

INEFFECTIVENESS OF INSTITUTIONS IN CURBING EXTRA-JUDICIAL KILLINGS IN NIGERIA: IMPLICATIONS FOR NATIONAL DEVELOPMENT

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Abstract

Every community has its peculiarities and features, and extrajudicial killing has become a pervasive problem in Nigeria as a nation. Despite the existence of institutions such as the National Human Rights Commission, the Police Services Commission, and the Judiciary, the extra-judicial killings continue unabated. This study examines the ineffectiveness of institutions in curbing extrajudicial killing in Nigeria. The reoccurrence of lynching, maiming, torturing, and jungle justice by security operatives and law enforcement agents to the suspects has been added as another dimension to the neighborhood security system in most of the Nigerian cities, which has made the country to be tagged as one of the most unsafe nations in the continent. Available data show that the instability of Nigeria's economy system has been indicted, and responsible for the high rate of unemployment and poverty, while poverty instigates social vices and corruption in almost all sectors of the Nigerian system, including the security apparatus and the Nigerian legal system that made people lose faith in the effectiveness of the Nigerian police and the Nigerian legal system that made the masses to take law in their own hands. This study is anchored on failed state theory. Therefore, the paper argues that with the repositioning and addressing of Nigeria's economy problem will definitely empowered all institutions to discharge their roles and responsibility effectively, with this, it will definitely stem the tide of social vices and foster rapid growth and socio-development.

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Introduction

Nigeria remains the most populous black nation in the world with her diversity and heterogeneity in nature. Although many countries of the world with heterogeneity have been enjoying their diversity as a source of the development both in social and economy, while Nigerian diversities has been the source of conflicts and other social problems, such as political instability, boko-haram, fulani-herdsmen, kidnaping, agitation for secession, robbery, prostitution, corruption, rape, fraud, bribery, and many more while the most rampant of these is extrajudicial killings by law enforcement agents. Killing, torture, by law enforcement officials or security apparatus in most of cities in Nigeria has become a reference point in media. The recursive and excessive nature of these crimes toward armless civilians or suspects has made the nation to be tagged as one of the unsafe nation in the continent. Accordingly, the institutions that are mainly responsible for managing the system are weak and ineffective. Indeed the goal of every administration is to strive for the development in which Nigeria's government is not exempted in this great task and in order to achieve this, the crime rate of these nature must be reduced to bare minimum, while the institutions that are responsible for these tasks must be effective and active. Institutions remain the engine that drive the development of society, and this is determined by the how effectiveness and activeness of these institutions. Though institutions are like a system that works for the generality of society as a whole, while the weakness and ineffectiveness of one segment of the institution has very significant effects on the others. Therefore, the bad state of Nigeria's economy and adoption of untimely economic policy by the Nigeria government has been indicted for the ineffectiveness and weakness of most of these institutions, such as Nigeria police, military, education, economy, religion and government, and judiciary, from performing their roles and responsibility effectively that responsible to the high rate of social vices in Nigeria's society. Indeed, as Obumneke (2012) observed, the unemployment and poverty account for most of the social crimes perpetrated by youths in Nigeria society. The accelerating level of political instability, insurgency, prostitution, armed robbery, corruption, rape, and extrajudicial killing and all facets of violence conflicts can be largely attributed to the high rate of youth unemployment. The examination of most of the apprehended criminals shows that a large number of youths who engage in social vice activities are those without gainful employment due to the economic crisis confronting the Nigeria nation in the recent. However, security has to do with the act of preventing and protecting in order to ensure that all facilities, equipment, persons and properties are secured and safe from damage, pilferage, destruction, murder, disruption, and maintenance of peace, justice and conducive environment. However, all these remain the responsibility of the government through her effective and active security apparatus and judicial system, while the weakness and ineffectiveness in the Nigerian police system have made the services of vigilante services more popular, while the lack of trust in Nigeria judicial system and other factors made the members of Nigeria's public takes the law into their hand. Following the high rate of unemployment and high level of poverty in Nigeria's society with the diversities nature of the Nigerian nation, it has made Nigeria's problems to be more complex to the extent that in the effort to provide solution to specific problem is like opening another can of worms. However, in the process of establishing peaceful and secured environment, extrajudicial killing became the order of the day.

Conceptual clarifications

Institutions: According to the Penguin Dictionary of sociology, the social institution is a social practice that is regularly and continuously repeated, sanctioned, and maintained by social norms and plays a significant role in the social structure. However, social institutions can also be seen as organized patterns of beliefs and behaviors that are centered on the basis of social needs or established patterns of life. The major segments of social institutions include family, education, economy, religion, media, military, police, judiciary, and government.

The institution is like an engine that sustains society, while the effectiveness of institutions reflects on the general structure of the whole society. However, the weakness or ineffectiveness of one segment of the institutions always has effects on the others, while the instability in the Nigeria's economic sector has been indicted for responsible for the ineffectiveness and weakness of most of the institutions.

Police: The Nigeria Police Force (NPF). As law enforcement agency that responsible for the maintenance of laws and orders, including the protection of citizens and the prevention of crimes. Indeed, Nigeria's police have been accused of perpetrating human rights abuses, including extra-judicial killings (Amnesty International, (2020). Nigeria police also being accused of lacking of accountability and transparency (Omitola, 2015). While, the Police personnel's also lamenting for their poor remuneration and poor conditions of services from the government.

Military: The military also remains an important aspect of institutions responsible for the security of the nation against both internal and external threats, maintaining national security. The Nigerian military was not spared in the allegations of being accused of perpetrating human rights abuses, including extra-judiciary killings (Amnesty International, (2020). The Nigeria military also has also been criticized for lack of accountability and transparency, following the involvement of Nigeria military in the services mainly for Nigeria police, such as escort activities of civilian and the arrest of the civilian without legal source. (Omotola, 2015).

Judiciary: The Judiciary is one of the three branches of government responsible for the interpretation of laws, dispute resolution, administration of justice, and protection of rights. All these functions are tantamount to the development of society and the nation, specifically, but in the Nigerian system, all these functions of judiciary have been undermined and eroded due to some irregularities in the Nigerian legal system. However, the Nigerian judiciary system has also been criticized for its complicit and human rights abuses (Amnesty International 2020) and of being an instrument to extrajudicial killings (Omotola, 2015).

Unemployment and Poverty in Nigeria: Economic challenge is a global phenomenon, while unemployment and poverty remain the top issue in most African countries like Nigeria. The unemployment has been a threat to many nations in the world while many countries of the world striving hard to curb the phenomenon, but it seems that the Nigeria government is not doing enough to address the issue. Nigeria's economic crisis remains the major factor affecting the manufacturing sector that is responsible for the high amount of unemployment in Nigeria society while unemployment leads to poverty. Unemployment according to the International Labor Organization (ILO) as the number of economically active individuals who are without work but available for and seeking work, including people who have lost their jobs and those who have voluntarily left work (World Bank, 1998).

According to the Nigeria National Bureau of statistics, the unemployment rate in Q4 2020 stood at 33.3 percent, while the Nigeria Labor Force Survey (NLSF) showed that the rate of unemployment in Nigeria has jumped by 4.1 percent in the year 2023. Therefore, as Obumneke (2012) observed, that the bad government's policies and other factors have been identified to be responsible for the risen of unemployment rate, including adoption of untimely economic policy measures, wrong impression about technical and vocational studies, the neglecting of the agricultural sector, and poor enabling environment. Unemployment has become a major obstacle to the development and well-being of the people of Nigeria. The high rate of unemployment rate in Nigeria has contributed to the high rate of poverty rate as a major factor responsible for most of deviant behaviors among the Nigerians.

Poverty and crime in Nigeria: The accelerating rate of crime in the world today is worrisome. Indeed, crime exists everywhere irrespective of religious affiliation, political inclination, whether democratic or undemocratic, and economic standard-developed or undeveloped. Almost all countries in the world are experiencing one form

of crime or the other, but the degree and variation of such crimes largely depend on the effectiveness of the internal security management mechanism (Institutions).

Indeed, in most of developing countries, mostly, African countries including Nigeria, high level of poverty has been indicted and responsible for most social vices committed, as contended by Adejumola and Tayo-Olajubulu (2009) that poverty has been identified as the major cause of most social vices like armed robbery, prostitutions, political thuggery, corruption, kidnaping, political instability, insurgency, and extra-judicial killings and others in Nigeria society.

Youth and social vices in Nigeria: The high numbers of unemployment rate in Nigeria, particularly among the youths, has posed a serious challenge to the development of Nigeria as a nation. The youths in every society represent the productivity and potentiality of such society and as stakeholders in the socio-economic development sphere of such society. However, the youth are characterized with energy that need to be engaged positively and channel toward productivity, innovations, and development, while the failure to engage them positively may pose serious danger to society, while the inability of the Nigerian government to engage Nigeria's youths positively and productivity remains one of the reasons why crime rates and insecurity remain high in Nigeria and the whole of Africa as a continent. As Ajufo (2013) noted, in Africa, youth's unemployment has been a major problem, giving rise to other criminal tendencies among the youths that threaten the socio-economic, peace, and stability of the continent as a whole.

Vigilantism: The concept of vigilantism has generated several controversies because of scholars' divergent views. However, vigilantism, according to the Longman dictionary, is someone who illegally punishes criminals and tries to prevent crime, usually because they think the police are not doing this effectively. According to Fourchard (2016), vigilantism is an organization coordinated by groups of ordinary citizens to enforce norms and maintain law and orders on behalf of their community, often by preventing crimes, in the perceived absence of effective official of the state action through the police and courts. However, vigilantism may be referred to as the act of taking the law into one's hands. It may be in the form of organized groups or personal with the intention of preventing crime, enforcing justice, and maintaining orders.

There are three types of vigilantism include:

Vigilante groups. This type of vigilante operates in groups with specific goals and targets. Most of these groups work to defend ethnic and religious motives.

Individual vigilantism. These kinds of vigilantes work individually with the objectives of preventing crime and maintaining justice and equity in a particular society.

Community based vigilantism. This form of vigilantism employed by the community sometimes involves some community members purposely to protect their neighborhood against crime or threats.

Indeed, the Vigilantism is not peculiar to Nigeria's society alone; it has been existed for several decades and is also popular in many countries like China, Russia, Japan, and many others. However, In Nigeria too, the service of vigilantism has existed for centuries, even in the pre-colonial era. For instance, every ethnic group in Nigeria has its own vigilant organization that is responsible for policing their interests, for instance, among the Yorubas, the Agbekoyas, and the Oodua People Congress (OPC). Among Ibo's in the South East, there are Bakkasi Boys, while Egbesu Boys, among Ijaw, and Arewa People Congress (APC), and Hisban, among the Hausas in the Northern part of the country. In the recent, vigilantes' work is now gaining popularity in most of Nigerian cities due to the ineffectiveness of Nigerian police in discharging their responsibilities. However, it was also discovered that most of the vigilantes joined the services as a result of the high rate of unemployment in the society, while

most of them had no required basic skills regarding the profession, while their welfare, is far away from sustaining them (poor remunerations).

Theoretical Framework

This study is anchored in the tenets of Failed State theory. According to Max Weber (1864-1920), he referred to the sovereign state as the ability to maintain the monopoly and legitimate use of physical force within its borders and when this responsibility is broken and the state becomes unable to maintain its monopoly, then such society could be referred to as a failed state. William Zartman and Robert Rotberg also viewed the sovereign state as primarily a service provider, and the state could be referred to as a failure or collapsed state when the state is unable to perform its basic functions and services for which it exists. Robert Rotberg also went further in describing a failed state in which the sovereign state is unable to provide positive political goods to society. However, the state also could be adjudged as a failed state when it is unable to enforce its law effectively and provides basic needs such as goods and services to its citizen or in the situation where almost its institutions become weak and ineffective in it is various responsibilities including having and experiencing another form of security outside the regular and state security apparatus. Variably, these occur when the insecurity is on the rise due to the ineffectiveness and weakness of state security apparatus. There are many indicators and indexes enlightened and to be considered by scholars before a state can be described as a failed state. Following the current situation and the state of Nigeria society at present, most of the parameters used to justified the failed state have been experienced in Nigeria in recent times, including the presence of paramilitary, warlords, terrorism and armed gangs and insecurity in every region of Nigeria to the extent, the security of life and properties of Nigerians can no longer be guaranteed through the services of the Nigeria security apparatus as a result of loss of faith and confidence in Nigeria police and the Nigeria legal sector as a cogent reason while individuals, groups and organizations seeking security support outside the state security apparatus. Apart from the insecurity situation in Nigerian society, the Nigerian economy sector has lost its focus which has had effects on other institutions, like education, religion, family and government, security and justice, and police.

Extrajudicial killings in Nigeria

Extra-judicial killings are acts of killing or torture by law enforcement officials or non-enforcement (Vigilantes) without the legal process. According to Onwuegbusi (2017), extrajudicial killings are killings outside the scope of law. The recent upsurge in extrajudicial killings, torture, and the degrading and inhumane treatment of citizens in society by law enforcement agents, including Vigilantes. However, the extrajudicial killing is not limited to Nigeria, most African countries experience it because of weakness and the ineffectiveness of institutions and bad administration systems.

Weaknesses in social institutions and extral-judicial killing.

The goal of any administration is to achieve a secure environment as a prerequisite to development, while the Nigerian government has not been able to achieve this objective due to the recursive cases of extrajudicial killing in most of Nigerian cities as the main reason the Nigerian as a nation tagged as one of the most unsafe nations in the continent.

However, disorderliness becomes the order of the days when the institution that is responsible to it failed to carry out its duties and responsibility. The economy sector remains the major contender and stakeholder that determined the structures and effectiveness of most of the institutions of every society. Indeed, the instability and poor state of the Nigerian economy has indicted for affecting and constraining the government to perform her roles and function judiciously while the high rate of unemployment and poverty in Nigeria has responsible for the high rate of crimes, including extra-judicial killings. Oni (2007) contended that, there is a linkage between unemployment,

poverty and crime, due to inability and lack of jobs to earn an income from the legitimate and socially acceptable means that lured many unemployment and poverty inflicted people into illegal activities in order to survive.

Indeed, poverty and corruption in the Nigeria society had impacted every aspect of Nigeria's sectors including the Nigerian police and Nigeria's legal system. Although almost all Nigeria's workers lamenting the frequent inflation in the Nigerian economy system and poor remunerations, which has been attributed as a cogent reason's for the ineffectiveness of the Nigerian police system and the Nigerian legal system. In view of this, many Nigerians have started to look for alternative means for their protection of lives and properties outside the state security apparatus as one of the reasons why vigilantism has become more popular among Nigerians and other countries with similar situation. Following the high rate of unemployment and poverty in the country, many unemployed people accept the vigilantes's job as a means to survive. It was also revealed that those who work as vigilantes have no required basic skill in the profession, while the investigation discovered that, their remunerations also far away from sustaining them. In view of this, Otherwise, sometimes they connive or do otherwise in order to earn extra income without considering the consequences coupled with the irregularities in Nigeria's legal system. Dahrendorf (1976) argued that politeness as a social condition plays a significant role in crime. That is to say, unemployment and poverty are responsible for most of the crimes committed, while lack of job are also responsible for taking up a vigilante job.

Conclusion

The effects of ineffectiveness and weakness of social institutions as predictors of extrajudicial killing and other crimes in Nigeria society. The study also revealed how the instability of the Nigerian economy affected other institutions' ability to perform their roles and their responsibilities effectively. Furthermore, the study also concluded that unemployment and poverty give room to crimes in Nigeria society while lack of faith in the Nigerian police and the ineffectiveness of the Nigerian legal system are the main factors why Nigeria's citizens take the law into their own hands, as a means of administering justice to criminals and suspected criminals in most of Nigeria's cities.

Recommendations

Indeed, the goal of every administration is to achieve an enabling environment in terms of social and economic development in which the Nigerian government was not exempted in this great task. Therefore, there must be a concerted effort by the Nigerian government and other stakeholders to work together to revitalize Nigeria's economy while the establishment of vocational training and provision of soft loan opportunities to citizens in order to bridge the gaps of unemployment and poverty.

However, the Nigeria police system as an institution required total reformation and re-orientation in order to be more active in their chosen carriers and more professionalism in their dealing with the member of the public, while the Nigeria legal system and court process need to be re-structured to be more independent, sufficient, and more active in their discharging their duties and responsibilities more accurate and faster. For justice to be delayed is justice denied.

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