

The Spate of Unlawful Conducts by Security Agents Against Citizens in Ilorin, Kwara State, Nigeria: Implications for Policing

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ABSTRACT

The spate of unlawful conducts by security agents against innocent citizens particularly in the course of fighting cyber fraud in Nigeria is alarming. Ranging from brutality, arbitrary arrest, illegal detention, defamation, extortion, bribery and extra-judicial killing, these conducts are excruciating to the public and have attracted several reactions including public protest and continual distrust of security agents from citizens and victims of these misconducts. The consequences of these unlawful conducts are particularly damaging to the victims. Against this backdrop, the research examines the spate of unlawful conducts by security agents against citizens in Ilorin, Kwara State, Nigeria. The areas selected were Tanke, Malete and Oke-Ose. Guided by Gottfredson and Hirschi's General Theory of Crime (GTC) and Agnew's General Strain Theory (GST), the study adopts qualitative method (involving in-depth interviews) to generate data from twenty-four (24) respondents who were purposively selected through snow-ball sampling technique. Content analysis reveals that majority of people complained of the high vulnerability of citizens to unlawful misconducts and the extent of citizens' sufferings resulting from the brutality of security agents ranges from fear, monetary loss and injuries to psychological traumas and loss of lives. Therefore, the study recommends strict punishment of 'bad' security agents and instituting compensations for victims of security agents' misconducts.

KEY WORDS:

Citizens; Implications;
Unlawful Conducts;
Public Perception;
Security Agents.

Introduction

The rate of unlawful activities by security agents all over the world is worrisome, ranging from arbitrary arrests and extortion to brutality and extra-judicial killings of innocent citizens. The persistence and severity of these unlawful practices by security agents constitute a major source of concern to criminologists, psychologists, parents and guardians. Of all unlawful activities and police misconducts that occur in most countries, police brutality is particularly widespread.

Few of the cases include the protest against police brutality and racism for George Floyd that started in Minneapolis in the USA on May 26, 2020; the case of Kolade Johnson who was shot in his neighbourhood by the officers of anti-cultism unit of the Nigeria Police Force (NPF) where he was watching a live football match

between Liverpool and Tottenham in Lagos on March 31, 2019; the December 20, 2020 case of Philippines' police officer in Paniqui, Tarlac named John Nuezca who shot two of his neighbours, Sonia and Frank Gregorio because of an argument over an accidental noisemaker; and the Kenyans protest against police brutality on 9th of June, 2020 titled 'They have killed us more than corona' (Gabbatt, 2020). All these are evidences that police brutality and unlawful conducts of security agents is a global phenomenon.

In Nigeria, these unlawful conducts are common among men and officers of the Nigeria Police Force. The recent EndSARS protest demonstrated by some Nigerians all over the States is a very good instance. Security agents have been accused of disposing their professional ethics to the bin and engaging themselves in numerous misconducts. These misconducts are usually common in the context of cyber fraud investigation as the case with the special anti-robbery squad (SARS) police personnel. Accordingly, Bello et al. (2017) generally characterized the range of security agents' abusive practices or misconducts that dehumanize and degrade the dignity of human persons to include physical (verbal attacks) (such as brutality) and psychological intimidation (such as illegal detention).

The wide variety of unlawful conducts of security agents is committed against innocent citizens and has negative impacts on them. Unlawful conducts, particularly, from the men of the Nigerian Police are becoming too worrisome that nearly every citizens on the street feel the wave (from simple roadblock extortion to emptying victims account and even murder). For instance, in July, 2020 four police officers were dismissed for alleged misconduct of illegally arresting a suspect, extorted him of N1,190,000 cash, seized his belongings and collected another N200,000 as bail from the suspect's family. Similarly, in October of same year, six officers were dismissed for professional misconduct from the Kwara State Police Headquarters, Ilorin. (Oyekola, 2020 and Shittu, 2020).

The consequences of such misconducts are particularly worst for victims of police misconducts. Majority of police brutality cases results in violent attack and mindless murder of innocent citizens (Global G.L.O.W, 2020). A recent incidence of police brutality is the case of two circulated videos of some security agents in Kwara State that were seen violently attacking some individuals (Benson, 2020). Also, amidst controversies over police brutality in Nigeria, particularly the EndSARS protest, Ilorin, Kwara State was listed among the 12 states with brutal policemen (Nwabughio, 2020). Accordingly, this research examines the spate of unlawful conducts by security agents against citizens in Ilorin, Kwara State. It also seeks to determine the effects of unlawful conducts of security agents on innocent citizens.

Literature Review

According to Alemika (1988), the function and structure of the Nigeria security agency speaks of corruption, vagueness, brutality, insecurity, maltreatment,

incivility and low responsiveness to the citizens they swore to serve and protect. Using similar terms, Egbiboa (2013) also described the legacy of the Nigeria security agency as follows: brutal, corrupt, uncivilized, vandalistic, ruthless, arbitrary and lacking public accountability.

Security agencies in societies are supposed to ensure public safety and protection of lives and properties (Bello et al., 2017). However, the popular perception among many Nigerians is that security agencies have failed woefully to fulfill their role as “guardians” of society (Egbigba, 2013) and this does not only result to loss of confidence in the security agencies and their agents but also attract negative image for the country. For instance, the security agencies in Nigeria were ranked the worst in Africa in 2017 (Socrates, 2019).

The most direct effect of police corruption on innocent citizens stems from the countless human rights abuses committed by police officers in the process of extorting money. These abuses range from arbitrary arrest and unlawful detention to threats and acts of violence, including physical and sexual assault, torture and even extrajudicial killings (Human Rights Watch, 2010). Rather than focus on their policing functions, security agents commit brutality against innocent citizens (NOPRIN, 2007). Citizens cried out to the government to look into the upsurge in crimes perpetrated by security agents which led to the Vice President ordering the immediate reforms of the security agencies. However, these reforms have no impact on the attitudinal behaviors of security agents (Amnesty international, 2019).

Instead, extra-judicial killing was increasing daily with family of the deceased making frontline page of newspapers. Victims of arbitrary arrest and detention told Amnesty International that they were tortured and pressured to write confessional statements that were used to prosecute them in court. While most of them faced indiscriminate charges such as 'defamation', 'terrorism' and 'cyber stalking', others had charges such as 'kidnapping', criminal trespass and theft of state documents reported against them (Amnesty International, 2019).

Furthermore, Nigerian youths are suffering from what they have described as an 'incessant harassment' by security agents who label them as 'internet fraudsters,' due to their appearances and many youngsters claimed they are no longer safe to walk the streets of Nigeria, without fear of being arrested and labeled as 'internet fraudsters'. On several occasions, the police have ruthlessly beaten, sexually assaulted, or shot to death innocent citizens who failed to pay the bribes they demand for (Human Rights Watch, 2010). Indeed, the police officers who are supposed to protect the citizens turn out to wage war against them, even when they do not deserve that from them. The Nigerian law seems to protect the security agents against civilians, for which they often maltreat and intimidate as well as even kill and maim the civilians with little or no concern (Ode, 2017).

Innocent citizens who may be vulnerable to these dastardly acts may be prone to physical, psychological and financial losses. Some may be assaulted which

may result to body injuries, for some, it may lead to traumatic experience and for others it may be in monetary loss where the security agents may have forced them to withdraw money for them via the Automated Teller Machine (ATM). This situation does not only affect the stability of the Nigerian polity and security system but also weakens the act of maintaining law and order and also affect vulnerable citizens financially and psychologically (Bello et al., 2017).

The list of human rights abuses that often accompany corrupt dealings of the erring men and officers of Nigeria Police has triggered cataloguing of habitual violations of human rights by many scholars and organizations (Alemika & Chukwuma, 2000a; Chukwuma, 1994; Human Rights Watch, 2010; Kasali, 2010; Odekunle, 2005; Onyeozili, 2005; Tamuno, 1993). For instance, Human Rights Watch (2010) presented not only serious allegations leveled against Nigeria Police by victims of police abuse interviewed but also images of savagery and ruthlessness of armed police officers. Also, security officers' unlawful conduct, which was once thought of as isolated incidences, has grown into a public health issue. According to the American Public Health Associates (2018), security officers' violence not only negatively affects those individuals directly involved but also creates a tidal wave of chaos that spans across states and region lines.

Consequently, these unlawful conducts directly increase the divide between communities and police officials, which manifests in multiple ways like hatred and lack of trust for the officers. Hence, the community continues to see men of the police force as their enemies. Security officers' violence has also been linked to negative impacts on the mental health of the victims specifically, leading to the development of anxiety and depressive symptoms. As the number of incidents and level of security officials' violence increases, the likelihood of the victim developing post-traumatic stress disorder (PTSD) also increases. This risk is further compounded by the negative impacts of PTSD on one's perception of self (Williams et al., 2012).

Traumatic experiences such as police violence cannot only cause an individual to develop an altered sense of self, but they can also alter a victim's perceptions of those around them leading to an almost global sense of mistrust; with victims reporting increased skepticism of the world and a decreased feeling of safety in society. At the most extreme, victims have described their experience of police violence as agoraphobia; they are afraid to leave their homes and afraid to interact with large groups of people (Williams et al., 2012).

Similarly, Lin, Stamm and Christidis (2018) observed that members of the community who do not have a loved one directly affected by security officials' misconduct and violence are still mentally affected in ways that often change their outlook on the world and consequently how they carry themselves in society. In the context of hunting down internet fraudsters, people believed that security agents have carried out a lot of unlawful conducts such as bribery, extortion, assault, defamation, arbitrary arrest, unlawful detention and extra-judicial killings on

innocent citizens which all have effects on both the victims and the society in general.

Theoretical Framework

This study is anchored on Gottfredson and Hirschi (1990)'s General Theory of Crime (GTC) and Robert Agnew's General Strain Theory (GST). At the core of GTC is the belief that unsociable behaviour occur as a result of low self-control in some individuals. The lack of social control is seen as dominating factor in the unlawful conducts of the security agents. The inability of the police officers to control their urge has resulted to their corrupt practices against citizens. GTC posits that bad eggs among the security agents have the tendencies to engage in unlawful conducts due to impulsiveness or lack of control. The security agent with low self-control has personality trait that develops in the context of deficient early childhood socialization, and that manifests itself as impulsivity; a need for immediate gratification, a preference for risky activities, simple tasks, physical rather than mental activities, and a quick temper and self-absorption (Gottfredson & Hirschi, 1990).

Individuals with low self-control have the tendency of criminal and antisocial behaviour because they chase their self-interest and desire to maximize pleasure but they also lack the capacity to control their behaviour in the pursuit of this pleasure. This impulsivity would occur in such instance where we see a young man driving an exotic car but subjected to unlawful conducts of some security agents (bad eggs) who question his source of wealth and further extort money from him before he is eventually released. Low self-control, in combination with opportunity, determines whether an individual will commit a large range of antisocial activities across their lifespan, including, but not limited to, acts of force or fraud as well as excess alcohol consumption, bullying, truancy, negligent driving, and sexually promiscuous behaviour (Gottfredson & Hirschi, 1990; Gottfredson, 2008).

Agnew's General Strain Theory (GST) was also used to contribute to the understanding of the implications of the unlawful conducts of the security agents. Agnew is of the opinion that crime is the direct result of negative affective states resulting from strains. These negative affective states include anger, frustration, fear, depression and unpleasant emotions that popped up in the middle of destructive and abortive social relationships (Siegel, 2007).

According to Agnew, the greater the intensity and frequency of strain experiences, the greater the impact and the more likely they are to trigger delinquency and crimes. Each type of strain will increase the possibilities of experiencing anger, frustration, disappointment, depression and fear. These negative emotions, especially anger, increase the perceptions of being persecuted, produce a desire for vengeance, brace the individuals for actions and low inhibitions. Thus, strain is considered a motivating predictor for criminality,

particularly when it is chronic and repetitive and creates hostile, suspicious and aggressive attitude (Siegel, 2007). Vicarious strain is when people, in deprived communities, not only experience strains but witness their family members, relatives and close friends enduring them (Agnew, 1997).

The theory explains that frustration, stress and economic situations in the society may lead security agents to indulge in antisocial and criminal behaviour that would impact on the citizens. Based on the theory's basic assumption, some negative affective states such as frustration, stress and disappointment predispose security agents to commit antisocial vices and crimes against innocent civilians. The implication of such behaviours is the same effect as crime is to victims.

Method

This study adopted qualitative research design. The study was conducted in Tanke, Malete, and Oke-Ose communities in Ilorin, Kwara State which were purposely selected because of their proximity to the tertiary institutions in the state (i.e. University of Ilorin, Kwara State University and Kwara State Polytechnic) and because of the frequent incidences and reports of unlawful conducts of the security agents in these communities.

The target population comprises of youths (students) who might have experienced or seen the unlawful conducts of the security agents before. Snow-balling technique was employed to select a sample size of twenty nine (29): eight (8) each from Unilorin and Kwara State University in Malete and thirteen (13) from Kwara State Polytechnic, Oke-Ose. Oke-Ose has the higher participants due to the fact that Kwara Polytechnic has a long history of cultism and other anti-social behaviours like hooliganism in the State. All participants were males taking into thought the perception that they constitute the majority of cyber fraudsters and yahoo criminals. They have network connection which made it easier to pick up additional snow from the network, i.e. an identification of one of the members of the network led to the identification of other members.

In-depth interviews were conducted with the participants for data generation. An Interview checklist consisting of twelve (12) questions was designed to address the objectives of the paper. Participants were probed further on the basis of their initial responses. Note-taking and audio recording were used for documentation. The choice of the two methods of documentation was to complement each other. Ethically, respondents were assured of their confidentiality, anonymity and also informed of their rights to withdraw from the study at any time they so wish.

Data generated were analyzed and interpreted using Content Analysis. Responses were transcribed verbatim and analysis of the data (verbatim) from different respondents was done through Data Integrated Analysis (DIA). This involves identifying similar responses, combining and utilizing the different hints (response), which made up the data in the analysis. Hence, the research uses partial consensual qualitative research (see Hill, 2012).

Results and Discussions

The effects of security agents' unlawful conducts on innocent citizens are destructive and enormous. The primary and major effect is the colossal loss of human lives, money and injury. Regarding this, Anthony (2004) argued that security officers' unlawful conduct result in potentially severe mental and physical injury. The types of physical injuries sustained are similar to those experienced by victims of violent crime such as assault and homicide. This, according to a respondent, has resulted in an increase in people's fears and feelings. The respondent argues:

One of the major impacts of the unlawful conducts of security agents is definitely the loss of human lives. Due to the high rate of unlawful conducts of the police officers in the country, many lives were lost leading to the reduction of the population of the country. It should also be noted that most of the citizens extra-judicially killed are youths, thereby reducing the population of the working class in the country. Also, it generates fear and register in the minds of the citizens concerning the brutality of the security agents because they don't want to be tagged as internet fraudsters (IDI/Male/Oke-Odo/June, 2021).

Similarly, another participant opined that;

There are a lot of consequences on the end-result of the unlawful conducts of the security agents ranging from loss of lives, money and properties, infringement on fundamental human rights to psychological impairment and physical injuries in every state in Nigeria. This has led to the lack of respect for the security agents, unlike before when the citizens give them total respect. Their errant behavior is very common around Tanke, as the police men and the EFCC mostly would burst into student's hostel like a burglar and arrest and dehumanize them without warrant or proper investigation as they always profile all Nigerian students as internet fraudsters. If youths were asked to choose between police or armed robber, don't be surprised if the latter is chosen (IDI/Male/Oke-Odo/June, 2021).

Loss of lives resulting from the unlawful conducts of security agents has instilled fear and panic in the minds of citizens; that fear of going out and not coming back as a victim of misconducts. The failure of the government to uphold their duty of protecting lives and properties has resulted to loss of confidence on them as well as the security agents the delegation of lives protection fall on. This finding corroborates with the findings of Chaney and Robertson (2013) that witnessing security officials' misconduct instills distrust in the younger generation

which undoubtedly grows the separation between minorities and security officers. Many younger individuals will take on a sense of hopelessness and believe that their societies do not value individuals' safety. Because the parents in these situations are undergoing their own grieving process, the mental effects of security officials' misconduct on young children are often undertreated.

From the above submission, it is deducible that, truly, the effect of security agents' unlawful conducts is enormous, especially as it results to wastage of knowledgeable human resources evident in the loss of human lives. Apart from the wastage of knowledgeable human resources, a respondent argues that the unlawful conducts of the security agents can also result to a reduction in the productive and economic work force of the country since the youth constitute majority of the victims of security agent's brutality. In another interview session, a participant argues:

For the victims that survived police brutalities or families of the deceased victims, it can lead to psychological effects. They can suffer psychological problems like post-traumatic stress disorder. In fact, security agents' brutality is one of the country's security challenges because everyone is not protected from danger (IDI/Male/Oke-Odo/June, 2021).

Another participant buttressed more on this explanation thus;

Due to the experience I had with the security agents, anytime I saw them by the roadside, I will start fidgeting, as a result of fear of gun and threat. This is one of the reasons why I don't like to travel if the event is not important or compulsory. This can also lead to total depression for other individuals who might have had bad experience with the security agents. Example can be seen from a recent story about a student which has gone viral on twitter that the student committed suicide as a result of depression due to the money he borrowed to invest in foreign exchange and the Special Anti-rubbery Squared (SARS) operative seized his phone and made him to withdraw money for them. While in detention, the victim couldn't continue with his transaction and by the time he was released, he had lost millions of naira he invested. He ran into debt and was unable to pay back the debt, then he committed suicide (IDI/Male/Oke-Odo/June, 2021).

It is clear from this submission that unlawful conducts of the security agents can lead to psychological dysfunction (direct and indirect victim) for the victim. This also shows the reason why the security agents were considered to be barbaric. This finding is tenable with the argument of Carleret al. (1996) that unlawful conducts of the security agents goes beyond bribery, extortion and physical assaults or

manifestations. Victims face mental disorder in many ways as part of the consequences of the unlawful conducts of the security agents. Such mental symptoms can further be manifested as Acute Stress Disorder (ASD) and Post-Traumatic Stress Disorder (PTSD). Psychological stress often consumes many facets of victims' lives, adversely affecting job performance, ability to sustain employment, and everyday interactions with family and friends. Also, Carleret al. (1996) argued that the families of fatally injured victims often suffer many of the same psychological tolls. Accordingly, a participant explained how police brutality affected him as an individual:

It leads to loss of money, when money meant for you to do valuable things is being used to bail oneself out of security agent's captives. Also, it leads to wastage of time. The productive time of an individual is being wasted as at the time one is held captive illegally in police truck for several hours. It prevents you from engaging in any other economic activities (IDI/Male/Malete/June, 2021).

Aside from the physical and financial loss, police unlawful conducts also impacted on the reputation of the victim. A respondent explains how police brutality affects his reputation before the public. He explains thus:

When the security agents arrest an innocent individual in the society, the people would think he is a criminal and would be categorized and labeled as a bad person. After his release, how would he explain to the society that he is not a criminal? (IDI/Male/Oke-Ose/June, 2021)

Similarly, a respondent reports unlawful conducts of the police and how it affects his reputation:

Citizens don't have trust in security organizations anymore as they engage in arbitrary arrest, extortion; bribing and extra-judicial killings. The organization has failed in prosecuting the err police officer and this is one of the challenges affecting the credibility of the police in the country. The organization that supposed to protect the citizens is the one taking lives and extorting the citizens unbearably (IDI/Male/Oke-Odo/June, 2021).

Another respondent illustrates thus;

The effect of the unlawful conducts of the security agents varies depending on the personality of the victim(s). One of their atrocities which affected me in particular was defamation; calling me names in the society as an internet fraudster which has impacted on my relationship with members of the society. As a result of this, I don't have confidence on the police in carrying out criminal

investigation because they might torture a suspect to the extent of making him to forcefully confess to crime he didn't commit (IDI/Male/Oke-Odo/June, 2021).

This result affirms that security agents' unlawful conducts is one the present security challenges facing the country as security agents involved in the unlawful conducts are not prosecuted by the organization and government which has resulted into lack of confidence in both the security organization and the Government. Apart from increasing citizen's fear and feeling of insecurity, the public view the police as threatening and staining the image of the country.

This above submission expatiates more on the argument of Human Rights Watch (2010) that not only serious allegations leveled against Nigeria Police by victims of police abuse interviewed but also images of savagery and ruthlessness of armed police officers. It has also affected the progress, prosperity and development of the country in the sense that lives of youths are lost almost every day, thereby reducing the country's manpower. The respondent, while discussing on the effects of security agents' unlawful conducts on national security, also reports lack of trust of national security agents among several others.

Nowadays, you must walk with caution. You can't even dress nicely or hold quality phones, go to ATM, plait different hairstyles or drive exotic cars and feel completely secure and safe. During the day and night, while walking you must be looking your back continuously to be sure that police officers are not following you. It's even as if trust has been banished in the country among citizens with the police. Why should we even trust them with our security and lives? When the police officers engage in extra-judicial killing and physical assault on innocent citizens, they are the major reason why citizens don't trust them again (IDI/Male/Malete/June, 2021).

Also, another respondent explains that;

The implication of the unlawful conduct of the security agents in the country is that, it has led to series of actions and inactions. Protest emerged nationwide as a result of this nefarious act and generated into loss of lives and destruction of properties, also some political leaders kept mum on the dangerous activities of the security agents. Some youths, who have had different ugly events with the security agents, have known ways of averting troubles or problems with the security agent whom are known in seeking bribe from the youths (IDI/Male/Oke-Ose/June, 2021).

This finding corroborates the argument of Williams et al. (2012) that at the most extreme, victims have described their experience following an incidence of security

officials' violence as one of agoraphobia; they are afraid to leave their homes, afraid to interact with large groups of people. On the individual, it has led to both physical and psychological damages. On the part of the society, it has increased their fears and panicking of insecurity, strain the police-community relationship, shrinks their collective trust, efficacy, and reduced the degree of policing in their activities, after all, no one is guaranteed of safety and security. Findings also reveal that the unlawful conducts of the security agents have implications on the reputation of the security agents as citizens would lose confidence in them and could cause upheaval in the society. These findings reaffirm the positions of Williams et al. (2012) and Carler et al. (2010) on the specific and general effects of the unlawful conducts of the security agents on the victims and the nation at large. These effects are also evident in the event of the nationwide protest on EndSARS in Nigeria which led to the colossal loss of lives and billions of properties looted and destroyed following the hijacking of the protest by hoodlums.

Conclusion and Recommendations

From the foregoing results and discussion, it is the conclusion of this study that innocent citizens have greatly suffered from the unlawful conducts of security agents; the unlawful misconducts of security agents resulted from their impulsivity or low self-control or strain experiences, according to the contributions of GTC and GST; the effects of security agents' misconducts include loss of lives, increased fear and feelings of safety and security in the minds of citizens, retarded development, a huge distrust of national security agents, reduction in manpower and economic workforce, and has hampered national progress and prosperity. Based on these, the study recommends the following:

- i. Government should promptly investigate and appropriately punish any security agent found to have perpetrated unlawful conducts against innocent citizens. The penalty must be equal in intensity to the harm caused so that the principle of justice and fairness will be achieved. Since the victims are extra-judicially killed, harassed, assaulted, extorted, unlawfully detained, then the principle of retribution would maintain that the punishment should be met on security agents as well as their conspirators in that same proportion and exactitude. But for specific and general deterrence, the research recommends, in the case of extra-judicial killings, that the sanction should be an immediate removal from service and imprisonment.
- ii. Bribery, extortion and corruption are gross misconducts that are seen in the behavioural attitudes of security agents. They continue to take bribe and extort innocent citizens. Thus, efforts should be made towards washing off the stains of corruption in the Nigerian system especially the criminal justice system through policies and actions. Bribery, corruption, extortion and other unlawful conducts by security agents should be swiftly, certainly and severely punished. Also, officers should be made to compensate the victims for the

pains and sufferings met on them as a result of their unlawful misconducts. Money and bribes taken from victims should be restituted and officers should be made to pay extra fines. Brutal security officers and other habitual offenders should face dismissal.

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