the cantons* are sovereign in so far as their sovereignty is not limited by the Federal Constitution, and this being the case, exercise all rights not delegated to federal power”. Not surprisingly, a matter like Internal Security (Police) is regarded in Switzerland as a function of concurrent interest to both the federal authority and cantonal governments.

The former **Union of Soviet Socialist Republics** (USSR, or simply the Soviet Union) was an ex- imperial, Czarist centralised bureaucratic state system (i.e. the old Russian Empire) only dusted over by the ideology of Communism after the October 1917 Revolution, and managed to have established a nominally federal constitution by 1936, but since dissolved into the constituents units as independent republics.<sup>13</sup> The fact was that, despite the appearances it maintained as a federal state (including such formally prescribed provisions as that “every Union republic has own constitution”, that “each Union Republic retains its rights freely to secede from the USSR”, and that “the territory of the Union republic may not be changed without their consent”), the former Soviet Union was *actually* run as a unitary state. The existence of oh highly centralized institutions such as a national political ideology of communism and a one-party system of rule under the monopolistic Communist Party of the Soviet Union (CPSU) could only have increased centralization of power of the Russian-dominated Soviet state and at the expense of the rights and autonomy of the non-Russian peoples. If to these considerations we then add the role of the KGB (full name in Russian, *Komitet Gosuarstvennoi Bezopasnosti*), that centralized apparatus of police power, intelligence gathering, and oppression charged with the responsibility of using all means possible to ensure the survival of the ex-imperial, Russian-dominated, authoritarian, and centralized state system. It is perhaps not surprising that that state system failed and had by 1991 become dissolved.

Like France, **United Kingdom** is a unitary state. But unlike France, the United Kingdom is a unitary state with considerably devolutionary, if not decentralized, and almost quasi-federalising elements. These elements can be found reflected in the structure of policing functions in the United Kingdom. Consequently, England, Wales, and Scotland, being among

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<sup>13</sup> The constituent republics comprising the former Soviet federal state just before its collapse were: Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Ukraine, and Uzbekistan.

the constituent regions of the United Kingdom, have scores of local police forces. A number of the councils presiding over the territorial divisions making up the local government council areas in the United Kingdom, ranging from counties, metropolitan boroughs, boroughs, cities, to even districts, have power to appoint their police authorities. A number of the city and municipal councils have their own police forces. Example is City of London where you have the London Metropolitan Police as police force with jurisdiction covering the area.

**United States of America** belongs to the world's group of cases that we earlier classified as the four classic federal states, including Switzerland, Australia, and Canada. Like the others, USA operates highly decentralized system of policing functions. The term "police powers" had had a particularly critical meaning for the founding fathers of the US Constitution to whom police powers belonged primarily to the States of the Union. If the federating units had consented to hand over all the matters regarding the external relations, such as war, peace, defence, negotiation, and foreign affairs, to the Federal government, the one transcending advantage belonging to the jurisdiction of state governments that could not and ought to be taken away was the power of law enforcement touching the lives of, liberties, and property of the ordinary people. The founding fathers of the US as a federal union had so reasoned. But it also explains why in the United States, police powers had from the very beginning been and remain the province of the state units. Of the fifty (50) states that make up the United States of America, twenty-three (23) use the term "State Police" to describe their law enforcement agencies, while for the remaining twenty-seven (27) others, the names of their State Police vary from "State Highway" and "Highway Patrol" to "State Patrol". But an even more remarkable thing about the case is that organization of police powers is further decentralized. Most of the local government units in the United States, including counties, major cities, townships, and even special districts and school districts, have their own autonomous police departments.

This completes our comparative overview of the subject area and thereby frees us to move on in our analysis by turning to the big masquerade, the Nigerian case.

#### **4. THE NIGERIAN CASE - ITS EVOLUTION, NATURE AND OPERATIONS, AS WELL AS CONSEQUENCES**

There are three tiers or levels of government in Nigeria recognized by the 1999 Nigerian Constitution as essential parts of the system of shared rule and authority that the country is supposed to be operating, and these are the Federal, State, and Local. But of these, only the Federal is vested with the policing functions and a sole monopoly of these at that. The Federal government came to achieve this after succeeding in stripping the two other tiers of government of their initially recognized concurrent responsibility in this critical area of governance. The objective of this fourth and last major section of the Lecture aims at showing how centralization of policing functions or powers and their monopoly by the Federal government came to take place and the major factors and forces driving this; what have been the nature and operations of that centralized police organization; and what consequences this centralisation of policing functions and their uses (or rather abuses) have had for Federal/State relations, the growth of

federal political culture, and above all the maintenance and securing of law, safety and well-being of the citizenry in Nigeria from past to present.

Article 2, Section 2 of the 1999 Constitution (with emphasis supplied) affirms that “*Nigeria shall be a Federation consisting of States and a Federal Capital Territory*”.<sup>14</sup> The provisions relating to police powers begin in Article 214, Section 2 which stipulate thus (again emphasis supplied): “*There shall be a Police Force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section no other police force shall be established for the Federation or any part thereof*”. From the two provisions it is clear that, although constitutionally a federal state, Nigeria operates a single and centralized police establishment, and forbids the two other levels or tiers of government (namely State and Local) from any share with the Federal centre in the function of providing for and the maintenance of law and order.

But a unified police force had not always been the structure of police powers in operation since the country’s emergence as a federal state. On the contrary, the evolution of policing functions in the country almost followed the pattern of evolution of the Nigerian State itself from colonial times, beginning from the Amalgamation and through the successive Constitutional changes introduced after the Second War that brought about disaggregation of the colonial unitary state and its replacement with a federal state, to Independence and the immediate post-Independence period.

Among the major factors and forces that have helped in propelling the country’s evolution as a Federal State, with the first of these having actually been just alluded to, are the following:

- *Character of Nigeria’s Constitutional history*: Created through series of piecemeal acquisition and amalgamation, which culminated in the unification of the North and South by Frederick Lugard in 1914, Nigeria developed after successive Constitutional changes (instituted especially between 1945 and 1958) into a tripartite federal political organization. One key concept that emerged from this history of pre-independence Constitutional changes was that of “regionalism” which was first introduced in the Richards Constitution (1946), and came to be retained and strengthened in the subsequent Constitutions of Macpherson (1951), Lyttleton (1954), and Independence (1960). To that inherited colonial legacy of “regionalism” is to be ascribed both the North/South dichotomy and the East/West disparity which has informed the country’s structure of government and politics to this day.
- *The letter Y-like form imparted by River Niger and its Tributary Benue to the Nigerian landmass* (one of the first basic facts of the country’s geography): This came to be accepted by the British colonial officials and later by most Nigerian leaders, almost with rigid fatalism, as meaning that nature destined the country to fall into three political regions; with the land area of one, i.e. the North, considered at least equal to, if not in fact larger than, those of the remaining two other regions combined, i.e. the East and West.

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<sup>14</sup> And Article 2, Section 3 (1) goes on to stipulate number of the component States to be thirty-six (36) and to list them (alphabetically) as: Abia, Adamawa, Akwa Ibom, Anambra, Bauchi, Bayelsa, Benue, Borno, Cross River, Delta, Ebonyi, Edo, Ekiti, Enugu, Gombe, Imo, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kogi, Kwara, Lagos, Nassarawa, Niger, Ogun, Ondo, Osun, Oyo, Plateau, Rivers, Sokoto, Taraba, Yobe and Zamfara.

- *Size of the Country* (second basic geographical fact): A large and sprawling territory; poor transport communications; difficulties in administering this huge and sprawling land mass from one centre of power; this particular set of factors being initially responsible for the adoption of indirect system of rule during the colonial times; but later accounting for the emergence of a decentralized pattern of politics.
- *Large and heterogeneous nature of population*: Composed of divergent ethnic, linguistic, religious, and cultural groups; of varying sizes and resource endowments, reinforced by regional disparities arising partly from differential levels of colonial exposure and development. Dominance by the three majority ethno-regional groups, and the minorities question; fear of domination entertained by all and of all.
- *Role of the emergent political elites*: Competing for power and influence countrywide, and with their interests in taking over rule at the national level assumed, if and when the British colonial masters left; or, failing which, becoming “big fishes in the small ponds” of power and influence opening up in their backyard and among their own “ethnic kinsmen”; or both

Those were the major factors and forces that propelled disaggregation of the colonial unitary state and its replacement with a federal state in Nigeria. There was every likelihood that, just like the federal structure itself, whose constituent units went through changes in the number of units composing it, namely from 2 Regions (North and South) following the Amalgamation in 1914, through 3 Regions (North, East and West) between 1954 and 1963, and 4 Regions (North, East, West and Mid-West) from 1963 to 1966/67. and so on,<sup>15</sup> the organizational structure for policing the Federation might have followed a pattern, if not exactly similar to, at least more or less paralleling, those changes in the configuration of power distribution, but for the military’s intervention in the country’s governance and therefore constitutional evolution.

To be sure, before 1966, what Nigeria had operated was not a unified but considerably decentralized system of police powers that was close to reflecting the ethno-regional structure of the Federal system then in operation. Of the three regional units making up the Federation of Nigeria between 1958 and 1963, two of them the North and West had had means of law enforcement operating within their areas of jurisdiction, and these had been known by the names the Native Authority Police Forces and Local Government Police Forces respectively. But the Eastern region opted not to have local or provincial police forces of its own established under its area of jurisdiction, neither did the Mid-West region after being carved out of the old Western region, although both the Eastern and Mid-Western governments could have had their own if they had so wished. Apart from permitting the Regional (read: State) governments to make “provision for the maintenance by any native or local government authorities established for a province or any part of a province of a police for employment within the province”, both the Independence 1960 Constitution and the Republican 1963 Constitution had provided for

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<sup>15</sup> By the phrase “and so on”, we are here of course alluding to the other subsequent and military-driven states creation exercises that resulted in the number of constituent units of Nigeria’s federal structure being increased from the total of 4 that the military regime found at inception of its rule, to 12 in 1967, 19 in 1976, 21 in 1987, 32 in 1991, and finally to 36 in 1996 and still operative up to-date.

establishment of similar local government police units in the then Federal Territory of Lagos, and of course for a central police force known simply as Nigeria Police to be controlled, owned, and used by the Federal government for enforcing its part of constitutional responsibilities throughout the length and breadth of the Federation.

The agreements embodied in the provisions on division and distribution of police powers in those two immediate pre-military Constitutions had obviously been the result of a carefully worked out consensus arrived at the 1958 London Constitutional Conference and with the input of some of the recommendations from the Willink Minorities Commission Report,<sup>16</sup> even though preventing Regional (read: State) governments from directly establishing and running their own Regional (i.e. State) police forces, recognized in effect that maintenance of law and order was an area in which all tiers shared a concurrent responsibility.

What the onset of military coup of January 1966 along with the Civil war that immediately followed in 1967-70, the prolonged and entrenched years of military rule, and the consequences of all these did was to abolish the shared jurisdiction that Nigeria's constituent units had hitherto exercised in policing functions and to vest the Federal government with the exclusive powers in the area. The first military promulgation Decree No. 1 of 1966 opening the military years of rule was not to leave anyone in doubt that by the nature of military rule, and from the intention of its controllers, the regime had meant the country to cease being a federation and becoming a unitary state, even before the promulgation of the ill-fated Decree No. 34, 1966. For in that first of the decrees that was referred to earlier, it was expressly provided that "the Federal Military Government shall have power to make laws for the peace, order and good government of Nigeria or any part thereof with respect to any matter whatsoever." During much of the crisis combined with civil war years of 1966-1970, the country came to be ruled as if proclaimed one big "military area" permitting, by virtue of that promulgation, "*all members of the armed forces to have powers of police officers.*"<sup>17</sup> In other words, with centralization of policing functions that commenced with the onset of military rule in 1966 also came militarization of these functions.

But the actual abolition of local and provincial policing functions was done simply by means of a military pronouncement made immediately on assumption of power by the Head of the Federal Military Government and Supreme Commander Nigerian Armed Forces, Major-General J. T. U. Aguiyi-Ironsi, following the January 15, 1966 coup toppling the Balewa civilian prime minister ship. In the first Statement he made as part of his broadcast to the country was contained the decree among other things "*that all Local Government Forces and Native Authority Police Forces shall be placed under the overall command of the Inspector-General.*"<sup>18</sup> The Military

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<sup>16</sup> For a summary of positions of the contending regional parties and interests regarding the issue of police powers, which the provisions of 1960 Independence and 1963 Republican Constitutions had sought to reconcile, along with those of the ethnic minorities inhabiting what then were the Middle Belt and Calabar-Ogoja-Riverine (or COR) peripheral areas of the country, see Belo, 1984: pp. 35-38. Cf. Ekeh, 2010.

<sup>17</sup> We are hereby referring to The Suppression of Disorder Decree No. 4 of February 11, 1966

<sup>18</sup> Quoted in A. H. M. Kirk-Greene (ed.) *Crisis and Conflict in Nigeria: A Documentary Sourcebook 1966-1969*, 2 Vols., London, New York & Ibadan: Oxford University Press, 1971, Vol. I: 128

Governors of the regions whose local and provincial authorities used to have police forces of their own, namely Lt.-Col. Adekunle Fajuyi in the West and Lt.-Col. Hassan Usman Katsina in the North, followed the military pronouncement of their boss by issuing their own edicts in respect of the same matter. Thus, in his own first policy statement by the Military Governor of North, Col. Usman Katsina affirmed: “The Native Authority Police Forces will remain under the operational control of the Inspector-General of Police as already announced by the Supreme Commander”, and went on to reveal what had obviously been decided regarding the fate of those provincial police forces: “Steps are being taken to integrate them with the Nigerian Police in due course”.<sup>19</sup> The latter was the first piece of evidence one had that the military had already decided on the matter even before the Civil War began.

By means of a decree promulgated by the Federal military government on August 19, 1971, the establishment of a single police force “which shall be styled the Nigerian Police Force” was made *fait accompli*. What the entrenched and prolonged years of rule by the military did was to help ensure that the institution of local and provincial policing (along with the prospect about establishing any regional or state police as a complement to the Federal government’s own here) was kept dead, and not allowed to rear its head again, at least as long as the military controlled power. Thus, in all the three post-military Constitutions of 1979, 1989 and 1999 promulgated to-date, can be found a similarly worded provision pronouncing a unified police organization for Nigeria, an almost a parody of the pronouncement contained in the August 19, 1971 military decree.

Undoubtedly, by the time of their abolition in 1966, the local government and native authority police forces along with the customary courts had become very unpopular institutions not just because of the absence of professionalism and impartiality which they manifested in the discharge of their functions, but, perhaps even more, the amenability of these provincial and local government police forces to being used by their regional political bosses as instrument for victimizing and oppressing the opposition parties in their respective. These difficulties, at their worst in the Western region under the Chief SLA Akintola regime but also manifested in the Northern region’s opposition strongholds of Kano and Tiv-controlled parts of the Benue province, had increased in their intensity as the country moved towards the first post-Independence General Elections and had by early October 1964 brought the political leaders of all the parties to an agreement on having “all local government and Native Authority police forces should” “integrated into the Nigeria Police Force for the purposes of the election”.<sup>20</sup> It was this groundswell of pre-existing antipathy to the provincial and local government police forces and the political abuses associated with their operations in the years before 1966 that the military generals seized upon and used as justification for not just abolishing those forces, but also subsequently in disallowing the states from establishing their own state police forces.

Paradoxically enough, though, while steps were being taken to abolish those local and provincial police forces and concentrate and consolidate all police powers in Federal hands, nothing was done to the quota system adopted for recruiting the Nigerian Armed Forces and introduced for

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<sup>19</sup> Ibid., p. 152.

<sup>20</sup> John P. Mackintosh, *Nigerian Government and Politics*, Evanston: Northwestern University Press, 1966, p. 578.

the rank and file in 1958 and for the officer corps in 1961. We refer to the 50-25-25 formula of

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military recruitment and representation that Nigeria operated in the context of the three-regional federal structure from 1958 (and modified, after 1963, into the four-regional 50-25-21-4 scheme)

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up to the outbreak of civil war.<sup>21</sup> Nor did the successive military regimes which had been in power for much of the years before 1999, the prolonged and entrenched nature of that rule, and its centralizing impact on the federal structure of government, result in any fundamental change in that system. It is remarkable that all the three Constitutions drawn up under those regimes for the country's post-military rule - namely, the Constitutions of 1979, 1989, and 1999 and as amended and currently operative - have had specifically entrenched the "federal character" principle for "the composition of the officer corps and other ranks of the armed forces of the Federation". And, as the author has demonstrated in a number of his publications in the area, "quota system" is what those Nigerian Constitutions, as indeed most members of the informed public at large, understand by the phrase "reflecting the Federal Character in the composition of the Nigerian Armed Forces" to mean. But while State units were recognized by these Constitutions as a necessary factor in the composition of the Nigerian Armed Forces, to the point of conceding the need for pluralizing the organization of this exclusive Federal function about Common Defence, it is curious (or is it not?) that the question about Police Powers which one would have thought dealt with a matter of shared interest and concurrent responsibility would be deemed as a centralized function under those same post-military Constitutions!

The country has to date had two periods of post-military rule, the first and shorter one spanning the civilian presidency of Shehu Shagari from October 1, 1979 to December 31, 1983 and the second commencing from May 29, 1999 and up to-date, but both of them combined long enough to permit an evaluation of the uses of the centralized police powers under civilian rule and their consequences for the health of federal governance. The first of these periods has of course been the more and better studied, with Olubukunola Oladunni Belo's (1984) being the first and most original work<sup>22</sup>. It is a study not just about the relations between the Nigeria Police Force, on the one hand, and each of the three arms of government at the State level, namely the State Executives, State Legislatures, and State Judiciary during the Shagari years (with those organs of government at the State level shown to be always at war with the Police State Command, while

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<sup>21</sup> According to that formula, 50% of all vacancies in the Nigerian military were earmarked to the North, 25% to the East, and 25% to the West under the old three-region federal structure operated between 1958 and 1963; and after 1963, when the Mid-West was created and the structure of the federation changed, the military quota system had to be modified slightly to reflect the number of units making up the forth-region federal system. With the North and East still retaining their previous proportional shares of military vacancies, namely 50% and 25% respectively, the remaining 25% belonging to the old West was now to be distributed as the new West 21% and Mid-West 4%, since the latter region was excised from the former. For additional details about Nigeria's military quota system, see Adekanye, 2008.

<sup>22</sup> Itself the subject of an M. Sc. Thesis submitted to the University of Ibadan's Department of Political Science, 1984. See Belo, 1984.

the State Judiciary which was supposed to help with moderating those conflicts were themselves affected by the Police Force and the misuse of its powers). It also detailed some of abuses and excesses observed in the exercise of Federal police power by the National Party of Nigeria (NPN)-based Shagari presidency.

To summarise some of the data from the Belo study, the involvement by Nigerian Police Force in the 1980 matter regarding deportation of the Great Nigeria's Peoples Party (GNPP) Majority Leader of the Borno State House of Assembly Aihaji Yusuf Shugaba, on what was later proved to be false allegations that he was an alien and a security threat to Nigeria, portrayed the Force as not only obeying unlawful orders from the National Party of Nigeria (NPN)-controlled Federal government as to operational use of police powers, but being unduly partisan in the discharge of policing functions. The Police role in the inter-party conflicts that soon broke out within the two State Houses of Assembly in Kaduna and Kano States, including the events leading to the impeachment of their respective State Governors, Balarabe Musa and Abubakar Rimi, and both of the People's Redemption People's Party (PRP), further cast doubt as to whether non-NPN States could expect any fair deal from a Police Force that was emerging so overtly partisan.

Then, there was the separate but unequal, meaning discriminatory, treatment of applications for permits for public processions, meetings, campaigns, and rallies measures submitted by political parties. Under the old Public Order Act inherited from the previous military rule, all political parties whether in or out of government were required to submit such applications and wait for approval or rejection. It used to be prerogative of a State Governor as "Chief Security Officer" to look at such applications, but in February 1981 President Shagari withdrew permits for public processions, meetings, campaigns and rallies from the hands of State Governors and gave that power to the State Commissioners of Police. It was left to the latter to grant such permits to whom they wanted. There were cases of permits having been granted to certain politicians, but later withdrawn, apparently due to partisan political considerations, or based on directives received from the authorities in the Federal capital, Abuja.

But it was the increasing reluctance by Commissioners of Police to enforce laws duly enacted by the various State Houses of Assembly, especially where such laws were deemed as likely to portray the NPN-led Federal government as uncaring, inept, or in any other bad light, that brought out the contradictions between the division of powers between levels of government as essence of federalism and the absence of enforcement mechanism available to the State Executives. One example was the law requiring all motor cycle riders and their passengers to wear steel helmets. The law was first enacted, I believe, by the government of what then was the old Oyo state government under the late Chief Bola Ige, but later copied by other colleagues of his among the so-called "LOBOO" group of States (namely Lagos, Ogun, Bendel, old Oyo, and old Ondo), and all of them Unity Party of Nigeria (UPN)-led and -governed. The law requiring motor cycle riders and passengers to wear steel helmet was a progressive piece of social legislation; and, like the institution of the State Road Safety Corps, was meant to prevent fatal bodily injury and possibly death from motor cycle accidents. The State governments concerned were unhappy that the law making it mandatory for motor cycle riders and passengers plying their states to wear steel helmets, although it was enacted primarily for the security and welfare

of their people, could not be enforced because the State Police Commands they were relying upon to do that were unwilling and did not want to offend the sensibilities of the National Party of Nigeria (NPN)-controlled Federal government in Abuja known not to be positively disposed to the law.

But other opposition party governments from non-UPN states, including the old Borno State under the Great Nigerian People's Party (GNPP), and old Anambra State under the National People's Party (NPP)-led government experienced similar difficulties with their Commissioners of Police. Open confrontation between non-NPN State Governors and their Commissioners of Police was the order of the day under the Shagari era. In one of the instances a State Governor (Jim Nwobodo of Anambra) had his police escort and security cover withdrawn, thereby exposing that particular Governor to personal risks and dangers. A number of the State Governors, such as Abubakar Goni of Borno and Jim Nwobodo of Anambra, who considered their State Commissioners disloyal, called for their transfer, while going ahead to organize their own private security organizations for their protection.

The result of all these partisan uses of the NPN-controlled Federal police power under the Shagari presidency was that the country began to experience new and rising demands from many of the States other than those controlled by the NPN for the creation of state-controlled police forces of their own (or, failing which, strong interests in and efforts directed at the creation of private security organizations for the protection of top State executive functionaries, including Governors). Thus, the Oyo State Road Safety Corps, that had been established way back in 1977 under Brigadier David M. Jemibewon's military regime of the state and became taken over and further strengthened by the Bola Ige civilian government in 1979, was soon made to perform quasi-police functions. So successful was the outfit that other non-NPN States, particularly in the South (including Lagos, Ogun, and Anambra), began to establish kind of Road Safety Corps of their own. Needless to say, the Nigeria Police Force saw the rising profile of the various State Road Safety Corps (the states' counterpart of the *State Troopers* in the making?) as a threat to its monopoly of policing functions and would want the development nibbed in the bud, particularly as the 1983 General Elections drew near. The Nigerian Police Force got President Shagari Government to ban the various State Road Safety Corps from operating on Federal Highways and restrict their operations to State roads. One of the first measures taken by the Police hierarchs, on the return of the military to power under the Buhuralldiagbon regime in 1984, was to secure total abolition of all State Road Safety Corps in the country.

If the structure of centralized police powers inherited from the previous military (i.e. pre- 1979) period created such dysfunctions for the nature of federal governance under the civilian presidency of Shehu Shagari (1979-83), we should expect the dysfunctions from that police structure to be even greater under the second civilian rule under President Olusegun Obasanjo whose presidency commenced from May 29, 1999, for a number of reasons. First, there was at least commitment to the rule of rule, even if a semblance of this, under Shagari; whereas under Obasanjo there was no pretence about commitment to any such democratic value, the preference being in stead for martial-type law. Second, the style or rhetoric of leadership, politics and power, for Obasanjo, saw politics as a "do-or-die" affair, and politics as zero-sum game in which

one “wins” only when one’s opponent “loses” everything, a bloody combat unrestrained by any rules and aiming at total annihilation of one’s opponents; whereas under Shagari, the approach to politics and leadership role, as indeed to the whole game of politics, was about, and allowed for efforts at, coalition formation, consensus-building, bargaining and even conciliation. These differences in approach to and style or rhetoric about power, politics and leadership between the two civilian presidents must themselves have stemmed from among other things, thirdly, the differences in social backgrounds, training and career between the two: the former, an ex-teacher turned politician, and a civilian to the core; and the latter, an ex-military general turned politician, and very much true to his military past.<sup>23</sup>

Consequently, during the Obasanjo years (1999-2007), and even though the country was supposed to have returned to civilian democratic governance, Nigeria experienced such dysfunctions in the operation of the centralized structure of policing and federalism, whose sources can be traced among other things to the following:

- Impatience of the Obasanjo presidency with the demands and essence of what federal governance connotes as a system of limited and shared rule
- Overcentralisation of law enforcement
- Increased militarization of policing functions
- Increased use of military troops for civilian law enforcement
- Politics approached and treated as if synonymous with warfare, and political opponents as if they were enemies (and less as fellow citizens) and therefore subject to all the rules of military engagement
- Principles of martial law valued, more than the canons about rule of law
- Disobedience of Court orders, including those of the Supreme Court Of Nigeria aimed at resolution issues of contention between the Federal government and the states.\
- During the period was also to have been witnessed by the country such a high and rising number of high-profile politically-motivated assassinations, whose offenders the Nigerian Police has not manifested any willingness, disposition and ability to unearth, prosecute and punish up to-date.<sup>24</sup>

But I am not sure that the Federal uses to which police powers were put under the two civilian presidents were different, or that the consequences of such uses were more positive for federal governance under one president than the other. It is instructive that demands and pressures for the creation of state police and of the kind that the Shagari presidency had faced as a consequence of his government’s sectional use of police powers have come to rear their head again since the country’s second return to civilian democratic rule.

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<sup>23</sup> For a good piece elaborating on the characterisations made here about President Obasanjo’s style or rhetoric of leadership and his attitudes to power and governance, even as the country approached the General Elections of 2007, see Tenuche, 2009.

<sup>24</sup> The most prominent being the assassination of the country’s No. 1 law enforcement officer the Attorney-General of the Federation and Minister of Justice in the Obasanjo government, Chief Bola Ige, a top-most member of the opposition Alliance for Democracy (AD) party, who was murdered in his Ibadan home on Christmas eve December 2001.

In the meanwhile, anyone desirous of using the rationalization of centralized police force based on expectations about its role in the conduct of elections from past to present (set against the standing justification for abolishing those old provincial and local government police forces based on historical facts about their role in that same kind of activities) will not find comfort in the observation that *partisan use of force in election did not end with the abolition of those provincial and local government police forces*. To be sure, as some research findings have reported, in most of the general elections that have been held since the centralization of all powers under one unified authority, the tendency have been for the dominant parties controlling the federal government as well as a number of the states at given times to nudge their police chiefs at the top and their subordinate commissioners based in the states into supporting those parties in power, and operating in a manner that could only amount to condoning, if not actually conniving at, some of the fraudulent and violent practices characterising the conduct of most of the country's general elections. This was certainly most particularly obvious in the elections of 1983, 2003, and 2007”<sup>25</sup>

But in between periods of elections, the various State Governors had also often ran afoul of the centralizing reach and power-grabbing propensity of the Nigerian Police chiefs under the Obasanjo presidency. Nor would the affected Governors necessarily have belonged to political parties other than the President's own ruling Peoples Democratic Party (PDP), as the experiences of Chris Ngige (Anambra) and Ayo Fayose had clearly shown. For a few details about the experiences of yet a third State Governor, Yashidi Ladoja the Governor of Oyo State was another PDP-elected Chief Executive of a State to run into problems with President Obasanjo. Like Governor Ngige of Anambra, Governor Ladoja had fallen out of favour with and been locked in fierce conflict with his own political patron the late Chief Lamidi Adedibu. As with the Anambra case, Ladoja's estranged 'godfather' Chief Adedibu had had close links to President Obasanjo, who viewed the latter not just as 'the strong man of Ibadan politics', but a key ally in the South West. Adedibu had proved useful for 'capturing' much of the South West in the 2003 General Elections, and as was projected would continue to be useful for 2007. In the heat of the Ladoja/Adedibu struggle in 2006, Adedibu was described by the ruling PDP Chairman and himself a retired Army Colonel Ahmadu Alli (apparently speaking the mind of Mr. President, but not intending this to be a mere Freudian slip) as '*Commander of the ruling PDP's Ibadan military garrison*'. Consequently, the late Chief Adedibu had better access to much of the Police and other Security resources or effectives of power in Oyo State, than the State Governor Ladoja; while the Police State Command, knowing where the President's inclination tended, had no problems siding with Chief Adedibu in the struggle against the sitting Governor Ladoja of Oyo State.

Significantly, all the three erstwhile PDP-elected State Governors identified, namely Ngige, Fayose, and Ladoja, were removed from office through various processes of impeachment by their respective State Houses of Assembly, in which the Presidency or its *proteges* had had a hand, and a measure of Central police powers was deployed and used in helping to achieve the planned objective in each of the instances. It was not unlike what happened to Governor

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<sup>25</sup> See Adekanye, 1990; Adekanye and Iyanda, 2010.

Balarabe Musa of the old Kaduna State under the Shagari presidency; excepting, perhaps, only that, unlike in that case, the impeached State Governors Ngige, Fayose, and Ladoja had been previously all among the president's men and of the same ruling political party. It is instructive that demands and pressures of the kind for the creation of state police that the Shagari presidency had faced as a consequence of his government's sectional use of police powers have come to rear their head again since the country's second return to civilian democratic rule.

In the meanwhile, anyone desirous of using the initial rationalization of centralized police force based on expectations about the Force playing the impartial arbiter in the conduct of elections (as against the standing justification for the abolition of those old provincial and local government police forces based on historical facts about their known blatantly sectional role in that same kind of activities), I am afraid the evidence will not be too comfortable. One will not find comfort in the observation that partisan use of force in elections did not end with the abolition of those provincial and local government police forces.

### **Additional Points for Rounding off the Nigerian Case**

Let me move towards rounding off the Nigerian case by introducing a couple of points which, while not derived from main body of the study, are relevant for summarizing our case analysis. The centralized structure for Policing Nigeria was adopted before the era of globalisation, and in the immediate aftermath of the Civil war, when the fad was to turn most of what used to be known as '*commanding heights of the national economy*' into one monopoly or another. The latter was facilitated by three things: first, the then dominant philosophy about The State, the Nigerian State, as being more than willing and able to solve everything, or to go it alone in solving everything; second, the Naira illusion, generated by the availability and abundance of petro-dollars, and fostering on the part of top Nigerian officials attitudes such as saw 'money as not the problem, but how to spend it', or about 'the bigger the projects, the better'; third, and last but not the least, the centralizing nature, interests and ideology of the military, then in charge of running the country's affairs.

Most of the students here present at this Matriculation Day Lecture, Achievers University, Owo, particularly the matriculants themselves, may be too young to know but time was, believe me, when such matters as *Aviation* (including maintenance of airports, safety of aircraft, and carriage of passengers as well as goods by air), *Banks* (i.e. banking, bills of exchange, and promissory notes), *Maritime Shipping and Navigation* were among the exclusive powers of the Federal government. Time was, when the Federal tier of government alone was assigned the powers related to *Posts, Telegraphs and Telephones, Railways, and Wireless, Broadcasting and Television*. Time was, when only the Federal and State governments were constitutionally allowed to provide for *Electricity* (including the establishment of electrical power stations and promotion of a national grid system), as well as *University Education* (including the establishment of any institutions for that purpose). It got so bad that those few Universities that had been previously established by and were owned by State (formerly Regional) governments, namely the then University of Ife, Ile-Ife (West), University of Nigeria, Nsukka (East), and Ahmadu Bello University, Zaria (North) got taken over and nationalized by the Federal

government. Same was true of all the three Television and Broadcasting corporations owned by States. That was the environment facilitating the centralization of policing functions.

But, if we may ask a string of highly pertinent questions, where is Nigeria Airways today? What is Central Banking today, in the age of electronic bank transfers, and when remittances via private multinational transfer institutions like Western Union dominate the landscape? Where is NITEL? How many of you still go to NIPOST to mail your letters? Have the email, fax, and mobile phones not replaced all these? What is the meaning of Federal or State monopoly of broadcasting and television in today's globalizing age of interconnectivity, information revolution, fast and rapid explosion of communications and transmission of news, and when and where CNN, Aljazeera, EuroNews, and BBC are within the reach of individual homes, and the Federation's NTA network and the various State-owned services are having to compete with private individual providers like the African Independent Television (AIT) or Channels Television? Last, but by no means the least, without a rethinking of that old constitutional provision granting the power to establish or invest in University Education, do you know that an institution of higher education such as the Achievers University, Owo, would not have been possible, and the Matriculants scheduled to be formally inducted as its students tomorrow would not be present at this kind of lecture?

I submit that, as with those other monopolistic bodies, a re-structuring of Nigeria's centralized police force through a process of decentralization (but, mark you, NOT by privatizing the country's policing functions) is overdue, and must have to be confronted sooner than later, if the populace at large is to begin to enjoy the benefits of better security service which is expected to result from such an exercise. *The plain and incontrovertible fact is that, like the Nigerian State itself as currently configured and run, the Nigerian Police Force today appears too overburdened and overstretched.* For one thing, with a current Police/Population ratio of about 370,000 members to 150,000,000 citizens (or 1:405), Nigeria is one of the world's most under-policed states; while the force structure, disposition of the organization, and characteristics of its members whose habits and orientations have barely changed from those inherited from both the colonial and military past, make the Nigerian Police both ill-equipped and unsuitable for policing a country of Nigeria's size, population, diversity, and complexity. As we saw at the beginning of the case analysis, these had been among the major factors and forces propelling the country's evolution from a unitary to federal state. *By logical extension, a centralized, increasingly militaristic police organization is clearly unsuitable for undertaking policing functions in such an environment.*

Apart from its gross numerical weaknesses as an organization, the Police is also poorly funded, badly equipped and supplied, not well-armed, corrupt, undisciplined, not always ably-led, and untrained regarding human rights issues. The discourteous and trigger-happy attitudes of most members of the Police in their daily interactions with the public, resort to wanton killings and murders, and brutalization of the weak and defenceless citizens, and rising incidents of civilian clashes with the Police are some of the effects.

If to these considerations are then added the overhanging atmosphere of generalized insecurity and violence that has for a while now enveloped the whole country (much of the sources of which has to do with *lack of 'human security' provisioning* for the jobless, the hungry, the poor,

the ill-housed, the ignorant, the diseased, the oppressed, and above all the sanctity of life itself), the Nigerian public is right in thinking that the country's current security architecture (as indeed the Nigerian State itself)<sup>26</sup> is less than able to provide for their true security needs, meaning basic safety, welfare and autonomy. Hence recourse to self helps, vigilantes, neighbourhood watches, community policing among other autonomous strategies, means, and activities for self-policing that have spread across the country. The rising demands for a decentralized system of policing that we abundantly dealt with in the body of the Lecture are also to be understood in the light of all this.

This returns us, naturally, to one of the key points of discussion with which I began the Lecture and by way of which we are to conclude the analysis – *the Lagos State model*. By this, I refer not just to the newly instituted Lagos State Security Trust Fund and about its utility in helping to keep the Nigerian Police and other Security agencies based in the State to function effectively and efficiently, but, perhaps even more importantly, the innovativeness in community policing, crime prevention and detection, combined with human security provisioning, that has come to be distinctive of this mini-case and made it the toast of most objective observers both at home and abroad. Lagos state is, of course, the richest, but also the most progressive, state in the Nigerian federation today, with the highest rate of social legislation for tackling the myriad of problems confronting inhabitants of the state, including urban slum clearance and renewal, city beautification (through the establishment of recreation centres, parks and gardens), markets development, provision and maintenance of public conveniences and refuse disposal, environmental sanitation, provision of qualitative and quantitative education, potable water, food security, housing, the health, safety and welfare of workers, crime and insecurity, transportation, access roads, tackling traffic congestion, revenue generation and tax collection.

To assist in enforcing most of the newly passed laws for regulating activities of the residents of the state in these areas, the Lagos State Government has had to create a number of new institutions, the most commonly known of which being the body known by the acronym of LASTMA (Lagos State Traffic Management Authority), but including other smaller law enforcement bodies created for discharging other limited responsibilities such as the enforcement of tax payment and levies, environmental sanitation, and local government rules. LASTMA, as part of that system of law enforcement bodies but all operating side-by-side with the Nigerian Police Force, constitutes *a functional equivalent of the kind of state law enforcement mechanism in a federal society in today's world that we have been talking about*. Without that kind of law enforcement mechanism it will have been well-nigh impossible for the Lagos State government to enforce a number of its new measures on social legislation. But, perhaps most relevant of all for the central subject of our study, the Lagos State offers something about how to model the security of a crisis-torn federation by combining community policing with human security provisioning that all the other thirty-five states of the Federation, plus the Federal Capital of Abuja, and indeed the Nigerian State as a whole, will find useful to emulate.<sup>27</sup>

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<sup>26</sup> See Amuwo *et. al.*, 1998

<sup>27</sup> In today's globalising world, "security tending", whether at the international or domestic level, is not, and cannot be, about the size and quality of military troops, policemen (and women), guns, tanks and other equipment that a

## CONCLUSION

On receiving the initial call and accepting the invitation to deliver this Fourth in the Matriculation Day Lecture series at Achievers University, here in Owo, I had no hesitation in choosing the topic for the Lecture. For the subject about police powers and federal systems, looking at Nigeria as a case-study in comparative perspective, has been a subject of recurrent interest, remains topical, and is certain to address issues of timely and urgent concerns. What I was not however so sure about was whether the subject, given its somewhat specialised nature, would be appropriate for the kind of audience it was meant for. I had also feared that those among the students enrolled in the Natural and Applied Sciences might, though wrongly as it turned out, come to consider the subject as not meant for them, but for their colleagues in the Social and Management Sciences. I hope by now such fears have been dispelled. Having been listening to me through the Lecture for the past one and half hours or so, I trust the whole population of students here present will go out convinced that there is something in it for all, irrespective of their educational backgrounds, planned disciplinary pursuits, and prospective career trajectories. But in case, there are still a few doubting Thomases, the remaining remarks for concluding the Lecture are largely for these.

The ancient Greek political philosopher and one of the founding fathers of political science as a field of study, Aristotle, defines *politics as a master science, the architectonic discipline, in short the foundation of all disciplines*. In other words, without political science, or politics, or better still a healthy body politic, all other branches of study or knowledge have no meaning or being. The reason why this is so was to be supplied much later by another political philosopher and, this time, an Englishman writing in the 17th, Thomas Hobbes. Without political consolidation and knowledge about the processes for achieving this, there cannot be political economy, because the fruit thereof is uncertain, and consequently no agriculture and cultivation; no navigation, trade and commerce, nor use of the commodities that may be imported by sea; no architecture; no facilities of transport communications, science and technology, no such branches of knowledge as the earth sciences, including the study of the atmosphere, oceans, and biosphere as well as the solid earth; no chronology, geometry and mathematics; no arts, no humanities, and none of the other social sciences for that matter. Besides this statement, and analogically perhaps the most relevant of all, there is the description from that same Hobbesian text about the condition of the animal called man in that pre-political state of nature, which cannot but have resonance for all of us, given what I previously noted as the Nigerian condition today, the overhanging atmosphere of generalized insecurity and violence pervading the land, and the sheer pressures on us all for designing coping strategies for surviving at the margins: where one lives under ‘continual fear and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short’. I am sure those descriptions resonate with all of us here gathered.

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government is able to muster. That conventional notion of security is rather archaic, narrow, and overly military-deterministic, and requires being broadened to include the kind of elements referred to as the “New Dimensions of Human Security” by the United Nations Development agency (see UNDP, 1994). The Lagos State, under the successive leadership which it has been privileged to have ruling it since 1999, appears to have grasped these contemporary requirements of real security more than the others in the Nigerian federation.

Another way of demonstrating the centrality of the political science discipline to all the other disciplines is to say that there cannot be good political life without the prior existence of organized society and security; and without organized society and security, no meaningful development can take place; and without meaningful development, education that we have come here to receive may end up being of little or no value. We all have ‘stakes’ in politics, whether defined as an activity, a vocation, or a branch of knowledge called political science, including the subject matter that I chose to speak to you about today on occasion of this august event and from this distinguished platform here at Achievers University, Owo; since what goes on in the political realm cannot but, for better or for worse, affect the various educational pursuits and prospective careers of us all. In particular, the subject of my Lecture on the interrelationships between Policing functions and Federal systems, using Nigeria as case-study, should be of central interest to us all, because it touches on the question about the interrelationships of order, security and welfare, the search for true meaning of those values or goals, and the strategies for realizing these as the key to achieving sustainable peace, stability and development in Nigeria. These are things that have come to occupy a critical place in much of the public consciousness today. I hope the Lecture has been both interesting and illuminating. I trust it has provided enough food for thought, and succeeded in raising more issues for further thinking, research, and possibly action. I thank the Vice Chancellor of Achievers University, Professor J. A. Odebiyi, and his able Registrar Dr. (Mrs.) J. T. Ebun Ojo, for inviting me, the Pro-Chancellor and Chairman of Governing Council Barrister ‘Bode Ayorinde, Deputy Vice Chancellor Professor Oyewumi Oyewole, other Principal Officers, Deans of Colleges, Heads and Staff of the Departments, and the other Distinguished Guests here present for their kind and rapt attention, and above all the Students in general and the Matriculants in particular for listening. It has been a great pleasure and singular honour to address all. Thank you.

### **Selected Bibliography**

- Reuben Abati, “State Police and the Challenges of Internal Security”, Being the Text of Presentation made at the First Memorial Lecture in Honour of late Alhaji Ahmadu Sheidu, AIG Nigerian Police (Rtd.), OFR, NPM, mni, Nigerian Institute of International Affairs (NIIA), Lagos, Thursday June 3, 2010.
- Okay Achike, **Military Law and Military Rule in Nigeria**, Enugu: Fourth Dimension, 1978.
- J. ‘Bayo Adekanye, “Military Organisation and Federal Society”, first published in **Quarterly Journal Administration (QJA)** (Ile-Ife), XVI (1-2), 1981/82, pp. 3-23, and now reprinted as a chapter in J. ‘Bayo Adekanye, **The Comparative Method and Civil-Military Relations**, Ibadan: Ibadan University Printery, for Abatom Books, forthcoming.
- J. ‘Bayo Adekanye, **Military Organisation in Multi-Ethnically Segmented Societies: A Comparative Study**, Ibadan: Ababa Press & Centre for Gender, Governance and Development (CEGGAD), 2008.
- J. ‘Bayo Adekanye, “The ‘Federal Character’ Provisions of the 1979 Constitution and the Composition of the Nigerian Armed Forces”, **Plural Societies** (The Hague), Vol. 14 (1-2), 1983, pp. 66-78.
- J. ‘Bayo Adekanye, “The Quota Recruitment Policy, Its Sources and Impact upon the Nigerian Military”, first published in Peter P. Ekeh and Eghosa Osaghae (eds.), **Federal Character and Nigerian Federalism**, Ibadan: Heinemann, 1989, and now appearing as

- one of the chapters in the author's collected work on **Military Organisation in Multi-Ethnically Segmented Societies**, *ibid*.
- J. 'Bayo Adekanye, "Disarming Ethnic Guerrillas, Power-Sharing and Transition to Democracy in Africa: The Ethiopian Case", one of the chapters in the book on **Military Organisation in Multi-Ethnically Segmented Societies**, *ibid*.
- J. 'Bayo Adekanye, "Elections in Nigeria: Problems, Strategies and Options", **Nigerian Journal of Electoral and Political Behaviour**, 1 (1), September 1990, pp. 1-14.
- J. 'Bayo Adekanye and Rachael Iyanda, "Security Challenges of Election Management in Nigeria: An Overview", in Lai Olorode and Attahiru Jega (eds.) **Security Challenges of Election Management in Nigeria**, Abuja: Independent National Electoral Commission and Friedrich Ebert Stiftung, 2011, pp. 15-51.
- B. Akinyemi, P. D. Cole, and W. Ofanagoro (eds.) **Readings on Federalism**, Lagos: Nigerian Institute of International Affairs (NIIA), 1975.
- George Anderson, **Federalism: An Introduction**, London: Oxford University Press, for Forum of Federations, 2008.
- Kunle Amuwo, Adigun Agbaje, Rotimi Suberu, and Georges Herault (eds.) **Federalism and Political Restructuring in Nigeria**, Ibadan: Spectrum, for IFRA, 1998.
- A.O. Awa, **Issues in Federalism**, Benin: Ethiopie Publishing Corporation, 1979.
- Olubukunola Oladunni Belo, "Federal Use of Police Power under Shehu Shagari Presidency in Nigeria, 1979-1984", Department of Political Science, University of Ibadan, M. Sc. Thesis, 1984.
- Ivo D. Duchacek, **Comparative Federalism: The Territorial Dimension of Politics**, New York: Holt, Rinehart, and Winston, 1970.
- Billy J. Dudley, "On The Concept of Federalism", **Nigerian Journal of Economic and Social Studies**, 5 (1), March 1963, pp. 95-103.
- Billy J. Dudley, "Federalism and the Balance of Political Power in Nigeria", **Journal of Commonwealth Political Studies**, Vol. 4 (Issue 1), 1966, pp. 16-29.
- Peter P. Ekeh and Eghosa Osaghae (eds.) **Federal Character and Nigerian Federalism**, Ibadan: Heinemann, 1989.
- Peter P. Ekeh, "Military Rule and Damage to the Spirit of the Nigerian Constitution", Lecture Delivered at Forum organised by the Lagos State Government, Eko City Hall, Lagos, December 1, 2010.
- J. Issawa Elaigwu, **The Politics of Federalism in Nigeria**, London: Adonis & Abbey, 2007.
- Daniel J. Elazar, **The Politics of American Federalism**, Lexington, Mass: D. C. Heath, 1969.
- Arendt Lijphart, **Democracy in Plural Societies: A Comparative Explanation**, New Haven: Yale University Press, 1977, see especially chapters 1 and 2.
- J. V. Montville (ed.), **Conflict and Peacemaking in Multiethnic Societies**, Lexington: Lexington Books, 1989.
- Samuel E. Oyovbaire, **Federalism in Nigeria**, London: Macmillan, 1985.
- William Riker, **Federalism: Origin, Operation and Significance**, Boston: Little, Brown and Company, 1964.
- Kemi Rotimi, **The Police in a Federal State: The Nigerian Experience**, Ibadan: College Press, 2001.
- Geoffrey Sawyer, **Modern Federalism**, London: G. A. Watts & Co., 1969.
- Tekena Tamuno, **The Police in Modern Nigeria, 1861-1865: Origins, Development, and Role**: Ibadan: Ibadan University Press, 1970.

- Marietu S. Tenuche, “The Language of Politics and Political Behaviours: Rhetoric of President Olusegun Obasanjo and the 2007 General Election in Nigeria”, **Journal of Public Administration and Policy Research**, Vol. 1 (3), July 2009, pp. 47-54.
- UNDP, “New Dimensions of Human Security”, **Human Development Report 1994**, New York & Oxford: Oxford University Press, 1994, Vol. 2, pp. 22-46.
- Ronald Watts, **Administration in Federal Systems**, London: Hutchinson Educational, 1972.
- Ronald Watts, **Comparative Federal Systems**, Montreal & Kingston: McGill-Queen’s University, 1999.
- Kenneth C. Wheare, **Federal Government**, 4<sup>th</sup> Edition, Oxford: Oxford University Press, 1963.