

**AN EXPLORATION OF THE STRUCTURAL AND INSTITUTIONAL
IMPEDIMENTS TO EFFECTIVE LOCAL POLICING IN NIGERIA, 1930-1970**

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Abstract

This paper explains salient issues in local policing in Nigeria from 1930 to the end of the Nigerian Civil War in 1970 and its implication in Nigerian. Historical and descriptive methods of research were deployed to investigate the issues of discretion, use of force, crisis of alienation in the police, public cynicism towards police, discriminatory stop and search policy and many others which can be traced to the colonial era. This study depends on secondary and primary sources of information. Findings indicate that the politicization of police which resulted in the termination of local policing only exposed the politics of police control and partisanship; local police forces' protection of the ruling class, defense of state apparatus, enforcement of tax and other laws made by the bureaucratic bottlenecks made the security issues grow. The paper recommends re-structuring of the police institution and not re-establishment of local policing.

Key words: Policing, Politicization, Discretion, Public Cynicism, Brutality

Introduction

This study explains the hindrances to effective implementation of a policing model that involved the use of indigenes from a community to police the community during the period of our study. There is no historical investigation of the hindrances to the smooth operation of a local policing approach to crime prevention, management, and law enforcement. This study is unique because it utilizes an interdisciplinary approach to relate issues in local policing with modern-day policing problems. Moreover, the significance of this study lies in the fact that it contributes to the body of knowledge on local policing arrangements in pre-1970 Nigeria. It explains the effects of colonial heritage on policing in modern Nigeria. It is imperative to state that Decree No.4 of 1916 permitted the establishment of Native Authority Police Forces in Northern Nigeria (by Native authorities such as Emirs) and Local Government Police Forces in Southwestern Nigeria in 1930 as well as regional police forces in 1946. This marked the evolution of local police forces, which made use of community members to police local communities. They operated alongside the federal and regional police. British colonial administrators encouraged

local policing in Nigeria because it was in consonance with her indirect rule system of administration, aimed at reducing the cost of governance and siding with the Northerners in the power struggle with the southerners, to address the acute shortage of manpower in the police. However, many factors hindered the progress of the local policing approach to security management. All of these factors will be discussed in this paper. The local police forces in Nigeria were disbanded in 1968, with all personnel completely absorbed into the Nigeria Police Force in 1970, signaling the beginning of the over-centralized structure of the Nigeria police today.

Theoretical framework

The theoretical framework that guides this discourse is the Broken Windows Theory (BWT), first introduced by James Q. Wilson and George L. Kelling in 1982. This theory states that minor crimes and social disorder, if left unchecked, can create an environment that fosters more serious crimes or leads to further criminal activity. In the application of this theory, local police operatives effectively addressed minor crimes and disorders, preventing their escalation while leaving serious crimes to be handled by the central police (NPF). The theory helped balance enforcement with community engagement and addressed the root causes of crime. The theory was useful in addressing hindrances to local policing, such as disorderly conduct. Police placed a premium on quality of life issues to maintain community order using community members. Critics of the theory state that BWT can lead to over-policing, disproportionately affecting marginalized communities. Secondly, BWT is limited due to a lack of community trust. Community trust would be eroded and fear created if police focus solely on enforcement. However, the theory was useful in analyzing the colonial origins of issues that bedeviled local policing in Nigeria during the period under review.

Brief Historical Foundation of Local Policing

Consul Foote, head of colonial government at the time of annexation of Lagos proposed the establishment of a consular guard stationed in Lagos. Later in 1861, Mc Caskey established a constabulary of 30 men, signaling the origin of modern policing in Nigeria. By 1862 the British government had increased the constabulary to 100 and by the following year, there were 600 men on the nominal role of the constabulary largely drawn from Hausa ex-slaves from Sierra-Leone (NAI, 1930. General Police Standing Order, P.4). By 1930, local police forces were formed to complement the central police force in Nigeria. Ejalonibu et.al (2021, p.4) states that “Local police includes municipal, county, tribal, and regional police that derive authority from the local governing body that created it. The primary purpose is to uphold the laws of the jurisdiction, provide patrols and investigate local crimes”. Otto (2012) has shown that the status

of an economy has something to do with its level of security, policing is expensive but operators could be more efficient and more frugal with their budgets.

Background to Security Issues in Nigeria.

National security is rapidly deteriorating in Nigeria. There is the Boko Haram insurrection in the northeast, unrest in the southern oil patch, and conflict over water and land in the middle of the country. Adding to the list of security crises is a nationwide crime wave involving kidnapping for ransom, cattle rustling and home invasion. To Ngwube (2017), “it restricted the free flow of people, goods and ideas; prevented local entrepreneurship and foreign investments”. Eme, Nwachukwu and Olise (2017) added that “there is hardly a day that passes without story tale of pre-meditated killings, armed robbery and other crimes and attacks nationwide”. What is new is their intensity and reach; even the poor are now victims of kidnapping.

Since the colonial period, the Nigeria Police Force (NPF) have been a national gendarmerie. Today, one justification for subscribing to national rather than local police is the fear that local police could be suborned by local political “big men” a concern with some merit. The overreliance on the military to ensure domestic law and order, together with increasing crime, has sapped public confidence in the police. The army has long been used to maintain domestic order and its units or contingents are stationed or present in every state in Nigeria. Akali (2022. P.5) believes that Nigeria's police was “fainted by its colonial origins, exploited by first republic politics and sidelined by successive military juntas. The NPF was hastily given a veil without the requisite institutional reform”. Today, there are no military rulers to unconstitutionally distort policing but as Akali (2022, p.7) puts it “decades of organizational culture and historical experience cannot be easily set aside”. This continues to plague the force.

Issue of Multiplicity of Policing Agents in Nigeria

In areas of unrest- notably the northeast – local vigilante groups emerged where government efforts were not enough in the period under review. There is Amotekun (the Southwestern Nigeria security network) in Yorubaland- a regional police force meant to support but not replace the national police; and, Eastern Security Network in Southeastern Nigeria, all pressing the Nigeria national assembly to grant recognition and authorization and to regularize their relations with the Nigeria Police Force. However, there are no records of serious violent confrontations between these policing agents. Nevertheless, their establishment led to duplication of function and splitting or sharing of available revenue for them, which was made for the central police force alone. More so, there were clear-cut arrears of influence or jurisdiction, duties, and limitations. Today, Professor U.B. Okpevra is leading the quest or agitation for the establishment of state-based police. It is true that “those issues would not appear to be addressed by the devolved system” (Campbell 2020) or the formation of state police in the country.

Issues in Local Policing –Pre & Post-Colonial Nigeria.

In the history of policing in Nigeria, there are salient issues that affect police work in the country which constitute the major focus of this research. John Campbell's blog post on the Council on Foreign Relations (CFR) website in 2020 highlighted four local issues in policing. These include:

1) **Issue of accountability and transparency:** There is a lack of trust in law enforcement agents in Nigeria, seen in the multiplicity of failures to indict police personnel and numerous acquittals, which left members of the public hopeless. The accountability system should be chaired by the communities that each police formation is supposed to serve.

2) **Discriminatory stop and search practices at roadblocks:** Usman (interviewed 24/04/2022) believes that in Southern Nigeria, 70% of people stopped and searched were innocent and 75% of all people stopped and searched were youths suspected due to facial appearance. In their efforts to recover suspected criminal charms, hard and illicit drugs, bunkering, cannabis, dry weed or Indian hemp, guns, cartridges, stolen items, suspected persons and rescue victims of human trafficking, they offend members of the public.

3) **Inadequate training:** Police training is centered on a physical drill, technical and tactical aspects of policing and not on human right-based policing, problem-solving, mediation or diplomacy, reconciliation, mental illness, and human relations.

The manipulation and distortion of the purpose of the police originated with the colonial masters; unconstitutional distortions in policing also originated with military governors. However, decades of organizational culture and historical experience cannot be easily set aside (Akali 2022, p.7). Some scholars and statesmen blame security threats in Nigeria on a wobbling economy. For instance, Eme et al. (2017, p.21) state that President Musa Yar'Adua and his predecessors often authoritatively declared and laid blame on Nigeria's wobbly economy and anti-democratic forces. However, in reality, Nigeria's economy has boomeranged since 1999, yet the wealth has not been seen nor felt by the masses. Johnson (2013, p.73-74) identified five issues in local policing in Nigeria. This includes:

1. **Discretion:** Discretion is defined as the exercise of individual judgment by a police officer instead of relying on formal rules in making decisions in the office or field. Police officers, throughout history, have operated with great discretion in policing a community, resulting in physical abuse of citizens or unequal application of the law in making arrests. Usman (interviewed 24/4/2022) suggested that better education and training would help officers exercise their judgment wisely. Adegoke (2014, p.33) states that 'the quality of training and welfare, logistics, and other materials provided to police personnel impact their performance'. However, poverty, unemployment, leadership and religion are the root causes of insecurity in Nigeria during the period under review.

2. **The Use of Force:** The excessive use of force has resulted in a loss of public confidence in the police. The use of minimal force enables the police to achieve their aims while the use of

excessive force or brutality results in court charges against police officers; it is unethical, civilly wrong, and criminally illegal and creates a situation where nobody wins. Excessive force or brutality by police is traceable to the colonial origins of the federal police, which affected the quality of recruited constables and the type of training/ orientation they received, making them brutal and uncivil towards members of the public.

3. **Community policing:** According to the Nigeria Police Force Community Policing Handbook (2020, p.7), it is a community-based policing model adapted to suit the values, culture and ways of life peculiar to each community. Police, according to Johnson (2013, p.73) followed the professional model, which rests on three basic foundations: preventive patrol, quick response time and follow-up investigation. This professional model was not very effective; hence, the introduction of community policing in later years. In this model, police shared power with residents of a community, and critical decisions were made at the community level and not at the police headquarters. By virtue of the instrument establishing the Special Constabulary Police (SCP), Sections 49 and 50 of the Police Act stipulate that the SCP is supposed to be entirely voluntary. It is not a full-time job and not an opening for a government work; hence, the lackadaisical attitude of SCP contributed to the failure of the community policing initiative.

4. **Issue of godfatherism:** Allegations levelled against police personnel, such as claims of arbitrariness in exercising power, corruption, and delays in the administration of justice, as well as the pervasion of justice are products of godfatherism. Many highly placed public officers pervert the course of justice due to their closeness to the seat of power. As correctly stated by Johnson (2013), when a police officer is sucked in, it results in unresolved crime and abandonment of cases, making members of the public view the police as being in the secret service of selected criminal political godfathers.

5. The politicization of the policing system occurs when political leaders in the country see the control of police as a means of maintaining political power and of allowing criminal clients, political thugs/allies, to violate the law with impunity; the police become an extension of the state party machine. For instance, Umeh (interviewed 28/06/2022) states “in the 1970s, there were allegations of snatching ballot boxes, and this was done by thugs on local police uniforms”.

In addition to the five issues in local police discussed earlier, Umeh (interview cited) added three others to round it all out. These include:

Firstly, violation of human rights. The issue of human rights violations by the Nigerian police is a very serious one. Even the local police operatives have been criticized for having no regard for the civil rights of citizens.

Secondly, the issue of corrupt practices in the Police. Some police officers serving in major cities in Nigeria bought their positions and promotions, sold protection, and ignored violations of the law for money, according to Umeh (interview cited). Many others collected bribes to pervert the course of justice and extort money from complainants and motorcyclists on the highway with

impunity because they were not supervised by an external body. The Local Government Police Forces (LGPF), and Native Authority Police Force (NAPF) were under the general supervision and command of a chief officer who is also a policeman. The Local Government Police Law (1955, p.1) states:

The chief officer shall be responsible to the superintendent-general, for all matters relating to the efficient administration and supervision of the force, and to the Minister and council for the proper expenditure of all monies appropriated by the council for the service and welfare of the force.

Police Alienation: Police alienation engenders police-public hostility, violence, distrust, underestimation and non-cooperation. Citizens resent the police as they perceive them as ineffective due to inadequacies in human resources, facilities, and funds. The police lack a sense of belonging to the force due to organizational structure, language barrier, estranged environments, poor working conditions, lack of promotion/encouragement and work equipment. This has created unhappy, estranged police officers who are not willing to serve the country diligently or cooperate with colleagues and members of the public.

Factors /challenges of policing in a Depressed Economy

1. Insufficient security funding.
2. Unemployment.
3. Poverty. Inflation. High number of Dependents (Dependency burden).
4. Inequality and intergenerational persistence.
5. Religion – ordinarily religion should promote peace stability and good neighbourliness in society; but the fact is that in many developing economies, it tends to support the opposite. In many developing countries, competition for scarce resources has led adherents to use religion as leverage (Aderinto 2014, p.99).
6. Greed. Don (2014, p. 111) argues that in a police organization where greed and grievance-based corruption exist, the success of police operations is jeopardized. This is because greedy and/or aggrieved police officers could sell intelligence to enemies, to burst operations, which could amount to the failure of police operations.
7. In Nigeria, police corruption is a common term, known by both adults and children, to the extent that it now has nicknames in three major Nigerian languages (the Igbos call it Igbozu, the Yorubas call it Egunje while the Hausas call it Chauchau). A police subculture that sees money extorted from private citizens as legal earnings is problematic. Crime victims are routinely forced to pay the police to conduct every stage of an investigation (Don 2014 p.105). In the era of imperial policing in Nigeria, with regards to organization of the police force, “speaking generally, commissioners personally investigate all serious cases in which Europeans are accused and all serious cases in which racial feeling has been or is likely to be aroused” (NAI, Nigeria General Orders 1931, P.5).

8. Police Violence. On the use of armed force, following the traditional policy of government in Nigeria, every possible effort was made to avert the necessity of an appeal to force (both minimal and excessive force or brutality), and to avoid occasions which lead to trouble. In particular, government messengers and native court emissaries were not sent into districts in which they were likely to be attacked or threatened until they had been visited by a district officer and armed natives were not sent to effect arrests by force ...unless the circumstances admitted of no alternative (NAI, Memorandum No.7, p.3). According to Akali (2014, p. 137) "... crime detection has in recent years been based virtually on luck instead of the application of scientific facts and the use of reliable intelligence". Most of the people interviewed stated that the police suffered two major problems (a) corruption and (b) taking sides in conflict situations, especially before military intervention in Nigeria's politics.

9. To Asadu (2014, p. 210). Today, Nigeria's police suffer a credibility crisis. Their image is so battered that just a few Nigerians may have trust in the force. The police are disliked by almost every Nigerian, except maybe those who do the job. This statement is not very true. Ohamadike (interviewed, 12/07/2022) once said –"most police stations, barrack and patrol vehicles in southern Nigeria during the period under review were built and donated by rich and wealthy chiefs and groups in the community".

10. Police during the Civil War made use of digital radio systems. Ugwu (2014 p. 216) opined that this deals with the use of electronic computers and computer software to convert, store, protect, process, transmit and retrieve information. Another aspect that is highly effective for the police is the use of a digital radio system. Their cars were not equipped with tracking and demobilizing devices, alarm systems, or speed cameras, and there was no criminal database. The police actually made use of digital devices, especially the police mobile force during the civil war in Nigeria.

11. Otu (2014 p. 240) opined that "One major reason that has always surfaced as accounting for the police's ineffectiveness in tackling crime is the lack of intelligence gathering at the local level". Local police forces of the 1940s brought security closer to the people and made intelligence gathering a lot easier; they also defined parameters of cooperation with the central police forces (Ohamadike, Interview cited). The local police force of the First Republic certainly complemented and did not substitute the Nigerian police. It cushioned the high rate of unemployment among the youth.

12. Inconsistency in the criminal justice system in the application of criminal law. They were not able to choose where and when Sharia Law or Criminal Code should be applied. For instance, in the northern region of Nigeria, Olaniyi (2011 p.75) quoting verbatim (Kane, 2008, p.160) observed that 'The colonial state discouraged the implementation of what they regarded as inhumane bodily punishments enshrined in Islamic Criminal Law, such as amputation of hands for stealing and death by stoning for adultery'. Additionally, Olaniyi (2011) added that – 'The colonial state in Africa permitted Muslims to settle civil matters relating to marriage,

inheritance, custody and commercial transactions in accordance to Sharia law', while local policing and criminal cases were handled by LGPF, NAPF and NPF.

13. Public cynicism toward police and law posed a serious challenge to local policing during our period of study in Nigeria. Akinlabi (2017 p. 159) asserted that Police protection in Nigeria is a luxury denied to the general public. In agreement with the assertion above, Akinyemi (2021, p.478 & 479)

Explains that a crack in a building that is left unrepaired projects to other members of the society that no one cares about, and so breaking more windows will not result in official sanction; likewise, minor crimes that are not properly handled can accumulate into a menace. Justice is like an auction, it goes only to the highest bidder.

On page 160, Akinlabi (2017) asserts that 'The first foundation of policing ingrained in the citizens a police force that could not be trusted and should be avoided at all cost'. Colonial policing was a subjugation of the cultural values of the nationalities that make up Nigeria today to the political and socio-economic interests of the colonialists. As the people had no control over the arbitrariness of the police, they devised means to avoid any contact with the police or the colonialists. This attitude was transferred from one generation of Nigerians to another through the process of enculturation, thereby encouraging further alienation from the police. In a letter to the Duke of Newcastle justifying the choice of the Hausa as the police lingua franca, the Governor of Lagos Colony, H.S. Freeman, pointed out the advantages of estranged police for the colonial government. Freeman wrote:

The men being from the interior and professing the Muslim (Islamic) religion are hated by the natives of these areas who have hitherto only known them as slaves. They (Hausa constabularies) are also disliked by the Europeans as being of a more independent character than the Lagos people. They have thus only the government to depend on, and if properly managed, will prove a valuable resource to this settlement (NAI CSO 1863).

Conclusion

The paper concludes that rather than continue to focus on the standard interpretation of the subject, scholars should be guided by the evidence provided by this study, which indicates that most hindrances to the effective application of a decentralized policing model were caused by colonialism and that policing activities reveal the selfish interests of policing agents which made citizens cynical toward the police. The postcolonial Nigeria Police did not witness any significant change except that its colonial administrators were changed. However, policing with a human face, nation-building and police–public relations efforts, and a community policing approach would help eliminate hindrances to the effective policing of Nigeria.

Findings/Observation

Findings from the paper indicate that most of the issues in local policing in Nigeria discussed in this paper were colonial creations. For instance, police brutality, human rights abuse, and a crisis of alienation, as well as police-civilian face-offs, and many others characterized the Nigerian police were a colonial creation. Opone (2010, p.116) asserted that the precursor of independent African states was the colonial states created for metropolitan exploitation. These states were carved up through violent conquest or through the signing of spurious treaties in which African rulers unknowingly gave up their territories to their imperial impostors.

Corruption, bribery, human rights violations, and extrajudicial killings hindered the effective local policing of Nigeria during the period under review. All these calls for restructuring of the structure of the institution. On the issue of wrong application of discretion, evidence from research tends to suggest that, as much as every policing agent is legally authorized to make free judgments or use his discretion, in-service training, education and good policing gadgets will help in the officer's application of discretion.

- ❖ The disbandment of local policing only exposed the politics of police control. The same forces that led to the termination of local policing are prevalent in the federal police. The integrity of the federal government over local or state governments to maintain a disciplined force can be questioned.
- ❖ Local policing effectively eliminated language barriers to effective policing as the volunteers were made to work in environments they were familiar with. This policing model agreed with the principles of federalism, which Nigeria claims to practice.
- ❖ Poverty, unemployment, leadership, religion, ethnic politics, and the politicization of police, were major causes of insecurity in Nigeria. Subjection policing agents to disciplinary measures each time they defaulted helped ensure civility and policing with human face among local policing agents.

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