

AN ASSESSMENT OF THE ROLES OF NIGERIAN POLICE FORCE AND THE CONDUCT OF CREDIBLE ELECTIONS IN NIGERIA

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Abstract

Conducting elections that are peaceful, free and fair, and whose results are widely accepted and respected across the country has remained the most daunting challenges of democratization and democratic development in Nigeria since independence. All the elections that were conducted from that point to date have generated increasingly bitter controversies on a national scale. In this context, the paper seeks in establishing electoral credibility which would require that security is provided for the electoral process in all its stages in an effective, transparent and accountable manner. By default, the quest for electoral Security places the police force at the centre of the focus, not because it is the agency of the State with the statutory responsibility to provide empirical understanding of the role the police have played in the electoral process in Nigeria, but the challenges they have faced in carrying out their electoral functions and the opportunities for success. Finally, the paper recommends for the improvement and enhancement performance of the police in the conduct of elections as well as improves the public perception of their conduct and proper appraisal if Nigeria must conduct a free, fair and acceptable election free of irregularities.

Keywords: Elections, Nigerian Police Force, Democratization, and Electoral Processes.

Introduction

The need for adequate security in contemporary society cannot be overemphasized as a paucity of security affairs does not only create an atmosphere for crime, it also usurps gloomy countries into severe economic recession and inflicts people with a low quality of life. Therefore, creating an environment conducive for peace and security of people and property is considered sacrosanct for the survival of good governance in all climes including Nigeria.

Nigeria, since independence has conducted several elections which were believed to be marred with irregularities. These include ballot snatching, election rigging, falsification of election results, intrigue false, allegations, riots and some other forms of violence. Election in Nigeria have become synonymous with violence due to the attendant ruggedly but sand incidents of irregularities that have permeated and characterized the conducts of election in the country.

Apparently from the election that proceeded Nigeria's independence in 1960 to dates the history and context of electoral politics in the country have more often times than not been characterized by myriad of electoral malpractice, particularly elections related violence which more often than not, vitiated the outcome of such democratic exercises, and or ultimately, truncated democracy itself, going by the experience of the previous republic (Salman, 2018). In fact, including the extent of the 5th republics, as the general elections so far conducted in salubriously indicated.

Though, violence and other forms of irregularities erupted in elections across the globe. The persistent irregularities in election in Nigeria call for concern and drastic measures needed to be

taken to safe the situation. Therefore, the Nigerian police, established and empowered by section 214 of the 1999 constitution as amended, is among other things to protect the lives and properties of all inhabitants of the country, equally, section 4 of the police Act, Cap 359 of 1999, provides that the police are charged with the duties of the prevention and detection of crime, apprehension of offenders, preservation of law and order, protection of life and properties, due enforcement of law and regularities with which they are directly charged, and the preservation of the liberty of the subject.

Also, the electoral Act defines in very clear terms, specific functions of the Nigerian police at ensuring free, fair and credible elections. It is against this background that the role of the Nigerian police force in electioneering campaigns voting, counting or compilation of elections results and other engagement in electoral process cannot be over emphasized.

For a very long time however, the Nigerian Police have been joined in many election petitions for allegedly “aiding and abating electoral malpractices across the country hence, the need for the Nigerian police to measure up to its responsibility of ensuring free, fair and credible election in the polity. The Nigerian police must observed the rules of law in all their dealings by giving every Nigerian equal protection in exercising their civil responsibility with a view to making the election acceptable to all Nigerian and the International Community.

This paper looks at the fraudulent practice involved in all electoral process in Nigeria democratic experience, the pattern of election irregularities in Nigeria in the nature, pattern and intensity in details, and also investigate the complexity or otherwise role of the Nigerian Police in upholding the integrity of the systems.

Statements of the Problem

Electoral contest in a polity like Nigeria, where the stake are so high, winning is considered as the ultimate objectives over which there can be no compromised, that loosing is totally unacceptable. There is no regard for public accountability. Some politicians with their governments and individual collaborators believes that all obstacles on the road to “land slide victory” must be crushed with some party leaders openly admonishing their members to see election as a “do or die” affairs. Weapons to achieved victory at all cost would be justified Machiavelli’s principle of the end justifying the means becomes a reality rather than a political philosophy of the time. Thus, irregularities abound both in the side of the government, the electorate, and the politicians who established the form rather than the substance of democracy. According to Fisher (2012), an electoral process is an alternative to violence as it is a means of achieving governance. It is when an electoral process is perceived as unfair, unresponsive or corrupt, that it’s political and the stakeholders are motivated to go outside the established norms to achieve their objectives. Irregularities thus become tactics in political competitions.

It is against this context, and, because of the central or rather significant role played by the police in every party election in Nigeria, that this paper devoted meticulous attention on the involvement of the police in the electoral process.

Objectives of the Study

The main thrust of this paper is to look into the role of the Nigerian police as it deals with the issues of election credibility and the attendant irregularities that characterizes the electoral process in Nigeria's democratic experience.

Meanwhile, the following particular issues will be highlighted:

- i. Identify the constitutional roles of the Police in the conduct of credible elections and the consolidation and sustainability of democratic governance in Nigeria
- ii. To examine the level of Police Participation in Electoral Process in Nigeria
- iii. Try to identify the limitations and setbacks faced by the police as it concerns elections duties in ensuring peace, security and stability in the electoral systems and possibly suggest ways of enhancing their effectiveness and efficiency in the discharged of their critical functions.

Conceptual Clarifications

The word 'police' came from the Greek word 'polis' meaning city and from the Latin word 'political' meaning civil administration. Merging the two words shows that the word 'police' refer to the civil administration of the city. However, conceptualizing police in this sense would misrepresent the objective of this paper in different ways. First, it could mean a police state, which is not the notion of this paper. Second, the word civil is a concept that has to do with people and government behaving politely devoid of any military or religion connotation. Adopting this concept would also constitute some other nuances not intended for this work because of some imperfections associated with it. For example, we have a civil administration as against military administration, or it may mean cities Police administration only. In this sense, rural areas are not included.

Despite the observed definitional quagmire, this paper benefited from the views expressed by writers such as Shaw (2022), Alemika (2011) and others. For instance, Shaw (2022) posits that the ABC of police stands for the protection of lives and property with the prevention of crime and disorder. Shaw (2022) asserts that the ABC of police stands for the protection of lives and property with the prevention of crime and disorder. Alemika (2011) sees the police as the mirror with which the public view the intention and direction of government. He advances the view that the enormous powers of police are tailored towards adequate enforcement of law and order to maintain and sustain public safety and orderly environment. He asserts that a country is useful when the police system is active and commands public confidence. In this manner, the police serve as a lens through which the direction of the government can be assessed. From the preceding, the police exist for the maintenance of law and order in the society. In this context, the police have shared responsibility with the three principal organs of government.

With the judiciary, the police exist for effective criminal justice administration, with legislature he police exist to ensure that the laws and regulations enacted are adequately enforced, and finally, the police are part of the executive arm of government in providing good governance through the provision of public peace and order. As custodian of laws and regulations, the police are meant to ensure the proper order of the society by making sure that everyone obeys

the law of the land without prejudice. There is no gainsaying that the establishment of the Nigeria police force was premised on the needs to promote internal security and socio-political order. It was in this sense that Abba (2014) alludes that the responsibility of modern police transcends the traditional roles of arresting, investigating, and prosecuting offenders to guaranteeing an enabling environment for economic development.

Afolabi (2018) among others who have examined the role of the Nigeria Police in the electoral process have not painted the police in good form instead they have continued to decry their ineffectiveness. The police have been adjudged to be ineffective, and part of the explanations includes the issues of political influence and corruption which made the members of the Nigeria Police force to be partisan in their electoral responsibilities and functional incapacity to prevent electoral crime. In some cases, the police have been described as the main problem of election security rather than being the solution. (CLEEN, 2010). While some of these issues have received considerable attention in the literature, the argument presented in this study among other things is that though extant electoral laws and guidelines assigned the task of security or policing the electoral process to the police, these legal instruments equally contain provisions that limit the effectiveness of the police. Succinctly put, the Electoral Act of 2022 assigns the issue of security to the Independent National Electoral Commission (INEC), a development that has been undermining the professional conduct of the police in the electoral process.

Elections

Election is the process whereby the adult citizens choose their representative to govern them (Afolabi, 2018). In this sense, we are referring to formal elections that serve as the conduit to choose those who exercise the powers of the State. Since everyone cannot govern at the same time, election is a way through which individual representatives are chosen by the electorate, that is, the voting population (Afolabi, 2018). In the words of Jinadu (2005), election encapsulates the mediating institutional and psychological process and anchors for citizens, as adults in an organised and routinised manner to express their choice among those who seek public political office. In the political realm, election is expressed as the formal display of preferences by the governed, either secretly or openly, with the aggregation of the choice collated and transformed into collective decision on who governs based on the majority of the votes cast. According to Afolabi (2011), elections serve certain purposes and helps to guarantee, *ceteris paribus*, democratic values of equality of individuals and liberty to decide a course of action or who to vote for. Furthermore, he states further that elections are said to have the social function of guaranteeing peace, selection of certain individuals for public offices, rejection and renewal of public mandates as well as ensure political representation (2018; Afolabi, 2011). It is the most acceptable form of political recruitment of individual into roles and function in public affairs in democracies (Afolabi, 2018).

Electoral Violence

This is referred to as unauthorized use of the means of coercion in the electoral process which are designed and employed to alter, change or influence the voters' choice, votes or voting

trend with the aim of tilting or reversing electoral decisions in favour of particular individuals, groups or political party. It could be seen as actual and intended harm (violence) that is aimed at any person or property involved in the election process, or at disrupting any part of the electoral/political process during the period with the ultimate aim of influencing electoral outcomes in favour of (a) predetermined individual(s) contesting elections. Election related violence could be sub-divided into physical, psychological and spiritual, while the physical election violence includes assault, battery, killing, kidnapping disruptions; psychological election violence includes threats, aggression, abusive words/slogans, taunting, media and internet shaming, and trolling. Spiritual violence flows directly from oath invocation/taking and fear of repercussion/consequences from the oath (Afolabi and Agunyai, 2017). It seems that all types and forms of electoral violence are employed and used by ruling and non-ruling parties in Africa/Nigeria.

Violence during elections in Nigeria, as has been experienced in the past, may be perpetuated by state and non-state actors before, during and after elections. The primary purpose of the involvement of security agencies in elections is to mandate them to provide electoral security, which has been succinctly defined as the protection of all stakeholders, activities and processes, election facilities and materials, and information within the pre-electoral, electoral and post electoral periods from harm or threat of harm to facilitate peaceful and democratic elections.

Election Security

Election Security may therefore be conceived as the system or plan designed to guarantee safety and protection from any form of hitch or impediment that can distort or compromise the conduct of free, fair and credible elections.

It involves what may be described as the process of protecting voters, candidates, polling officers, media, election observers, election materials, data and infrastructure in general, against death, damage or destruction, etc. during elections.

The current legal framework of elections and election security in Nigeria is founded on the Constitution of 1999 (as altered), the Electoral Act, 2022, Regulations and Guidelines for Conduct of Elections, 2022 and the Code of Conduct & Rules of Engagement for Security Personnel on Electoral Duty, 2020. While the Constitution is the foremost legal instrument on elections in Nigeria, it is followed closely in hierarchy by the Electoral Act which in turn empowers INEC to provide Guidelines and Regulations for the conduct of elections, as well as the Code of Conduct applicable to security personnel during elections.

According to Omotola (2010), the deployment of security personnel to the conduct of elections in Nigeria is based on the generalized violence which has become commonplace, with thuggery and sundry electoral malpractices that have consistently and prominently featured in Nigeria's elections. Thus, election security is necessitated by a typology of conflicts, namely:

- Pre-election identity conflict, that takes place during the registration process;
- Pre-elections electioneering related conflicts, that takes place at campaign rallies and outreaches;

- Election day related conflicts, which manifests on election day through ballot snatching, thumb printing, and other acts to commit such by an individual/group or to resist such;
- Election day conflicts pertaining to the results declaration, which could manifest as disagreements over electoral outcomes;

Election security involves the protection afforded all those engaged in the electoral process, including EMB staff, facilities and events. In other words, it provides safety to men and resources involved in the electoral process while preventing attacks on them. Thus, election security denotes protection for every individual involved in the electoral process and includes Electoral Management Body (EMB) and its officials, EMB ad-hoc staff, party representatives, the electorate (voters), election monitors and observers, media agents, security officials and other individuals/groups incidental to the smooth running of the elections.

Electoral Process

It denotes all the preliminary activities leading to the eventual conduct of elections and declaration of final results of the election in a polity. It is a continuous process, and while specific period, every four (4) years is set aside to hold elections, preparations for the next set of elections are often immediate and continuous. The electoral cycle is divided into pre-electoral process, electoral and post-electoral phase (Houkpe and Gueye 2010). The pre-electoral stage stretches from the actual preparation for conducting forthcoming elections to the end of electioneering campaign. It is the preparatory phase initially devised for the execution of the task necessary for the conduct of elections. It includes among others sensitisation of the citizens, electioneering campaign, compilation and updating of voters' register, training of electoral officials among others. The voting phase depicts the stage at which elections are conducted which may last few days, weeks or months. This phase includes the electorate voting for the candidates of their choice, collation of results and declaration of results. The post-election stage involves activities that occurs after the declaration of results and could include disputes, violence, litigation and swearing in of winners.

Literature Review

Elections and Democratization in Nigeria

Since 1959, Nigeria has held elections with a variety of political parties participating. The Fourth Republic's electioneering processes began in 1999, following the transition to democracy after years of military rule. This period has seen numerous changes, including the implementation of new electoral laws, the adoption of technologies like electronic voting, and the establishment of independent electoral bodies such as the Independent National Electoral Commission (INEC). However, since then, Nigeria has experienced significant violence, not only related to elections but also due to ethno-religious crises, insurgencies, and militancy (Obikaeze et al., 2023).

Since Nigeria's return to democracy in 1999, the country has faced ongoing challenges with its electoral processes. The 1999 election, won by Olusegun Obasanjo of the People's Democratic Party (PDP), was marred by allegations of ballot stuffing, voter intimidation, and violence, leading to a lawsuit by the primary opposition candidate, Chief Samuel Oluyemi Falae.

Subsequent elections, including those in 2003 and 2007, were similarly plagued by violence, electoral manipulation, and the involvement of security forces, undermining their credibility and fairness (Anyika and Ani, 2021).

The 2011 and 2015 elections continued this pattern, with widespread violence and allegations of electoral fraud. Goodluck Jonathan's election in 2011 saw significant post-election violence in Northern Nigeria, while Muhammadu Buhari's victory in 2015 was overshadowed by pre-election violence and reports of intimidation and manipulation. The 2019 and 2023 elections were no different, with both being marred by severe violence, police involvement, and numerous irregularities that further eroded public confidence in Nigeria's electoral process (Thompson et al., 2022).

The persistent role of security agencies, particularly the Nigeria Police, in these electoral issues has been a major concern. Accusations of partisanship, inadequate response to violence, and even direct involvement in electoral malpractices have highlighted the urgent need for comprehensive reforms to ensure that future elections are free, fair, peaceful, and credible. The policing system may not have mechanisms in place for accountability and oversight, leading to instances of abuse and misconduct by police officers, which can contribute to malpractice (Akinyetun, 2022).

The Empirical Studies

A study by Ukpong and Udoh (2023) highlights that the lack of credibility in elections leads to voter apathy, with many people believing their votes do not count. They also note that electoral malpractices often escalate into mass violence. For instance, during the 2011 Presidential Election, former president Muhammadu Buhari accused the opposition of preventing his party's supporters from voting in Southern Nigeria, which triggered post-election riots in Northern Nigeria, resulting in numerous deaths, including National Youth Service Corps members. The study also identifies a consistent pattern of violence in past elections, such as the killing of candidates, voter intimidation, and harassment of politicians, and opponent support. Additionally, it criticises security officers and the police for failing to protect voters, abusing human rights, and being complicit in election disruptions, violence, and vote rigging.

A study by Egobueze and Ojirika (2017) utilised a qualitative approach to analyse electoral violence and irregularities in Nigeria from 1999 to 2023. The study aimed to define and clarify the concepts of electoral violence, pluralist theory, relative deprivation theory, and realist theory, which served as its frameworks. It found that electoral violence increased between 1999 and 2019, with 1,360 incidents recorded during the six general elections held in this period. Notably, the 2011 general elections alone accounted for 400 incidents and 1,324 fatalities, the highest since the Fourth Republic began. The study calls for realistic Constitutional reviews and amendments to remove the immunity clause and introduce capital punishment for corruption and mismanagement of public resources. The lack of such constitutional provisions is seen as contributing to electoral and political violence in Nigeria. The authors suggest that civil society groups, intellectuals, journalists, and concerned citizens

should advocate for a constitutional amendment to prevent instability in Nigeria's democratic system.

Okorie (2024) examined the role and challenges of the police in Nigeria's democratisation process, focusing on elections since 1999. The study found that endemic corruption, political control, inadequate training, and lack of equipment are major obstacles to the effective performance of the police. The paper concludes with recommendations for improving electoral security, including providing adequate welfare packages, fostering proper cooperation between the police and other security agencies, and supplying essential logistics.

Lambe and Mubarak (2023) examined the role of the police in election management in Nigeria, with a focus on Akwa Ibom State from 1999 to 2015. The study, based on desk research, found that the police often fail to perform their designated functions during elections, displaying partiality and loyalty to the ruling party or government. As a result, many Nigerians have lost confidence in the police, especially on election days.

Theoretical Framework

This study is anchored on the social contract theory as the framework of analysis. This theory posits that the legitimacy of authority and governance is derived from the consent of the governed, which is particularly relevant in the context of elections (Anifowose, 2013). In Nigeria, the police are expected to uphold the rule of law and protect citizen's rights during the electoral process, reflecting their role as representatives of the state accountable to the public. By examining the historical interactions between the police and the electorate, the theory helps to elucidate the expectations placed on law enforcement to foster an environment of trust and security, ultimately contributing to the integrity of the electoral process.

Social contract theory is a political philosophy that explores the legitimacy of authority and the relationship between individuals and the state (Hounkpe and Gueye, 2010). It posits that individuals consent, either explicitly or implicitly are to surrender some of their freedoms and submit to the authority of a governing body in exchange for protection of their remaining rights. Key theorists like Thomas Hobbes, John Locke and Jean-Jacques Rousseau have contributed to this discourse, each presenting distinct views on the nature of the social contract and the role of government.

In the context of this study, social contract theory serves as a vital framework of analysis. It helps to explain the expectations of the police as agents of the state who are tasked with maintaining order and protecting citizen's rights during elections. The theory underscores the idea that the police derive their legitimacy from the consent of the governed. Thus, the actions of the police must align with the principles of accountability, transparency, and public trust. Analyzing the historical evolution of the police's role in Nigerian elections through the lens of social contract theory reveals how the relationship between law enforcement and the electorate have transformed over time. It highlights the challenges of electoral violence, corruption, and political interference that can undermine public confidence in both the police and the electoral process (Jega, 2012).

Methodology

This paper adopts the ex-post facto research design based on content analysis. The paper is descriptive and relies on secondary sources of data. The method used for collecting the secondary materials included e-books, journals, institutional publication, and online articles. The study analyzed these data descriptively and interpretively. The justification for this research design is based on the fact that it allows the "investigator to start with the observation of dependent variables, and then, studies the independent variables in retrospect, for their possible relationship to have any effect on the dependent variables" (Chukwuemeka, 2016).

The Constitutional Role of the Nigeria Police in the Conduct of Credible Elections

In the context of Nigeria's democratic evolution since 1999, the role of the police in elections has emerged as a critical component in ensuring the integrity of the electoral process. This introductory section explores the fundamental responsibilities and functions of law enforcement agencies during presidential elections, highlighting their significance in maintaining order, preventing electoral violence and safeguarding the rights of voters (Alemika, 2013). The police serve not only as enforcers of the law but also as facilitators of free and fair electoral environment, tasked with the protection of citizens and the upholding of democratic principles. By examining the historical context of police involvement in elections, this section will lay the groundwork for understanding the challenges they face and the strategies employed to enhance their effectiveness in securing electoral integrity from 1999 to 2023.

The role of police in elections has emerged as a critical component in ensuring the integrity of the electoral process for several reasons. First, the police are responsible for maintaining law and order during elections, which is essential in preventing violence and intimidation that can disrupt the voting process (Akpan, 2008). Their presence at polling stations helps to deter potential misconduct and assures voters that they can exercise their rights safely. Second, the police play a key role in enforcing electoral laws and regulations (Ajayi and Oshewolo, 2020). This includes investigating electoral offences, such as voter fraud and bribery, and ensuring that all parties adhere to the rules governing the electoral process. Their involvement helps to promote transparency and accountability, which are vital for public trust in the electoral system. The relationship between the police and the community can significantly impact the perception of electoral fairness. Community engagement initiatives by the police can foster cooperation and communication, leading to a more secure and inclusive electoral environment (Aiyede, 2007). By building trust with the electorate, the police can enhance their effectiveness in ensuring free and fair elections. In all, the role of police in elections is not just about enforcement, it is about creating an atmosphere conducive to democratic participation and integrity. When the police engage positively with community members, it fosters trust and cooperation, which are crucial for a peaceful electoral process. A strong relationship can lead to increased community participation and a sense of security among voters, making them feel more confident in exercising their rights (Abba, 2014).

Conversely, if the police are perceived as biased or unapproachable, it can breed distrust and fear within the community. This perception can deter voters from participating in elections, as

they may feel that their safety is at risk or that the electoral process is not impartial. Negative interactions or a history of police misconduct can exacerbate these feelings, leading to allegations of electoral fraud and unfairness. Ultimately, a constructive relationship between the police and the community can enhance the legitimacy of the electoral process. When voters believe that law enforcement is there to protect their rights and ensure a fair election, it reinforces the integrity of the democratic system and encourages active civic engagement (Afolabi and Agunyai, 2017).

The police play a key role in enforcing electoral laws and regulations through several critical functions. First, they are responsible for monitoring electoral activities to ensure compliance with established laws (Abba, 2014). This includes overseeing campaign activities, monitoring polling stations, and ensuring that all electoral processes are conducted fairly and transparently. Secondly, the police investigate allegations of electoral offences, such as voter intimidation, fraud and bribery (Alemika, 2011). By taking swift action against such activities, the police help to deter potential violators and maintain the integrity of the electoral process. Their ability to respond effectively to complaints and reports of misconduct is vital in upholding the rule of law during elections. Additionally, the police collaborate with electoral management bodies and stakeholders to develop and implement security plans for elections. This cooperation ensures that all parties are aware of their roles and responsibilities, contributing to a more organized and secure electoral environment. By fulfilling these responsibilities, the police play an essential role in safeguarding the democratic process and promoting public confidence in electoral outcomes.

To achieve an atmosphere conducive to democratic participation, and integrity, the police can engage in community outreach programmes to build trust and foster positive relationships with residents. This involves conducting informational sessions about the electoral process, addressing community concerns, and encouraging open dialogue (Alemika, 2013). When community feels heard and valued, they are more likely to participate in elections.

Additionally, the police must ensure a visible and approachable presence at polling stations. This not only helps deter potential misconduct, but also reassures voters that their safety is prioritized (Houkkpe, and Gueye, 2010). Officers should be trained to handle conflicts calmly and professionally, ensuring that any issues are resolved without escalating tensions. At the final analysis, the police should collaborate closely with electoral bodies to create transparent processes for reporting and addressing electoral offences. By establishing clear channels for communication and action, they can demonstrate their commitment to upholding the law and protecting the integrity of the electoral process. This comprehensive approach will foster a secure environment that encourages active civic engagement and trust in the democratic system. In conclusion, the role of police in elections extends for beyond mere enforcement of laws; it encompasses the creation of a secure and supportive environment that fosters democratic participation. By building trust within the community, maintaining a visible and approachable presence at polling stations, and collaborating with electoral bodies to ensure transparency, the police can significantly enhance the integrity of the electoral process.

Ultimately, the efforts of the police contribute to a more engaged electorate and reinforce public confidence in the democratic system, making it essential for law enforcement to prioritize these responsibilities during elections.

The police can also be subsumed under what Hounkpe and Gueye (2010) referred to as the 'behavioral, legitimacy, competence and resource requirements' for meaningful involvement of security officers in the electoral process. These guidelines include:

The requirement that police on election duties must be at alert and respond promptly to any incidence that could lead to disruption of voting and associated electoral processes.

- i. Approachability means that on police officers on election duty must be approachable to the voters who might need his /her assistance.
- ii. Police officers must be conversant with the electoral law. - Non-use of force by the police officer on election duty
- iii. The need to communicate with superiors and commanders by police on duty and to write reports on situations that might to breaking down of law and order
- iv. The police officer on election duty must be professional in his or her conduct and personal appearance
- v. Impartiality and fairness to all stakeholders in the election
- vi. The requirement that name and number tags of police officers must be bold for easy identification, and
- vii. The need to work in partnership with other stakeholders to have credible elections (CLEEN, 2011).

Police Participation in Electoral Process in Nigeria: A Discourse

The centrality of Police and other security personnel to the conduct of election in Nigeria has been attributed to confluence of factors and most importantly, the environment of electoral malpractices in the country. Scholars and authors have argued that security agencies are indispensable to credible and fair elections in Nigeria (Afolabi, 2018). However, election mismanagement often spurs and brings to the fore, tribal, ethnic and religious tensions and divides, as well avoidable violence with attendant loss of human lives and legitimacy by election winners. This tends to create a vicious cycle of instability and insecurity in the electoral process/cycle as today's losers becomes desperate and plan not to lose next time. Mishandling of elections is a real and prolific source of conflicts, violence, insecurity and instability in Africa (Hounkpe and Gueye, 2020). Therefore, deployment of Police personnel is indispensable to the conduct or management of election in Nigeria and other emerging democracies in the world.

Sequel to the above, the role and functions of police personnel has been programmed to cover all the stages of electoral process viz: pre-electoral, actual and post-electoral phases. Some election stakeholders have opined that the nature of the electoral malfeasance in Nigeria necessitates security measure, not the least from the Police Force. Expatiating on whether security agencies can be objective in the electoral process in Nigeria, a Security Officer (cited in Afolabi 2022) opined that "all the talk and cries about police bias and support for one

candidate or party are most times not true. We follow orders from our superiors. We do not discriminate against anybody or party. Ours is to carry out orders. Whether the order is bias towards anyone or party is not our problem. We are not politicians but professionals.”

The above view lends credence to the constitutionality of the importance of the Police in electoral process. While the security sector comprises many State security institutions, which have a formal mandate to protect the State and its citizens from acts of violence and aggression from internal and external sources, the Police in particular have constitutional roles to play in electoral process as the primary security agency charged with maintaining internal security. This is constitutionally backed by Section 215 (3) of the 1999 Nigerian constitution. The Police are given wide latitudes in combating crimes, ensure public safety with responsibility for protecting lives and public/private property (Okereke, 2022).

Meanwhile, the deployment of these security agencies to the conduct of elections in Nigeria has been thought to be incongruous with established democratic norms and values. The central thrust of the issue on the role and functions of the security personnel, centre on whether the deployment of security personnel on elections related duties reflect concerns for security profile and vulnerability of the area where elections are to hold or not. Similarly, it raises the question of whether deployment of security personnel constitutes a deterrent to voters' turnout or serves as a positive factor to voters effecting their choice at the polls. To answer these questions, it must be stated that given the high level of violence and impunity associated with the political class, the presence of the Police at all stages of electoral process becomes compelling. In fact, it is the competing private interest of these politicians in the electoral process, so as not to undermine the credibility and integrity of the elections that the Police as security personnel are meant to curtail. Their statutory roles and functions of ensuring that lives and properties are safe, are inclusive of the realisation of free, fair and credible elections. The fear that the Police might be undermined by the political interest of the ruling class does not invalidate its constitutional responsibilities. Thus, the central role of the Police in effective policing of the electoral process cannot be overemphasised.

Contrastively, Agbaje and Adejumobi, (2016); Ibeanu (2017); Hounkpe and Gueye (2020), aver that, the operational control of the security forces in the election and their management with the Executive heads, who are surrounded by politicians, aides, and special advisers that are interested in winning election at all cost and to perpetuate themselves in power. This, therefore, necessitates the need for caution as the issue of Police in electoral process should be handled with care. In essence, the deployment of large contingent of Police security personnel in elections is arguably a double-edged sword which can be used in promoting electoral stability by ensuring safety, orderliness and the protection of voters and election materials in the voting process on one hand; and in reinforcing electoral malfeasance on the other hand denoted by the use of these security personnel to intimidate the opposition and rig elections.

The possibilities for misuse of the Nigerian Police Force exist because the 1999 Constitution gave powers to the President as Chief Security Officer (CSO) of the Federation and State Governors as Chief Security Officers of their respective States. Given human foibles, the

tendency to misuse the power of CSO is ever present, especially when they are part of the contestants for elections. While this abuse is primarily and prominently associated with governmental officials, especially the State CSOs, it is not however limited to them as over 80% of Police personnel are engaged in providing security services to the political class (Vanguard, 2018) with the attendant opportunities for abuse. Thus, it is not uncommon to find intra Police conflict and its personnel engaged in violence against themselves on behalf of the political class (Vanguard, 2017). This has sometimes led Police personnel to be repressive in their dealings with voters and the opposition. However, the provisions of the Constitution that gave the President and Governors powers as CSOs is a misinterpretation and misuse of the powers embedded therein, especially during the electoral process. Section 215 (4) of the 1999 Constitution states that:

Subject to the provisions of this section, the governor of a state or such commissioner of the government as he may authorize in that behalf, may give to the commissioner of police of that state such lawful directions with respect to the maintenance and security of public safety and public order within the state as he considers necessary and the Commissioner of Police shall comply with those directions or cause them to be complied with (Constitution of Federal Republic of Nigeria, 1999:84).

Whereas this section contemplates lawful directives, the loopholes to exploit this provision subsists. The loopholes can be exploited by the connivance of a State CSO and the Commissioner of Police (CP). It is not unheard of that many State CSOs demand and lobby for CPs, especially for electoral purposes and benefits (Vanguard, 2017). With this scenario, the electoral process can be subverted and opposition parties hounded with opportunities for voters' repression, oppression and intimidation. In such instances, Ibeanu (2017), noted that "security is often interpreted first and foremost as the security of the ruling groups and those in power, rather than the security of the general citizenry." This view of seeing the Police security as part of the ruling class often exacerbates tensions among Nigeria's political class with tendency to resort to self-help, further giving room for more violence in the electoral process as each party seeks to outwit and outdo the other in the quest to access power.

Over time, the President or the Governor in many of the States in an election year in Nigeria, through the imperative of holding governmental post or installing his/her preferred candidate, manipulates the Police in achieving set goals, especially through the incumbency factor. The incumbency factor works in the sense that, while contesting elections as a candidate, the governor remains in the position of CSO with the powers to control, and more appropriately manipulate the Police, to his advantage. In this wise, he/she uses State resources to contest elections and after winning, uses State resources to defend his/her mandate. Yet, this should not be a barrier to the Police in maintenance of internal security and also engaging in its constitutional duties through securing the electoral process as at when due. Rather, institutional mechanisms should be instituted to insulate the Police personnel from political influences and sanctions appropriately applied to check abuses by personnel that run foul of the law. Thus, while there is no dispute about the importance about the role and place of the Police in electoral

process, the misgivings expressed must be noted, and Police participation in electoral process must be handled with care to avoid truncating the electoral process they are meant to safeguard (Akpan, 2018).

Challenges Militating against the Effective Policing in Nigeria

From the literature review, it was uncovered one of the most significant challenges facing Nigeria's electoral process is the issue of rigging. This often takes the form of voter intimidation and manipulation, with political thugs being used to intimidate voters and disrupt the voting process (Idowu, 2022). Additionally, incumbency often plays a significant role in the electoral process, with incumbents using their positions of power to influence the outcome of elections (Frantzeskakis and Park, 2022). Considering this, it was critical to know the challenges and constraints the police encounter in safeguarding the election process. This study captures the diverse perspectives on the current state of Nigeria's policing system, especially challenges militating against effective policing in Nigeria.

The study highlights significant structural and resource challenges within Nigeria's policing system, particularly its lack of independence, accountability, and resources. Participants emphasize that inadequate funding, manpower, and equipment hinder the police's ability to prevent electoral violence. Political interference and a lack of accountability further compromise the neutrality and effectiveness of law enforcement agencies. Calls for urgent reforms underscore the need to address these systemic deficiencies, enhance accountability, and improve resource allocation.

The study also stresses the importance of enhanced training and professionalism, noting that current efforts may be insufficient to address the specific challenges posed by electoral violence. Corruption within the police force, exacerbated by resource constraints, undermines public trust and law enforcement effectiveness. Legal and governance issues, such as the need for a stronger legal framework to ensure accountability and deter violence, are also highlighted. There is the need for a localised policing to ensure cultural relevance and modernise the system to address historical legacies and current deficiencies. These insights underline the complex interplay of structural, resource, and governance issues affecting Nigeria's policing system and the critical need for comprehensive reforms to ensure effective and impartial law enforcement during elections.

Conclusion

The study has examined the role of the Nigerian Police in the conduct of credible elections in Nigeria. It identified the role of the Police in the electoral process in order to eschew the confusions, ambiguities and controversies associated with Police participation in securing elections and its credibility. The study established that there is no dispute about the role of the Police in the electoral process given constitutional provisions and expressed views. However, the study findings indicate that the role of Police even though constitutional and important, should be managed carefully and professionally as functions they are meant to provide, mainly law and order, could be compromised by desperate politicians and influential members of the public. Instead of being an impartial arbitrator, Police role in the electoral process could serve

to compromise and in some cases, truncate the electoral process and the will of the people. Training of new Police personnel and re-training of old ones with a re-drawing of the Police security architecture to conform to new electoral realities would help in making the Police role in securing elections and electoral process more consolidated, while allaying the fears of Police opponents in electoral process.

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