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DYNAMICS OF POLICE EXTORTIONS ON THE NIGERIAN HIGHWAYS

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Abstract

The Nigeria Police as an agent of social control provide social services to the general public and enforces law and order. The Nigeria Police occupy various locations especially on the highways where the officers check vehicles and drivers in relation to their duty of prevention and detection of crime. They often deviate from their constitutional functions by collecting bribes from the motorists especially on the highways with impunity and pretentiousness. Thus, rather than aiding security and the apprehension of criminals on the highways, police checkpoints in Nigeria have become an avenues for unnecessary delay of motorists and commuters in the quest by the police officers to extort money from them, even as criminals make the best of such scenarios to pay the necessary toll and evade apprehension. It has become worrisome that a very arm of the government that supposed to enforce the law is the same breaking it. It is against this backdrop that this paper explores the factors influencing the exchange of bribery between police and commercial drivers. The study adopts social exchange and rational choice theories and the paper revealed that many commercial drivers were short-changed, intimidated, delayed and extorted and thus recommended that Nigeria police deserves an improved working condition cultural reorientation and other personnel practices to reduce highway extortion.

Keywords: Nigeria Police Force, Extortion, Highways, Commercial drivers, Traffic rules

Introduction

The Nigeria police force is one of the most important institutions in Nigeria which is entrusted with upholding law and order and protection of properties of citizenry. It is an institution charged primarily with the enforcement of criminal law and the maintenance of order through monitoring, discharging and destroying challenges to the existing order of things (Bowden, 1978; Ibrahim 2015). They provide the requisite enabling environment for citizens to live and work towards social, economic and political development of the society (Groenewald & Peake, 2004). In relation to their duties of ensuring crime free environment; police are stationed to enforce traffic rules on motorist especially on the highway. More often than not, especially in the process of exercising their legal duties of checking vehicles and apprehension of non-compliance to the traffic laws, usually caught in an unprofessional act of extorting the motorists almost on a daily basis. The officers who are often charged with the responsibility of checking corruption have been found to be deep in corrupt practices. People referred to them as initiators and practitioners of corruption (Uhakeme, 2009).

Police institutions have deviated from their constitutional role by engaging in behaviour that is eroding the integrity of the force (Oluwaniyi, 2011; Adebayo and Ojo, 2009; Hills, 2008 and Eyram, 2011). Oftenly, Nigeria police personnel are seen often with guns tucked under their arms or pointing at motorists, demanding and collecting N50.000 and above from each passing commercial vehicle they come in contact with"

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(Adebayo and Ojo, 2009:73). Seeing the behaviour of policemen at checkpoints create a feeling that extortion is having a quasi-official status in Nigeria or rather a fully institutionalized tax collected at toll-gates.

Extorting the motorists is usually perpetrated in open glare of the public using both threats depending on who happens to be the victim of the moment. Sometimes driver and passengers are charged differently and individually to maximize "profit" without recourse of morals, sobriety or ethics. According to Karimu (2015) "corruption seems to have become institutionalized by policemen at check points where they collect money in the full glare of passengers and other road users. Every checkpoint becomes by itself a toll gate, especially for commercial vehicles, but with the difference that the proceeds went into the private pockets of the policemen. Motorists are forced to pay money or face detention through prolonged parking, provocative questioning, injury, or even death. Instant payment on the other hand is rewarded with smile, prayers or even assurance that there will be no subsequent checks even if the vehicle documents are fake or loaded with illegal goods. . Over the years, this unwieldy force has proved difficult to be effectively managed and controlled, and has become largely unaccountable to the citizens it is meant to serve (Emerson, 2010).In fact, it has been stressed that most Nigerians lack confidence in the Police and other law enforcement agencies and thus prefer private security outfits or vigilante groups to public security operatives (Ajayi and Aderinto, 2008).

Motorist who refused to comply with N50.00 bribe demanded by policemen on roadblocks and tollgates have met their untimely death in the hands of such policemen (Oyewale, 2005). The police force touted slogan "the police is your friend" has been found wanting. It has become a source of ridicule in the eyes of most Nigerians because of several illegal "tollgates" and roadblocks set-up for the illegal collection of money from Nigerians (Adediran 2009; Obiola, 2005). Several names such as "roja", "particulars"," Kickbacks", "appreciation", "stipends" and "support" have been used by the police to perpetuate these illegal collections.

The police have on numerous occasion abuses the motorists for failing to pay bribe. 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 (Obiola, 2005). Many motorists have been killed by policemen for either failing to stop or refusing to pay illegal levies imposed at these checkpoints. Numerous innocent passengers have also died from stray and directly aimed bullets in the process (Echono, 2014). Although there are number of theoretical and empirical studies on the police-commuters relationships in Nigeria, most recent studies have not specifically and adequately examined the causes and consequences of bribery exchange between police and commercial drivers. It is against this backdrop that this paper examined the factors responsible for bribery exchange between police and the commuters.

Conceptualizing Police, Extortion and Commercial Drivers

The Police is one of the most important institutions in the country institutionalized to ensure the maintenance of law and order. The Nigerian society places high prominence and expectations on the institution as enunciated by sections 214, 215 and 216 of the constitution of the federal republic of Nigeria (1999) as amended. Thus,

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the significance of police as an institution of achieving and sustaining peace, tranquillity and orderliness cannot be overemphasized. Merriam-Webster dictionary define police as a department of government charged with prevention, detection and prosecution of public nuisances and crimes. The Police, therefore, are supposed to help contain crimes as much as possible. According to Martin (1990:6) Police work involves a variety of tasks and responsibilities. Officers are expected to prevent crime, protect life and property, enforce the laws, maintain peace and public order, and provide a wide range of services to citizens... A common trend unifying these diverse activities, however, is that potential for violence and the need and right to use coercive means in order to establish social control (Bitner, 1970), understanding that the police act as the representatives of the coercive potential of the state and the legitimate users of force helps explain a number of their attitudes and characteristics. It is a legal institution or state agency charged primarily with the enforcement of criminal law and the maintenance of order through monitoring, discharging and destroying challenges to the existing order of things (Bowden, 1978; Ibrahim 2015).

Based on the aforementioned definitions, police possess the right of coercion as legitimate users of state force to ensure compliance with rules and prevent nuisance and distortion of the existing order of things. In contrast, in a democratic society the police are more likely to provide services that will enhance development and democracy (Alemika 1993).However, by maintaining order and enforcing law in consonance with the principles and practices of a democratic society, police will foster entrepreneurial initiative and public safety, which are critical to development and human cooperation in general. It is in these respects that the police can make positive contributions towards pro-poor change initiatives. Some of the major concerns of the poor apart from material deprivations and lack of access to services are their vulnerability to insecurity, crime, police brutality and denial of due process rights (World Development Report 2000/2001).

Extortion

This is an offense of obtaining money, property, or services from an individual or institution through coercion. Most officers engage in unprofessional act of extorting the motorists almost on a daily basis. Extortion is usually perpetrated in open glare of the public using both threats and flattery depending on who happens to be the victim of the moment. Sometimes driver and passengers are charged differently and individually to maximize "profit" without recourse of morals, sobriety or ethics.

According to Adegbite (1991), corruption, particularly extortion in the police simply connotes change of something from an original state of purity, a kind of infection or infected conditions. Adegbite linked corruption to an act of inducement with the intent of improperly securing an advantage for oneself or for another person. He further pointed out that corruption is a premeditated act by a person(s) to subvert. Adams (2003) argued that police extortion is behaviour of public officers, which contradict with the acceptable norms for personal gain. A similar qualification has been given by Morris "a behaviour by a public official that deviates from public interest" and is wieldy accepted by international institutions such as the World Bank "the abuse of public office for private gain" (World Bank, 1997:8).On the one hand, corruption has been identified as a negative index in the developmental strides of Nigeria as a nation (Anti-Corruption Law of the

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Federal Republic of Nigeria, 2000. They maintained that several local jargons serve to describe extortion in Nigeria. Among policemen and women, it is named roadger. To some officers, it is often called kola, kickback, ten percent or lobby, depending on the subject matter of interest. This behaviour has become cankerworm and has eaten deep into the fabrics of our society to an extent that almost every ethnic group in the country have names for corruption.

Commercial Drivers

The services rendered by commercial drivers have significant impact on the socio economic activities of Nigeria. This is because a large fraction of the working population travels on commercial vehicles daily to and from work. People equally engaged on journeys for recreation, shopping and other social activities through the same medium. Also both raw materials and finished goods are also transported over a long distance either for production or consumers. This has underscored the importance of road transportation mostly powered by commercial drivers as an integral part of the functioning of Nigeria like other developing economies of the world. Apart from this positive impact, there are other undesirable effects of commercial drivers' activities. The road accident majorly traceable most times to their negligence constitutes a major cause of morbidity, mortality, disability and socio-economic loss (WHO, 2009).

Theoretical Approach

There are various Sociological theories applicable to explaining this study; through the evaluation of the following discussion however, two theories were used as a theoretical basis for this study in order to allow for synergies. These theories are Social Exchange theory and rational choice theory. The social exchange theory is a social, psychological and sociological perspective that explains social change and stability as a process of negotiated exchanges between parties. Social exchange theory posits that human relationships are formed by the use of a subjective cost-benefit analysis and the comparison of alternatives.

The theory involves a series of interactions that generate obligations (Emerson, 1976). These interactions are usually seen as interdependent and contingent on the actions of another person (Blau, 1964). The relationship between the police and the highway commercial drivers hinged on the basis of interdependent transactions that have the potential to generate high-quality relationships, although as this will occur under certain circumstances. In a related fashion, Lui (1985) opined that bribes could be an incentive for civil servants to accelerate the administrative process in low performing administration. The exchange usually occurred when the highway drivers failed to comply with the Highway Code, their inability to provide or present a valid papers or vehicle document and thereby obstructing traffic rules. Some scholars argued that the restrictions are not exogenous to the system but instead "part of the built-in corrupt practices of a police-commuters system" (Bardhan, 1997). A civil servant may create distortions to have an opportunity to extort bribe (Myrdal, 1968).

As part of the police duty to protect the lives and property of citizenry, it becomes their responsibilities to safe guide, secure and ensures safety in all the highways in Nigeria. As a result of inability of the highway drivers to conform to the traffic laws

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may resort to negotiation and exchange of favour from one party to another. Police often use their position and power to suppress the motorists in order to collect bribes (Amuwo and Obayelu 2005). Officer's takes kick back or tips in exchange for inability of highway drivers to conform to highway codes and road related regulation.

While rational choice theory represents a framework for understanding and often formally modeling social and economic behaviour. The basic premise of rational choice theory is that aggregate social behaviour results from the behaviour of individual actors, each of whom is making their individual decisions. Rational choice theory then assumes that an individual has preferences among the available choice alternatives that allow them to state which option they prefer. These preferences are assumed to be complete (the person can always say which of two alternatives they consider preferable or that neither is preferred to the other) and transitive.

Rational choice theory is a relevant theory evaluates the possible pains and gains accrued to a particular decision. These represent an attempt on the part of the drivers who deviate or disobey the traffic rules by finding ways to evade arrest and punishment in rationalizing their actions. This might involve the form of under-performance or neglect of a recognized duty or the unwarranted exercise of power, with the motive of gaining some advantages more or less directly personal (Brook, 1970). Drivers usually attempt to bribe their way out of grievous consequences. When they believe that even when they are caught and penalized, the penalty will be much lower in value than the gains they will derive from the corrupt practice (Daily Times, 1999). It emphasizes the need on the part of the drivers to evaluate and assess the pains and gains of being delayed and punished. They make attempt to negotiate with the police and avoid higher consequences. They prefer to bribe the police than to be punished. The choice made by most drivers seems the best in terms of weighing the pains and gains of the consequences of their actions. Officers by virtue of their mandate or their function often works on the weakness of most drivers to collect bribe (Méry cited in Amundsen, 1999:7)

Police Extortion on the Nigerian Highways

The perception of the personality of the Police Force and the understanding of the concept of Police extortion by the Commercial drivers to a large extent reflects the nature of unfriendly and friendly experiences they frequently have with members of the Police Force. Police are perceived as a predator that exploit, extort and intimate the commuters. This is in accordance with the Social exchange theory where Police are filled with mentality to exploit and intimidate the commuters with an excuse of non-compliance with highway codes in the society. Police officers do collect bribe as an exchange with the commuters as a result of non-compliance with the traffic rules and regulation.

Garba (2009) posited that commuters have quite number of problems such as poor knowledge of road safety education and enforcement of traffic laws and Highway Code, indiscipline, non-compliance, incomprehension of road signs and traffic signals, absence of well-structured socio-cultural oriented traffic laws and regulations. Similarly, Maduagwu (1998:77) corroborated the submission above that, most Nigerian drivers have no regards whatever for traffic laws and regulations: They do not observe speed limit any more than they obey traffic signs on the highway with no thought on the other

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road users. They overtake anywhere and anyhow. Nigerian drivers even park parallel on the middle of the road to greet one another or to chat, holding other Traffic to ransom.

As a result of this deficiency on the part of the commuters, Police extort them almost on a daily basis. Extortion is usually perpetrated in open glare of the public using both threats and flattery depending on who happens to be the victim of the moment. Sometimes driver and passengers are charged differently and individually to maximize "profit" without recourse of morals, sobriety or ethics. In Nigeria today, Police corruption and misconduct reflect a range of unlawful police actions such as abuse, illegal stops, demanding bribes, and extortion, which 'are likely to be experienced as unfair, disrespectful, and intrusive "procedures" (Weitzer and Tuch 2005, p. 307).

Every checkpoint becomes by itself a toll gate, especially for commercial vehicles, but with the difference that the proceeds went into the private pockets of the policemen." This to a large extent makes police citizen relationships in the country to be characterized by mutual hostility and resentment (Alemika and Chukwuma, 2000).

Despite its vaunted slogan: "Police is your Friend," most Nigerians perceived the Police as a dreaded foe that must be avoided by any means possible. In a related development, Alemika and Chukwuma (2000) submitted that the relationships between the Nigeria Police and the citizens are largely characterized by suspicion, prejudiced, mutual disrespect, conflict and violence. In essence, the inability of the Police to connect with the public as a result of their widely reported belligerent and criminal attitudes has alienated the public. Some research indicates that witnessing and having knowledge of inappropriate Police actions are correlated with negative perceptions of the Police (Thomas and Hyman, 1977).

Implications of police extortion on road safety and security in Nigeria

There is no doubt that the effectiveness and efficiency of the Nigeria Police have been under stress and adversely affected by various problems such as inappropriate policing orientation and strategies with emphasis on reactive instead of proactive/preventive measures, brutality against citizens, including extrajudicial killing, corruption and extortion, poor performance in the areas of intelligence analysis and utilization as well as investigation and perversion of the course of justice etc (Jike, 2003; Ekpeyong, 1987 Alemika, 1993; Onoge, 1993).

In response to these short coming of the police, Onoge (1993) observed that the sloganeering "Police is your friend" in present-day Nigeria notwithstanding, the rival popular image of the police as corrupt "kill and go" squad has not abated. Onoge wondered that despite five decades after independence Nigeria still quests for a social order based not on brute force but on just and moral consensus. Violence inter-communal and religious conflicts remain, corrupt looting of the national treasury continues to occur, all sorts of violent crime are committed with reckless abandon in the full glare of the police statutorily charged with public peace and order maintenance; all of these signal the lack of commitment to orderly development of the Nigeria socio-political space (Onoge, 1993).

Till date, it is somehow very disturbing that despite the constitutional powers granted the police to maintain public peace, safety and general security in Nigeria the

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quality of security has nothing to be proud of and it has no doubt generated a great deal of controversies (Odekunle, 2004).

Similarly, declared "Nigeria Police Force falls short of optimum performance". This is manifest in the widespread inefficiencies, corruption, unfairness in dealing with suspects, occasional over-use of legitimate force, bad temper, bullying, and other abuses of citizen's rights with impunity. The Apo six killings in Abuja by the police in, 2005 is an example (Brewier, Gueke, Hwne, Moxon-Browne and Wilford, 1996). The negative attitudes and characters of the public towards the police tend to clash with the power of the state to maintain peace and order. Reiner (1993) states that police are the state's bedrock power and monopoly of legitimate use of force. Effective policing in Nigeria is obstructed when police-community relations is poor. The problem with the Nigeria Police could be extracted from Graham M. Sykes (1978) analysis of "The Police and the Community" in America society as "poor communication" and "lack of sensitivity" (pp.389-394). The Nigeria Police also maintain „poor communication" and „lack sense of humor."This is a model adopted by the police to maintain control over the helpless public.

Uma and Eboh (2013) consequently stated that numerous information abound on the attitudes of Nigerian public officers such as the police and clerks maintaining communication glitch in order to maintain some degree of social control. In this process, the Nigeria Police become ineffective in meeting the demands of the general public. Therefore, effective policing is weakened and police appear wicked, rude, and corrupt in dealing with the public. .

Public perception of police has created mystical impression (when encountered with police officers) that, all the police want is bribe. The general public has become so naïve that they lost civility and senses to quest for their civil rights as police continue to harass them by demanding for money. The agony of this character is that, even if a human being is kidnapped and placed in the trunk of a vehicle, the police collect the petty cash without checking the trunk of the vehicle that has been stopped on the street and highway checkpoints. More so, police corruption has led to a morbid and porous security situation resulting in the wanton destruction of lives and property as currently initiated by the Boko Haram terror envoys and a cortege of criminal sociopaths such as armed robbers, carjackers, kidnappers, ritual killers and assassins in the country. In a related note, Alemika (1999:10) argues that: Police corruption elicits serious concern for three significant reasons. First, the police are expected to be moral as well as law enforcement agents. If the police which are employed to prevent and detect corruption, and bring culprits to judgment are themselves stinking corrupt, the society's crusade against corruption is guaranteed to fail. Second, the police exercise powers that have profound implications for the life, property, safety and freedoms of citizens. Where the exercise of such powers is contaminated by corrupt motives, the citizens feel exceedingly vulnerable, insecure and powerless. Third, police corruption is often tantamous to extortion, a form of robbery or demand with force. These dimensions of police corruption explain why the public is threatened by such practices ... The most significant source of negative police-community relations is corruption. Corrupt motive is also a source of police brutality. In many circumstances, police brutality is a means of coercing individuals to succumb to

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demands for bribes, and at some other time, it is punishment for not cooperating with the police in their demand for gratification (Alemika 1999: 10).

Conclusion

This study have examined the Dynamics of extortions by the Nigerian police on the highway and establish that the issue of Police corruption and other corrupts activities of the Police towards road users cost a lot of physical, psychological, emotional and economical damage to their work. Forcefully collection of money which has been perceived as extortion by the commuters is the cultural practice the two organizations have instituted over time. To balance the corrupt relationship that exists between them, the non-compliance to the highway codes is always the major source of Police brutality and extortion against the commercial drivers. Extortion is an informal method of social control that the Police are using to shape the deviant nature of the motorists and make them to conform to the norms and laws of the society. The Nigeria Police Force by implication has been described as corrupt and this has dented the image of Nigeria Police as an effective political instrument for maintaining peace and order on the street and highways in the country. When the peace and order are not effectively enforced, the society faces social chaos and moral decadence.

Every day, in all corners of the country, police in Nigeria commit murder, torture, rape, and extortion. These crimes are so common, so numerous, and so widespread that it is impossible to fully document all of them. The goal of this report is not to enumerate every major crime committed by a member of the NPF, but rather to provide examples that convey the scope and complexity of the problem, and to push for solutions. The conduct and operations of the Nigeria Police Force bear almost no resemblance to the requirements of Nigerian law. Far from protecting human life, safety, and security, the NPF increasingly endangers them. Urgent measures are required to return policing in Nigeria to the path of lawfulness, respectability, and public confidence.

Recommendation:

Increase the Autonomy of the Nigeria Police Force

To be more accountable and responsive to the people it serves, the Nigeria police force must have greater autonomy from political control, coupled with greater internal control and external oversight. This cannot be achieved if the Nigeria police force answers only to the president. Seek a constitutional amendment to create an independent force led by an inspector-general of police (IGP) who has operational control of the entire force and continue the budgetary reforms begun in 2008 by making each area command into a distinct budgetary unit, thereby increasing local accountability and reducing reliance on federal-level funding

Increase External Oversight of the Nigeria Police Force

Government should create a dedicated federal prosecutorial unit to pursue felonies committed by active duty police officers. This unit should have investigative capacity separate from the NPF. It should be endowed with the power to investigate and prosecute any acts of misconduct and/or criminal acts by NPF personnel.

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Increase Internal Control of the Nigeria Police Force

Police Authority should establish a system for receiving and processing civilian complaints about police misconduct or crime. This system must provide confidential means for reporting police misconduct and guarantee the safety of victims and witnesses. Maintain an effective internal affairs unit that can investigate specific complaints, seek out police misconduct, and use data to identify patterns of misconduct and problem officers.

Improve Recruitment and Other Personnel Practices

Police Authority should revise recruiting and vetting processes to ensure only persons with clean criminal records, adequate experience and/or preparation, and appropriate temperament are recruited as police officers. Maintain records of all candidates who have been rejected by the NPF because of prior criminal conduct and those officers who have been disciplined by the NPF or criminally prosecuted. This will prevent unsuitable candidates from being hired and former officers from being rehired.

Improve Working Conditions for NPF Personnel

Government should Review and improve the overall compensation provided to members of the police so it reflects the importance of the job and the high expectations invested in every member of the NPF. Establish pay levels that are tied, in part, to performance in reducing police abuses and addressing crime. Secure adequate group life, health, and disability insurance coverage for employees. Employ social and taxation policy—such as lower taxes for police officers and free or subsidized access to public health and education for their children to supplement NPF salaries.

Training and retraining of public transporters

There should be a training structure for every public transport driver about the obedience to law and order, and these drivers need to be aware of their fundamental human right.

Availability and affordability of renewal of vehicle documents and license

Government should make the renewal of vehicle papers and license available at every states and every locality within the state. Government should also make the renewal more affordable so that the commuters will not find it difficult to obtain.

Full compliance with the highway codes

The NURTW members are to employ security and safety requirements among others. They are to conform to the Road Transport Safety standardization scheme which ensures the registration of vehicles and compliance with set-standards. Commuters are also to comply with the minimum safety standards as clearly spelt out in traffic laws and regulations. The responsibilities of FRSC include monitoring, certifying, registering and enforcing compliance with regulations governing safety operations of vehicles in Nigeria. Consequently before any driver could be legally permitted to operate vehicles on the nation highways, especially on inter-city roads, he has to be certified in skill and attributes.

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