



UNLAWFUL KILLINGS OF CIVILIANS BY OFFICERS OF THE SPECIAL ANTI-ROBBERY SQUAD (SARS) UNIT OF THE NIGERIAN POLICE IN SOUTHWEST NIGERIA: IMPLICATIONS FOR NATIONAL SECURITY

**Dr. Temitope Francis Abiodun¹, Adedokun Olaniyi Oloyede²,
Owoyemi Emmanuel Ademola³, Ogechi Abah⁴ and Opeyemi Segun Kehinde⁵**

¹Institute for Peace and Strategic Studies, Faculty of Multidisciplinary Studies, University of Ibadan, Ibadan, Nigeria

²Ph.D Student in Peace and Security Studies, Institute of Peace, Security and Governance, Ekiti State University, Ado-Ekiti, Nigeria

³Ph.D Student in Peace and Conflict Studies, Institute for Peace and Strategic Studies, University of Ibadan, Nigeria

⁴M.Sc Student in Peace and Conflict Studies, Institute for Peace and Strategic Studies, University of Ibadan, Ibadan, Nigeria

⁵M.Sc Student in Peace and Conflict Studies, Institute for Peace and Strategic Studies, University of Ibadan, Ibadan, Nigeria

ABSTRACT: *The spate of violent and unlawful killings by officers of the Special Anti-Robbery Squad (SARS) Unit of Nigerian Police in South West region of the country has not only queried the efficiency required by the police in discharging their responsibilities but has also greatly undermined human security. Consequently, the lawless situation in the state has engendered acrimonious relationship among the citizenry which has further heightened the security dilemma in all ramifications. It is keenly observed that most of the killings are rampant in Lagos, Osun, Oyo, and Ogun States in the region which have recently generated a lot of social media and physical protests by the populace but despite this, the menace still persists. Lives of several young and adult Nigerians; students, football players, private and commercial drivers and other innocent ones have been cut short in the name of searching for the 'Yahoo boys' and bribe-takings. The study examines the instances, trends of violent and unlawful killing of civilians in the country by officers of Special Anti-Robbery Squad of Nigeria Police; and the factors triggering the brutality; and also interrogates the threats posed by the criminal acts to the peace and security in Southwest Nigeria and national security. The study in its findings indicates that the violent/unlawful killing occurs as a result of unprofessionalism, lack of funds/resources, uncontrolled anger/emotions, corruption, unprofessionalism, use of illicit drugs, drinking of alcohol while on duty among others on the part of officers of Special Anti-Robbery Squad (SARS) and as well absence of Police reforms in Nigeria. Social contract and failed state theories are employed for the study. The study, however, concludes that, the Nigerian government should brace up in ensuring adequate security of lives and property for her citizenry, the need for urgent Nigeria Police reforms in the country, adoption of merit in recruitment process into the Force, fighting corruption to the core among others in checkmating the menace.*

KEYWORDS: SARs, Unlawful Killings, Nigerian Police, Corruption, Southwestern Nigeria, Yahoo boys, Violence, Nigeria



INTRODUCTION

It is a common saying that the police are your friend. But in a country like Nigeria, the opposite is the case. It is evident that ordinary citizen thinks the policeman is anything negative, and not a friend (Omilana, 2019). The Police all over the world are state authorities vested with the responsibility on law enforcement and maintenance of order in the society. In carrying out their responsibilities, the police may be authorized to use reasonable force when the need arises. The constitution of the Federal Republic of Nigeria, the Police Act, international conventions, professional ethics and other statutes regulate and as well constrain the use of force by police in discharging their statutory functions. Despite these regulations, the police in many societies resort to using extreme force beyond limits as permitted by law in discharging their duties and in the process grossly disregard of the rule of law and resorted to killings extra-judicially, torture and subject civilians or citizens to all sorts of inhumane and ill-treatment; unfortunately, the same citizens that they have earlier sworn to protect (Segun, 2016).

Unlawful or extrajudicial killings, as it implies refers to killings outside the dictates of the law and the recent upsurge in the menace, torture, degrading and inhumane treatment of citizens in the society by the officers of the Special Anti-Robbery Squad (SARS) reveals a need for the appraisal of the criminal justice system so as to prevent judicial usurpation and a lack of reverence for constituted authority which could result in the complete breakdown of law and order (Bakare, 2018). Pursuant to the objective of bringing to a fore the depth of the unlawful killings by the officers of the Nigerian Police, most especially the unit known as the Special Anti-Robbery Squad (SARS) in Southwestern states of Nigeria. In the same vein, several instances on extra-judicial killing activities of Officers of the SARS need to be examined in the region. The Nigerian citizens are rough handled, mishandled and brutalized in various ways through; beating, shooting indiscriminately, maiming and killing of citizens, unnecessary restrains such as handcuffs and leg chains, unnecessary use of firearms against suspects and innocent members of the public, torture of suspects in order to forcefully excerpt confession and extortion of gratification (Human Rights Watch, 2018).

However, a large portion of these cases are concealed by the Nigerian Police officers in their stations, evidence is destroyed and proof of any such acts is also hidden from the public (Taiwo, 2018). This is actually pursuant to the fact that the victims' family members many a times would be denied justice when they seek a redress in court of law. Unfortunately, there have been numerous criminal charges brought and public protests against the Officers of the Special Anti-Robbery Squad (SARS) of the Nigerian Police in recent times. High numbers of innocent civilians have been unlawfully killed and eliminated by drunk and trigger-freaked SARS police officers in Lagos, Ogun, Oyo and Osun States respectively (Segun, 2016). The said SARS officers would storm any location; it could be checkpoints on inter-state roads, beer parlours, cinemas, club houses and host of others to enforce unlawful arrests in the name of looking for "yahoo-yahoo boys" or internet fraudsters and criminals in the states (International Centre for Investigating Reporting, 2018).

Unnecessary and unlawful use of firearms by the Nigerian Police is not a question of a few isolated cases, but of a widespread phenomenon. Many unlawful killings happen during police operations. In other cases, the police shoot and kill drivers who fail to pay them bribes at checkpoints. Some are killed in the street because, as the police later claim, they are "armed robbers"; others are killed after arrest, allegedly for attempting to escape. Many



disappear in police custody – and are likely to have been extra-judicially executed (Human Rights Watch, 2018). As a result of these incivilities, incompetence, indiscriminate shootings, and unprofessionalism on the part of officers of Nigerian Police Unit known as the Special Anti-Robbery Squad (SARS), lots of families have been thrown into eternal sorrow by unlawfully killings of their family lovely and innocent members. In several occasions, innocent citizens are arrested and paraded unlawfully in front of media to gain more recognition or promotion in service. This incident has led to several public protests and criticisms both in the streets and on social media in South West region of Nigeria in recent times. The study is going to examine the instances, trends of violent and unlawful killing of civilians in the country by officers of Special Anti-Robbery Squad (SARS) Unit of the Nigeria Police; and the factors triggering the brutality; and also interrogates the threats posed by the criminal acts to the peace and security in Southwest Nigeria and national security.

The Nigeria Police Force

The Nigerian Police Force (NPF) is a federal institution. The Nigeria Police personnel perform personal protection and guard duties. The NPF was established under Section 214 of the 1999 Constitution. The Police Act (1990) describes the function, structure and operation of the NPF. The Act was originally drafted in 1943, and was last reviewed in 1967 (Police Act Cap, 2004). The President and Commander-In-Chief of Armed Forces in Nigeria holds operational control of the Force and appoints the Inspector-General of Police (IGP), who is responsible for the command of the police subject to his directive for public safety and maintenance of public order. In the same vein, the administrative, financial and logistics management of the Nigeria Police falls under the authority of the Federal Ministry of Police Affairs (Segun, 2016). The National headquarters of the Nigeria Police is located in the Federal Capital Territory, FCT, Abuja; it has about 12 Zonal Commands and 36 State Commands and they all have Criminal Investigation Departments (CIDs) that are responsible for investigating criminal matters. There are other several Special Forces, such as the paramilitary Mobile Police (MOPOL), the Special Anti-Robbery Squad (SARS) and the Swift Operation Squad (SOS). There exists an X-Squad which is the unit responsible for investigating all the various police corruption cases in the country. The Nigeria Police is also guided by what is called the Police Act. This Act serves as guidelines for all police officers in discharging their duties in the country. The Act also bestows on all officers the authority to execute some of their responsibilities; bearing of firearms, detaining suspects, protection of human lives and lots of others (Police Act Cap, 2004).

The Police Act also serves as means to check and prevent them from abuse of their powers through some sanctions. The Act provides that; “The Police shall be employed for the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of all laws and regulations with which they are directly charged, and shall perform such military duties within or outside Nigeria as may be required of them by, or under the authority of this or any other Act” (Nigeria Police Act). This provision clearly states that the general duties of the police should include obeying the law, enforcing the law and protection of life amongst others. Hence, it is illegal and against this provision of the police act for a police officer to arbitrarily take the life of another (Osuyi and Oritsedere, 2012).



Concept of Unlawful Killings

Also, and to fully comprehend or understand the concept of unlawful killing, there is need for a breakdown of the words and to be addressed separately and later combined.

Meanwhile, “unlawful” means an act which is done, given, or effected outside the course of laws of a state or that is not founded upon, or unconnected with the law of a state (Segun, 2016). Unlawful is also known to be an act that is illegal, prohibited, unauthorized or against the laws of a state (Oxford Advanced Learner’s Dictionary, 1948). However, killing in respect to the study is observed to refer to (causing the death of a person, animal, or other living things). Killing can also be interpreted to mean an action that seeks to deprive of someone’s life in any manner; cause the death of; slay and others. Other related meanings of the word “killing” are; slaughter, massacre, butcher; hang, electrocute, behead, guillotine, strangle, garrote; assassinate and others (Osuyi and Oritsedere, 2012).

The concept of unlawful killing includes extrajudicial executions of citizens, as well as other types of killing, such as those resulting from excessive use of force by law enforcement officials. The officers of the SARS violate the right to life, as guaranteed by Nigeria’s Constitution, the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples’ Rights. A person is subjected to enforced disappearance when arrested, detained, abducted or even deprived of his/her freedom by the authorities, or people acting with their authorization (Osuyi and Oritsedere, 2012). Therefore, and as a result of the conceptualizations above, unlawful killing can be defined as any form of killing done outside the due process of the law, which is arbitrary killing of innocent civilians in a state.

However, within the context in which the study falls into, an unlawful or extra-judicial killing is the killing of a person by governmental authorities without sanction from any legal process. Unlawful executions are noticed to be against the law of a state and unethical in all sense pursuant to the fact that since they are criminal and alien to the laws of such a state (Segun, 2016). For easy comprehension, unlawful or extra-judicial killings are arranged in some categories according to Wallace (2012): (a) killings brutally carried out by law enforcement officials or other security forces of alleged criminals, during attempts to extort civilians, politically motivated killings and many more. (b) killings carried out during state of armed conflict in a country. (c) targeted killings of suspected criminals and terrorists during counter-terrorism operations. (d) killings by non-state actors which could include paramilitary group, vigilantes, gangs, private individuals, and others. (e) Demises in custody, resulting from torture, poor health care, inadequate food, killings of prisoners by guards, inter-prison violence and others (Gane-McCalle, 2009).

The term "police brutality" was in use in the press as early as 1872 in the United States of America. The first of which was reported during the time a civilian who was under arrest was beating to a coma at the Harrison Street Police State in Chicago (Chicago Tribune News, 1999). Brutality is one of several forms of misconduct which involves undue violence by security officers on citizens in a society. This misdemeanor known as police brutality exists in many states and territories in the global system, most especially in the under-developed or developing ones. Police brutality refers to the intentional use of excessive force directed towards a state’s citizens by the police officers or security agents (Socyberly, 2010).



This excessive force may be physical or in form of psychological intimidation. The act is evident in several countries in the global world especially in the news and social media where the cases are out rightly reported. Brutality is seen in form of police misconduct that may involve sexual abuse, corruption, indiscriminate shooting on innocent civilians, false arrests, racial profiling, and political repression in all sense (Wallace, 2010). Numerous countries all over the world have permitted or allowed their police force to employ force in arresting the suspects and also in shielding or protecting themselves. These police officers or security operatives are, however, supposed to employ reasonable force in regulating any situation and in executing their security objectives. Police brutality usually violates the suspects' constitutional human rights and this should be out rightly stopped (Gane-McCalle, 2009).

Overview of the Various Human Rights Enjoyable by Nigerian Citizens

Section 33 of the 1999 Nigerian Constitution provides that;

“(i) Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution if the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria. (ii) A person shall not be regarded as having been deprived of his life in contravention of this section, if he dies as a result of the use, to such extent and in such as are permitted by law, of such force as is reasonably necessary (The Nigerian Constitution, 1999).

The African Charter on Human and Peoples Rights

The African Commission on Human and Peoples Rights addresses matters on torture and other cruel, inhuman or degrading treatments of citizens and its prevention in Africa. The importance of legislations against torture and cruel treatments cannot be over emphasized and article 4 and 5 of the African Charter spells out that; “human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right” (Human Rights Watch, 2018).

The United Nations Declaration on Human Rights

The Universal Declaration of the United Nations in 1948 declared increase in protection of human rights, including the right to life, within the United Nations. The preamble of the U.N. Declaration on Human Right states; “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” It is submitted that human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people (Gane-McCalle, 2009).

Theoretical Framework

Researchers vented their opinions on the reason why the police and other law enforcement agents engage in brutal treatments towards civilians or public that they have statutory responsibility to protect in a state. Therefore, the study is explained with the failed state and social conflict theories:

Failed State Theory

The word “failed state” is usually employed to analyze a state perceived to have failed at some of her essential responsibilities as a sovereign government. A failed state is one



indicating shattered social and political structures (Anyanwu, 2005). It is made up of social, political, economic and institutional deficiencies and failures in all ramifications. Among the numerous common features of a failing state is when a central government is so weak or ineffective that it has little practical control over much of its institutions, territory, non-provision of public utilities or services, widespread corruption and criminality; refugees and involuntary movement of populations, and sharp economic decline (Socyberty, 2010).

Anyanwu (2005) submits that failing states are actually the products of a collapse of the power structures providing political supports for law and order, human rights and others; a process generally triggered and accompanied by violent and anarchic forms of internal conflict or unrests. It is the collapse of state institutions, especially the police and judiciary with resulting paralysis of governance, a breakdown of law and order, and general banditry and chaos. Not only are the functions of government suspended, but its assets are destroyed or looted; and experienced officials are killed or flee the country. It is evident that officers of the Special Anti-Robbery Squad (SARS) Unit of Nigeria Police unlawfully arrests and brutally kill or terminate lives of innocent civilians or citizens in Nigeria, most especially in the South Western region of the country. In recent time, Joseph Osigho of the Amnesty International (2018) lambasted the Special Anti-Robbery Squad (SARS) unit of the police, saying the call to scrap SARS and reform the police had not been taken seriously by Nigerian government. It said efforts put in place by the President Buhari-led government had failed as he also blamed the judiciary for failing to punish police for torturing the citizens illegally. In the same vein, Osigho voiced out that the reforms which Vice-President Yemi Osinbajo initiated during the heat of the campaign against SARS officers are seemed not to be effectively working.

Social Conflict Theory

The social conflict theory embodies vast criteria of social phenomena such as class, culture, race, morals, ethics, revolutions, religion and many more. Social in this context refers to group conflict between different groups of people, in this case, the police and the citizens as opposed to conflict between individuals (Marx, 1971). This theory which originates from the Marxist tradition basically asserts that the police are instrument used by the elite and the powerful in the society to maintain status quo of inequality. In essence, race and class in a society determines the dynamic of the relationship between the police and civilians in a society, hence the politically powerless and economically marginalized citizens are more likely to experience incidences of police brutality (Holborn, 1995). The inefficiency of the prescribed authority in checking the excesses of the police impunity therefore reflects as a manifestation of the powerlessness of the minority in the society (Marx, 1971).

One of the limitation of this theory stems from the fact that this theory asserts that the police force serves majorly the interest of the elites, however it is not all officers in the police force that seek to control the subordinate class of citizens in a society, merely some of the officers as there still exist a great number of officers within the force that carry out their duties diligently (Wallace, 2010). Also, this theory postulates that the police exist majorly to serve the interest of the upper class, which is evidently not the case in the Nigerian society. While this submission is partly true, it fails to encompass the reality of the Nigeria Police officers and their duties in the society.



METHODOLOGY

The study employed a case study research design and was carried out in the South-West region of Nigeria. The region comprises; Ekiti, Ondo, Osun, Oyo, Ogun and Lagos States though only four (4) states of Lagos, Ogun, Oyo and Osun were selected for the study because the states were prone to the menace. It also consists of the residents living in selected communities and areas in the states. The study made use of total population of eighty (80) respondents selected from the region. It includes the residents from the various communities, community leaders as well as workers and security officers in the states. The study made use of both primary and secondary sources of data. The primary data were sourced through the use of questionnaire and interview methods. In the course of the research, the researcher visited some selected cinemas, night clubs and other selected notable spots where unlawful killings by officers of the SARS occurred in Mushin, Iju-Ishaga (Lagos State), Sango-Ota, Challenge (Oyo), Abeokuta (Ogun State) and Ilesa (Osun State) respectively. Secondary data were sourced from the existing literature on the subject such as books, journals, newspapers, magazines, conference papers, periodicals and other related documents. All the interview respondents were purposely chosen; this is informed by the need to ensure that only respondents with useful and valid knowledge about the study focus are engaged. Data collected were content analyzed.

Limitations of the Study

The time for the study was short, only two hundred and sixty-eight (268) hours was available to gather the data from the primary respondents due to fear of arrest by security officers as the issue was generating much tension in the region at that particular time. Also, the spate of police brutality and unnecessary arrests may have also discouraged several respondents from participating in the study contrary to as expected.

Instances and Patterns of Unlawful Killings by Officers of the Special Anti-Robbery Squad of the Nigeria Police

It is a known fact that Police operations are vital towards maintenance of peace, security, law and order in the country but the public are put aback when their rights get infringed upon as operatives of the Special Anti-Robbery Squad (SARS) carry out unlawful/brutal killings under different guises in discharging their duties. Several instances of SARS officers' killings at checkpoints, killings during operations and raids, killings in police detention and many others have been reported. The growing pattern of unlawful killings by officers of the SARS manifests itself in various dimensions, and the methods in which they are involved in the dastardly act often times than not, seeks to serve as a cover up for the crimes committed (*Source: Field Survey, 2019*).

The Special Anti-Robbery Squad (SARS) officers get themselves involved in counter active crime prevention activities, review and redefine strategic approaches towards crime control, planning and organizing raids to combat civil disturbances, criminal activities such as armed robberies, looting, rioting among others. But the SARS officers under the charade of police operations, SARS officers have been identified to uncontrollably and unlawfully kill innocent citizens or individuals who they usually allege made attempts to escape (*Source: Field Survey, 2019*). In the same vein, the "Police Force Order 237" statutorily permits the police officers to shoot at suspects attempting to evade arrests. But in nowadays, there have are



claims that the police abuse this provision of the law by killing suspects who have not attempted to flee or evade arrest and planting evidence to back their crime (Police Act Cap, 2004).

The SARS officers are reported to have been involved in numerous instances of unlawful arrests, flogging, violent torture and unlawful killings in recent times, most especially the criminal acts recorded at checkpoints. One of the instances is the case of one Egun Timilehin, a nine (9) year old boy who fell a victim and was unlawfully killed in Ketu Lagos, on 13th June 2013 by a SARS officer, named Razaq Alowonle, who attempted to stop a commercial bus driven one commercial driver, for breaking traffic rules in the area. But an eyewitness, Madam Ranti Ogungbede, interviewed in Lagos, stated that the police/SARS officer was attempting to extort money from the commercial bus driver at the checkpoint and triggered his gun when the bus driver attempted to drive off, the bullet in turn hitting young Egun Timilehin. Now, whether the SARS officer has the right to stop citizens at a checkpoint or not; the question to be asked is, does a police officer has the right to have used such level of force in his attempt to prevent a traffic violation or extort a civilian? This is taken to be a product of unprofessionalism! (*Source: Field Survey, 2019*).

In what seemed an inglorious instance for the police, a young man, identified as Kolade Johnson, was reportedly murdered on Sunday, March 31, 2019 by operatives of the Special Anti-Robbery Squad (SARS) who had visited his area in an unmarked commercial bus to arrest one of the boys of a major music producer who was wearing dreadlocks. Mr. Kolade Johnson was unlawfully killed. Unsurprisingly, this incident resulted in protest calls by citizens for disbandment of the Special Anti-Robbery Squad (SARS) unit of the Nigerian Police. The young man was said to be watching a football match in a cinema very close to his area at Mangoro, Ikeja, Lagos at that particular time (*Source: Field Survey, 2019*). The public protests on social media gave room for the swift arrest of the police officer who committed the crime. In response, the police officer suspected to have shot the man was dismissed from the Nigerian Police, and was made to face criminal charges. Besides, a respondent, Oluwafifehan Oladare revealed that, on 28th March, 2019, a commercial motorcyclist, Ademola Moshood, was shot dead by a SARS policeman near his Surulere residence when he allegedly refused to part with the sum of N200 as bribe. In the same vein, on March 18, 2019, 18-year-old girl, Hadiyat Sikiru, was killed like by a stray bullet fired by a police officer in Adamo Community in Ikorodu, Lagos (*Source: Field Survey, 2019*).

That unflattering image has been accentuated by the misadventures of the men and officers of the Special Anti-Robbery Squad (SARS) in recent times. In major cities like Lagos, Abeokuta and Ibadan, youths are mostly the victims of unwarranted police brutality and unlawful killings. At least, not less than 18 innocent Nigerians have been killed by officers of the SARS. In another instance, Police operatives from the Trinity Police Station, Ajegunle, Lagos, on Saturday, 15 April, 2018, killed a 20-year-old lady named Miss Ada Ifeanyi; and a young man, Emmanuel Akomafuwa suspected to be her fiancé was shot too. The marriage ceremony both of them were planning forgot abruptly ended with the death of two (2) young innocent Nigerians (*Source: Field Survey, 2019*).

However, on 28 February, 2018, a trigger-happy officer shot an okada (commercial motorcycle) rider for not giving out the sum of N100 bribe while on his way to Challenge area in Ibadan, Oyo State. It was reported that one of the trigger-happy SARS officers was arrested and charged to court while he got sentenced to imprisonment by an Oyo State High



Court sitting in Ibadan on 13 March, 2018 respectfully. The court convicted and sentenced the officer a three-year jail term (Omilana, 2019).

Moreover, the month of March 2019 recorded numerous instances of reported killings by the officers of the Special Anti-Robbery Squad (SARS) in the Nigeria in recent times. On this occasion, a trigger- happy SARS officer shot a commercial bus driver dead in Mosan, Ayobo area of Lagos for refusing to part with bribe. Two weeks after, a teenage girl was killed by a stray bullet in a shoot-out between officers of the SARS and some cultists in Ikorodu, while on Thursday March 25, 2019, an Okada (commercial motorcycle) rider was shot dead in Kilo, Surulere area of Lagos. The victim who was identified as Moshood Ademola, was a few distance away from his apartment, when he got shot by an officer attached to Soloki Police Station, Surulere, Lagos State (*Source: Field Survey, 2019*).

Also on 15 December 2008 at around 4.00am, a man named, James Ute, was brought home from Ketu Divisional Police Station by police officers from the Anti-Robbery Squad. He was been seriously beaten all over his body, apparently with an iron bar and a rifle-butt. He was foaming at the mouth. Before losing his consciousness, he informed his family members that he was beaten by the officers of Special Anti-Robbery Squad (SARS). Mr. James said he could not bear the pain any longer and that he was about to die (*Source: Field Survey, 2019*). He eventually passed away before his family could convey him to a nearby hospital.

A community leader where James' family members lived revealed that the Officers usually come to the community. They used to come to arrest people and take them to the police station only to release them after they must have paid a bribe. The Community leader exposed that, that night they were having an end-of-the year party for the community. At 9.30pm people started running helter-skelter for their lives when they heard the gun shots of the SARS operatives, shooting indiscriminately. Some were shouting 'it is the police' (*Source: Field Survey, 2019*). They came and started shooting sporadically, packing people into the police vehicles." He said the men who were arrested were asked to pay for their release; one person paid the sum of two thousand N2,000 (US\$13). James Ute was unable to pay; that was how the reason he was shot dead (Amnesty International, 2019).

CAUSAL-FACTORS AIDING THE VIOLENT AND UNLAWFUL KILLINGS OF CIVILIANS BY THE POLICE/SARS OFFICERS IN SOUTH-WEST REGION OF NIGERIA

Unprofessionalism on the Part of Nigerian Police Officers

Officers of the Nigeria Police/SARS are not professional in the discharge of their duties, 70 percent of them are undertrained, incompetent and unqualified (Adebule, 2019). The country was therefore saddled with a very large number of unqualified, under-trained and ill-equipped officers and men many of whose suitability to wear the respected uniform of the Force is in bad shape. The police are today stuck with undesirable workforce. The police training facilities are overstretched and under-resourced. In the real fact, Nigerians do not trust the police and are usually reluctant to co-operate with its members of staff in any situation. There is a usual saying that police are "a friend of the rich and the lawless; police are not friendly in all ramifications. The Nigeria police officers are not friendly to the citizenry; they shoot at will anywhere they are, not even mindful they are in public places. Nigerian members of the



public are not happy with the way officers of the Special Anti-Robbery Squad (SARS) go about, carrying of firearms in public in multi dresses (Adebule, 2019).

Influence of Politics

In our country Nigeria, policing is, in all ramifications, interwoven with politics. Officers of the Nigerian police are politically deployed to achieve the selfish goals of the politicians; to rig election, arrest and clamp their oppositions in jail among others. There is no doubt that, the Nigeria Police needs total overhaul and this can be grouped into three core areas- leadership, methodology and, culture & attitude. If the Nigerian Police must be responsive to modern public policing standards and demands, reforms in the three areas mentioned above is imperative.

Deficient Guidance on the Nigeria Police Act

Unfortunately, the Police Act does not provide any guidance on the exercise of these duties and the scope of police powers remains largely ambiguous. Other criminal law statutes such as the Administration of Criminal Justice Act (2015) provide guidance in arrest and search powers but fail to do so with regard to the use of force. This glaring gap in the law has led to a situation where armed officers are not aware of the scope of the lawful exercise of power and consequently violate constitutional provisions and fundamental human rights of the citizens, they are expected to protect pursuant to their law enforcement duties. It is imperative that law enforcement officers should not have to live in fear of being criminally prosecuted in the discharge of their official duties, even when performing their duties involves the use of force (Oluwafifehan, 2019). Unfortunately, there is very little guidance in the Police Act or other regulations as to the circumstances in which the use of deadly force is permitted. The law needs to provide a suitable framework for any training programmes that may be developed by the administrative authorities.

Lack of Adequate Resources and Poor Working Conditions

It is observed that the Nigeria Police have limited capacity for scientific and intelligence investigations. Police barracks lack the resources to investigate numerous complex crimes that require specialized skills, and they are all obliged to keep records, many do not keep adequate documentation of security matters. Apart from the bad eggs in the Force, there are inadequate working tools, inadequate personnel that promotes insecurity in the country. The police-population ratio in Nigeria is 1:450 (Olonisakin, 2008:20). In some Nigeria Police stations, there is no database for fingerprints, systematic forensic investigation, or sufficient budget for investigations. The forensic capacity is absolutely poor; there are only two forensic laboratory facilities in Nigeria and limited numbers of forensic police staff. Due to lack of funding and resources for security matters, the Nigeria Police is currently struggling to fulfill its statutory responsibilities (*Source*: Field Survey, 2019).

It is also established that inefficiency and corruption in the Nigeria Police are usually connected to poor wages/salaries and difficult working conditions of operatives. The meager salary pay has undermined the social status, morale and self-esteem of police officers for years. Despite significant salary increases made in the year 2008 (the salary of a police constable, for example, increased from N8,000 (US\$52) to N26,159, (US\$170), wages are still very low (Amnesty International, 2018). In the same vein 90 percent of the police stations in Nigeria are not in good shape, not maintained and poorly equipped. Officers do



not have enough basic security equipment; bullet-proof vests, sophisticated arms and handcuffs. This is one of the reasons they are unable to apprehend armed robbers and insurgents in the country. It is noted that some officers get some housing accommodations in the police barracks, but there is always high demand while just less than 15 per cent of police operatives live in barracks (Amnesty International, 2018). Although the conditions are very poor, housing is highly sought after and officers struggle to find accommodation elsewhere.

Uncontrolled Anger/Emotions on the Part of SARS Operatives

Police work requires the feeling and emotional display rules that regulate the expression of emotion in the profession. This involves extensive “emotional labour” as it requires an officer to induce or suppress feelings in order to sustain the outward countenance that produces the proper state of mind (Susan, 1999). It is observed that most police officers do not control both their own feelings and the emotional displays of citizens during crisis while maintaining order, providing service and controlling crime. Even apart from the bravery and physical strength, police profession requires communication and human relations skills that are often undervalued by police managers and officers. The alleged killer-police officers usually display no emotions of remorse maybe because the characteristic fragrances of Indian hemp still radiate in their smoky heads. This is evident when they were recently paraded on television. One can liken them to the officers and recruits and soldiers who were ordered to murder our compatriots (Oluwafifehan, 2019).

Corruption and Bribery

There is absolute corruption among the Nigerian police officers which stands as a form of misconduct whereby they extort monies from the various commercial drivers, okada (commercial motorcycle riders), and from other innocent Nigerians. The SARS operatives frequently storm different spots/locations such as cinemas, night/party clubs, and cyber cafes in cities to unlawfully effect arrests in order to raise some monies through bribes whenever they are in “dire need of money for their weekends. Several cases of bribery and corruption are usually reported in Nigeria, and this is common in some instances while criminals and armed robbers go out for their operations both in the day and nocturnal period. Anytime these “men of the underworld” are on rampage for their operations, the SARS operatives only collect bribes from them and let them go. In Nigeria, arms and weapons are being proliferated with the assistance of the corrupt SARS operatives and do not be surprised that if anyone carries a human head in his/her car boot and is ready to give out little amount of money as bribe to police officers, he/she is free to “carry on” (*Source: Field Survey, 2019*).

Use of illicit drugs/Drinking of Alcohol by Officers while on Duty

It is no more news that police officers saddled with the responsibility to maintain law and order, protect all Nigerians’ lives and property are now are on daily basis caught up in the act of smoking Indian hemp, heroine and cannabis and as well drinking of alcohol in both hidden and public places (Adebule, 2019). They SARS officers leave their station/barracks on daily basis for checkpoints and others strategic spots in towns, they extort money from the various commercial drivers, commercial motorcycle riders and other Nigerian citizens after being ransacked and humiliated. They later retire to places where alcoholic drinks, beers and Indian hems are sold to “enjoy” themselves. After taking all these, they become very “high” as this makes them to misbehave the more in public places (*Source: Field Survey, 2019*).



Culpability on the Part of the Nigerian Government

Culpability on the part of the Nigerian government could be seen from the government's attitude to many unresolved cases of unlawful and extra judicial killings, violence, poor police condition of service, and general lawlessness in the country. But it is unfortunate that the government has refused to demonstrate genuine commitment to ending impunity of police brutality in the country as failure to ensure their accountability and ensure redress for their wrong doings denies the victims of justice (*Source: Field Survey, 2019*).

Inadequate Distribution of Budget/Appropriation

Financial appropriation or funding for the Nigeria Police is almost 7 per cent of the annual national budget estimate but the lion's share of it is spent on wages and salaries of staff. In recent years, paltry 6 per cent of the Nigeria Police budget was allocated for capital expenditure, such as equipment and training facilities while almost 70 per cent of the overhead and capital expenditures are spent at the Force headquarters. As a result of this, State Commands are therefore forced to rely on State and Local government authorities to finance their operations; the authorities often donate vehicles, fuel, allowances and communication gadgets to the security personnel (*Source: Field Survey, 2019*).

Implications of Unlawful and Brutal Killings of Civilians by Officers the Special Anti-Robbery Squad (SARS) to Peace and National Security

Anytime officers of the Nigeria Police or SARS torture and engage in violent and unlawful termination of Nigerian citizens' lives, there exists a myriad of consequences that follow; the consequences may be immediate and may not but result into a very damaging quagmire. The offending SARS officer, the victim killed, the police barracks and the public at large all suffer outcomes. First of all, it results into various public protests whereby all the police stations seen around the scene could be razed or burnt completely and any police operative caught would be mobbed by the angry citizens (*Source: Field Survey, 2019*).

Whenever there are instances in killings of innocent Nigerians, there springs up a stiff face-off between the members of the public and team of police operatives; it leads to total chaos and disorders in the society. And at the same time Police or SARS officers, during the period, are engaged in the use of lethal force whereby human rights are grossly abused and trampled upon. In the process, the rules of engagement are not strictly adhered to, the use of firearm and lethal force get employed indiscriminately with a blatant disrespect for human lives. The miscreants from the public attack with all sorts of deadly weapons while the trigger-happy SARS operatives use the opportunity to shoot indiscriminately, therefore, claiming more innocent lives (*Source: Field Survey, 2019*).

In addition, there is increase in the socio-political implication of this development can only be imagined given the risks and agonies survivors are currently going through in the states. It breeds a state of insecurity. Insecurity is a feature of the Hobbesian state of nature, when life was said to be solitary, poor, nasty, brutish, and short, the weak and common man lived at the mercy of the strong. This trend is exactly the case in Nigeria today, if not close. According to Thomas Hobbes (1588-1679) in his book entitled "Leviathan" in 1651, he explicitly stated that in the state of nature, nothing can be considered just or unjust. Hobbes thinks everyone acts selfishly and he calls it a war of all against all. This situation currently exists in the state (Susan, 1999).



Today in the South-West region and Nigeria at large, the incidence of police brutality, corruption, violence killings and abuse of power has taken over every aspect of the society. Armed robbery in Nigeria operate almost freely in the states, using deadly weapons without being challenged and detected by the said SARS or police officers and where they are duly informed, they give flimsy excuse that they do not have weapons to fight armed robbers. The police officers are on daily basis are confronted with the massive mutual aids granted to the criminals (International Centre for Investigative Reporting, 2018). Aside from the aforementioned, incidence of shooting of innocent people in retaliation to policing policies has also constituted a serious security threat that has hindered efforts in crime prevention in Nigeria.

It is also observed by the respondents that the current problems bedeviling the state are not only rising incidences in crimes but also the gradual shift in the dimensions of the ones perpetrated or committed by officers of the Special Anti-Robbery Squad (SARS). This poses a great threat to national security. In recent time, the Nigerian police have been out rightly criticized for its inability to stem the rising tide of crimes in the country because of series of endemic problems in its recruitment, training and discipline and lack of expertise in specialized fields. Corruption and dishonesty is also widespread among the police/SARS operatives in the state, thereby engendering a low morale of public confidence or trust by the public, resulting to failure in reporting crimes, and increasing tendencies to resort to self-help by Nigerians (*Source: Field Survey, 2019*).

Following to insensitivity on the part of Nigerian police officers and officers of the SARS, abandoning their statutory responsibilities they sworn to and are being paid for, with taxpayers funds in the country, insecurity has taken various dimensions in different parts of the country. In the South West, armed robbers, money rituals and kidnapping for ransom have taken over while in the Northern area, bandits and insurgents have taken the control of all activities. In the South-South region, there are rampant cases of kidnapping, militancy, hostage-taking, high rate of armed robbery amongst others (Chrisantus, 2019). Lastly, the killing of Mr. Johnson Kolade in Ikeja Lagos by officers of the Special Ant-Robbery Squad (SARS) raises several questions about integrity and professionalism of the Nigeria's security apparatus. Some days after the innocent victims were shot dead, lots of falsehood statements were released from the police divisions or departments in order to cover up the criminal act committed by the trigger-happy SARS operative (*Source: Field Survey, 2019*).

RECOMMENDATIONS

The study made several useful recommendations and suggestions to regulate and checkmate the excesses of the SARS officers as follows:

In the first instance, during the Nigerian police recruitment process, there are tools that could be used to screen all applicants for the police job, and these tools would function as simulator technologies that would be made widely available for police training. These tools allow the trainees to be tested on whether they shoot too much, too little, or mostly right, in relation to risks or emergencies. The significant point concerning this method is that, training itself may do little to change or improve the personal conduct of any security officer. The method could be useful to screen out applicants whose reactions constitute "bad policing" culture.



Secondly, culpability on the part of the Nigerian government could be seen from the government's attitude to many unresolved cases of unlawful and extra judicial killings, violence, poor police condition of service, and general lawlessness by police in the country. There is a need for the government to demonstrate genuine readiness and commitment to ending impunity of police brutality out rightly.

It is also recommended that all police officers should control both their own feelings and the emotional displays with citizens during crisis while maintaining law and order, providing service and controlling crime in the society. Besides the bravery and physical strength, police profession requires communication and human relations skills at all cost.

Also recommended is that the various establishments in the police sector charged with the responsibility of ensuring that the Nigerian Police function effectively; the Nigerian Police Council, the Police Service Commission, the Ministry of Interior amongst others, must sit right and prove to be effective and able to function as directed.

The National Assembly (The Senate and House of Representatives) should endeavour to amend laws such as the Police Code of Conduct and the Police Force Order, to make the sanctions more rigorous and conscientious which would in turn serve as a form of deterrence to the police officers. Also, law enforcement officers must go through a thorough and effective training on fundamental human rights with emphasis on rule of law and human dignity. Likewise, the National Human Rights Commission of Nigeria must play a more active role by coordinating its work with the law enforcement agencies in Nigeria towards ensuring that people's rights are always respected and protected.

The Federal, State and Local governments should endeavour to support and assist the victims and family members that suffer from the SARS unlawful killings and brutality. In the same vein, it is very imperative for citizens to be fully aware of their fundamental rights as citizens whenever confronted by the unlawfully behaving SARS officers in Nigeria and must be knowledgeable that a suspect must not to be detained for more than 24hrs in Police custody.

It is recommended that Nigerian government should tap reasoning from the submission of former Assistant Attorney General of the United States, Laurie O. Robinson that states; Take away guns legally from vulnerable and dangerous police officers whenever they are engaged in civil matters; and codify the interactional tactics that would save lives in citizens' encounters with Nigerian police.

The Police force should be adequately equipped with all materials necessary to combat crime and perform their duties effectively. Firearms and the bullets should be properly licensed and accounted for, hence making it easier during investigations to point out if a police officer's weapon is used to kill a deceased or not. Increase in budget for security and defense sector, constant education or training for the security operatives, strengthening and existence of functional and independent judiciary and respect for fundamental human rights of citizens in the country.

In light of an increase in unlawful and brutal killings of civilians, calls for reform of the SARS unit of the Nigerian Police Force need to be more emphasized and can no longer be disregarded. The police do not necessarily have to be disarmed, as some have suggested, to perform their functions under the Police Act. Securing the lives and property of citizens in Nigeria at this time requires that law enforcement officers be appropriately armed – but they



be trained on the use of force. This is highly imperative in order to deal with some serious cases relating to disruption of public safety such as; terrorism, kidnapping, armed robbery and others.

There is need for more guidance in the Police Act or other regulations as to the circumstances in which the use of deadly force is permitted. The law needs to provide a suitable framework for any training programme that may be developed by the administrative authorities. There is need for developing a legal framework defining the scope of police powers particularly on the use of weapons and firearms as it would help the /SARS officers or police force in maintaining a community relationship with the rest of the public. This is particularly necessary for the purpose of gathering intelligence relating to crime prevention and detection. The actions of the Special Anti-Robbery Squad (SARS) unit in recent times have eroded this relationship.

It is also recommended that unlawful killings must be impartially and thoroughly investigated and any SARS officer suspected of criminal responsibility or wrongdoing should be brought to justice in fair trial before an ordinary civilian court. There is no doubt that, the Nigeria Police needs total overhaul and this can be grouped into three core areas- leadership, methodology and, culture & attitude. If the Nigerian Police must be responsive to modern public policing standards and demands, reforms in the three areas mentioned above is imperative. The Police Reform Bill pending in the Senate must be swiftly addressed and passed to into law to checkmate all these SARS incivilities in all sense.

CONCLUSION

As we draw a conclusion in this study, it is expected the officers of the Special Anti-Robbery Squad (SARS) of Nigerian Police to be fully, educated, enlightened and re-oriented on how handle civil defence matters. The Nigerian government is expected to play its own role in the administration of justice so as not to tarnish the Nigerian image within and without the international community. And more significantly, the lives of Nigerian citizens are dependent on the Police and they have a statutory responsibility to protect. The SARS officers' unruly acts have been out rightly condemned by the general public and the study comes out to be optimistic that if all the various recommendations are strictly adhered to, there would be peaceful co-existence and stable national security while the police offices come out more reformed, professional and effective in the discharge of their duties in the country. Finally, on implication for further research, the assessments will broadly sample the desired outcomes for findings on police brutality and unlawful killings of innocent civilians not only in Nigeria but in the global system. The research would definitely guide the Nigerian government as well other states in the global community on reforming and repositioning the security agencies to be more professional in the discharge of their duties.

REFERENCES

- Adebule, B.O. (2019). "Members of the public are displeased seeing SARS men wearing mufti dresses and carrying firearms in public places". Oral Interviews conducted in Sango-Ota, Ogun State, Nigeria on September 28, 2019.



- Amnesty International (2009). *Killing at Will: Extra-Judicial Executions and Other Unlawful Killings by the Police in Nigeria*
- Anyanwu, U. (2005) "Failed States in Africa: The Nigerian Case since 1960" *American Journal of International Politics and Development Studies (AJIPDS)* Vol.1, No. 1.
- Bakare O. (2018). "Policemen in Lagos Killed A 9-Year-Old Boy and Fled", *Information Nigeria* <https://www.google.com/amp/www.informationng.com/2013/06/policemen-in-lagos-killed-a9-year-old-boy-and-fled-.html> accessed 22 November 2018
- Chicago Tribune News, 23 September, 1999. Uproars on Police Killings in Chicago, USA.
- Chrisantus, O. (2019). *Causes and Effects of Insecurity in Nigeria: The Challenges and Relevance of the Nigerian Police Force as a Panacea*. Retrieved from <https://projecttopics.org>. 30 January, 2020
- Criminal Code, CAP. C38 Laws of the Federation of Nigeria (2004)
- Gane-McCalle, C. (2009). *Police Brutality*. Essay in Criminology. Retrieved from www.lawteacher.net on 29 March, 2019.
- Holborn, H. C. (1995). *Sociology: Themes and Perspectives*. Hammersmith: HarperCollins. P. 37. ISBN 0003223167.
- Human Rights Watch (2018). "Rest in Pieces: Police Torture and Deaths In Custody". <http://www.refworld.org/docid/45d2f62c2.html> > accessed 07 September 2018
- International Centre for Investigative Reporting (2018). "Court Penalizes Nigerian Police for Unlawful Detention" <https://www.icirnigeria.org/court-penalises-nigerian-police-unlawful-detention/> accessed 4 August 2018
- Lawrence, W. S. (2020). *Evidence-Based Policing and Fatal Police Shootings: Promise, Problems and Prospects*. Proceedings of ANNALS Conference 2019.
- Marx, K. (1971). Preface to a Contribution to the critique of Political Economy, Tr. S.W. Ryanzanskaya, edited by M. Dobb. London: Lawrence and Wishart.
- Olonisakin, A. (2008). *Security Sector and Good Governance*. <https://papers.ssrn.com>
- Oluwafifehan, O. (2019). "Protest against SARS in Nigeria." [Credit/opinionnigeria.com](http://opinionnigeria.com)
- Omilana, T. (2019). "Police abuse of power and limits of punishments. 17th April, 2019: Twitter/NGR Senate.
- Osuyi, E. Z. and Oritsedere, S.J. (2012). *The Nigerian Police, Extrajudicial Killings and the Dilemma of Human Security. A Theoretical Reflection*. *Pakistan Journal of Social Science*, Vol. 9: 132-138.
- Oxford Advanced Learners' Dictionary (1948).
- Police Act Cap P19 LFN 2004
- Segun, A. (2016). On Hash tag #EndSARS; created in 2016 by a Group of Human Rights Defenders.
- Shanks J. (2015). *'Understanding Police Culture'* (2nd edition. Routledge, 2015) p 107
- Socyberty, O. (2010). Reducing fatal police shootings as system crashes: Research, theory, and practice. *Annual Review of Criminology* 1:421–29.
- Source: Field Survey - Interviews and Questionnaire, 2019.
- Susan, E. M. (1999). *Police Force or Police Service? Gender and Emotional Labour*. *Annals of the American Academy of Political and Social Science*. Vol. 561.
- Taiwo K. (2018). "Police Checkpoints in Nigeria: Mitigating the excesses by the Men in Black" <<https://mymind.blogspot.com.ng/2013/09/police-checkpoints-in-nigeria.html/>> accessed 02 November 2018
- Wallace, K. (2010). *Police Brutality*. Research, theory, and practice. *Annual Review of Criminology* 2:221–243.