

The Police and The Public: Risk as Preoccupation

Despite wide differences in social context, global similarities between police institutions can be very informative: the often-cited centrality of risk, specifically career risk, as a preoccupation of police officers is particularly salient in this regard. The core activities of police law enforcement and casework rely on a bureaucratic and formal structure but necessarily entail a high degree of discretion and leeway in their application. This is the case anywhere in the world, but acquires additional resonance in postcolonial and transitional societies and polities, where formal law is complemented by plentiful informal accountabilities, and where particularist imperatives inflect many social interactions and encounters with the state and its institutions. In turn, those dynamics influence how the state is imagined, construed, and reproduced by its servants and its citizens in their everyday encounters.¹ Taking particularism to include social class and stratification as well as the more commonly cited particularisms of ethnicity and religion, we can examine how applying the law comes to involve a wide array of ‘external’ considerations. Furthermore law enforcement, as a sensitive activity, must often be implemented with due consideration of the possibility that actions can backfire and ricochet - via informal accountabilities – back into the realm of the formal, in the form of official punishments such as disciplinary action as well as meaningful ‘pseudo-punishments’ such as transfers. This paper examines the relationship between the dual formal and informal logics of the policing ‘job’ and thereby, how career risk (in addition to physical risk and danger) becomes an overriding concern of the police officer in the Nigerian context. It draws its material in the main from recently-concluded fieldwork and does not therefore make extensive review here of the comparative theoretical literature.

In order to draw out the bundle of dynamics involved in considering the meanings constructed at the interface of the police and the public, the paper breaks the issue down into sections which progress through and rephrase the issues at stake. First, it lays out the normative and well-established public discourse about policing, backed up by academic and policy literatures, looks at the poles around which negative images of the police are constructed, and interrogate how a negative image of the police comes to be mobilised in the public sphere. Secondly, the piece looks at how police officers tend to express attitudes regarding the wider public which frame their own actions. Thirdly, it interrogates the validity of a generalised concept of ‘the public’ in contemporary Nigeria, and introduce caveats on its use as being itself a conscious framing strategy, and outlines ways in which actors move between on one hand the civic formal sphere where a public subjectivity applies, and on the other, particularist informal strategies, in interactions with the police. Thereafter, I deal with the less frequently-addressed theme of police officers’ fears regarding interactions with the public, as an activity constantly fraught with risk,

¹ Taking here as a point of departure Gupta’s (1994) discussion of the creation of meaning at the ‘blurred boundaries’ of the state.

sometimes physical but more often to career, as a balancing act of public and personal diplomacy, and outline some of the individual strategies available to and employed by police officers in mitigating that risk.

The Police in Public Discourse

It is an unavoidable and unignorable fact in Nigeria that the police are both a perennial subject of public discussion, and perennially portrayed in a negative light. The history of negative public discourse on policing in Nigeria is long and well-documented, emanating from both domestic and international, popular and elite sources. For brevity, let us take one of the most recent instalments as a usefully typical starting-point. On Thursday 1st July 2010 Nigeria's National Bureau of Statistic and the Economic and Financial Crimes Commission presented the outcomes of a joint survey of business leaders and executives conducted by them and funded by the European Union (EU) and United Nations Office on Drugs and Crime (UNODC). It found that the Nigeria Police was the most corrupt public institution named by members of the business community as impeding economic operations in the country.² This finding echoes numerous previous surveys such as the 2007 Nigeria Corruption Index by the Independent Advocacy Project (IAP), which memorably found that 99% of all respondents found the police to be the most corrupt public institution.³ These dubious citations are meanwhile only the quantitative partners to the voluminous public rhetoric about police corruption, inefficiency, arbitrariness, extortion, brutality borderline criminality and simple bad attitude.

These are powerful numbers, to be sure, but in terms of meaningful analysis, it just won't do. It's certainly a useful baseline for our enquiry, but we have to go behind and beyond such seemingly inarguable findings to see what is really at work here. If we enquire further and deeper into this relationship, we may certainly find that the police are widely disliked, feared and avoided. We may equally discern that this rhetoric also disguises some extremely instrumental relationships with the police initiated by members of the public. And we will also find, less intuitively, that the police are also at times themselves very wary of, and even intimidated by, the public.

To begin by interrogating the headlines and thereby thinking about their genesis: It seems abundantly clear after even a cursory consideration that the police are *not* the most corrupt institution in Nigeria; if by 'most corrupt' we mean anything like the amount of money stolen, or the distance in deviation from their office's formal stated aims. That dubious honour must surely go instead to the country's political institutions. Presidents, Honourable Ministers, special assistants, Senators, State Governors, Local Government Council chairs, and assorted other legislators, executives and functionaries' annual depredations in even the smallest of Nigeria's 36 states easily out-steal even the highest estimations of what might be extracted in the course of policing, even if we take the high

² The report was followed, and supported by, a Human Rights Watch report, entitled *Everyone's In On The Game: Corruption and Human Rights Abuses by the Nigeria Police Force*

³ *Punch*, 14 June 2007

estimate recently placed by Human Rights Watch on the annual illicit checkpoint revenues accrued by police in just one (large, commercial) state, or the recent projection that as much as N20.53 billion (US\$135.7 million) may have been realised nationally from ‘dashes’ at roadblocks in a single 18-month period.⁴ Politics in Nigeria today has little to do with public service and everything to do with private accumulation; or in the concise words of a political ‘fixer’ and money-launderer I recently met; “You know on the immigration cards where they ask for ‘profession’? Politician should be there, because it’s a business, honestly”. In a pseudo-democracy, politicians after all operate with very little effective oversight or formal transparency; whereas the police have at least a nominal chain of superiors mandated to exercise oversight, a chain of command and an (admittedly imperfectly) functioning disciplinary code.

I suggest instead that the key reason that the police (and in previous surveys, also the epileptic state electricity provider NEPA/PHCN) are so easily named as ‘most corrupt’ by the public is because of the *salience* of police corruption. Whereas the cake-cutting of politics takes place behind closed doors and way over the head of the ordinary man or woman, encounters with police graft, though usually more petty in extent, are a routine experience for everyone. So much so, in fact, that the request/demand for a dash, the outstretched hand at the roadblock, the pay-at-point-of-use ‘standard operating procedures’ of access to justice and public security have become archetypal parts of the Nigerian experience, constitutive acts in the fabric of daily life.

Equally, as the pervasive atmosphere of public insecurity can be directly correlated with police underperformance, their failures of service delivery tangibly affect everyone (a factor which would equally explain the power utility’s salience). In fact, this is borne out by the available statistical evidence: Preliminary findings from CLEEN Foundation’s survey work show that of 13 listed Federal institutions about which members of the public were asked if they had contact in the last year, the top-rated were PHCN/NEPA (42.5%) and the police (29.7%) while the numbers who were in direct contact with agencies such as the customs, courts and road safety were in the low single digits. Thus other agencies and institutions whose failings may be less visible or less tangible in extent are not necessarily cleaner.⁵

One Assistant Superintendent put the salience issue to me in the following terms: An institution such as the Customs Service may be as corrupt as the Police, but they relate

⁴ Human Rights Watch cites the civil society organisation Intersociety’s 2009 estimate that each of the approximately 70 checkpoints operating in the state generated around N20,000 (US\$132) daily, making N504 million (US\$3.3 million) annually (*Everyone’s In On The Game*, p26). At the report’s launch, Intersociety’s Chair Emeka Umeagbalasi reportedly cited the N20.35 billion figure – broken down by region - as the estimated ‘take’ from January 2009 to June 2010 (*Next*, August 18th 2010).

⁵ Although note that the police also recorded the highest proportion of bribe ‘asks’ of Federal agencies, with 51% of interactions resulting in the mention of cash. *National Criminal Victimization & Safety Survey*, Summary of Findings, CLEEN Foundation, Lagos, 2009

only with a small number of businessmen, whereas “when we arrest someone and demand bail money, the father will then go home and take out one cloth (bolt of fabric) he has been keeping under the mattress, and try to sell it to one of the neighbours, and before he gets the 1,000 or 1,500 Naira, maybe ten of them will know he needs to sell cloth to raise money for bail”.⁶

In addition to such evidence, we should note that police corruption is uniquely *morally* salient because of the noteworthiness and persistent shock-value of the same institution given guardianship of the law exhibiting proclivities to breaking it. I would therefore argue that the question which is really being answered in such surveys is in real terms either or both of ‘what is the most visibly corrupt institution in Nigeria?’ and ‘which institution’s malfunction affects you most?’⁷

That corrective aside, it is however undeniable that the police have a terrible public image in Nigeria, and that this is based in very large part on actual lived experience; certainly that is mixed with a measure of public ignorance and unjustified scapegoating, but that itself would not be so easy if the circumstances of police-public relations were better to start with. This is known and privately admitted even in circles close to the police; in the words of one academic who has worked with the NPF, “the police in this country are hated, and they have earned it”. Negative evaluations of the police are reinforced and reproduced in daily encounters which expose the public to two common dynamics; one – petty extortion of the roadblock type, and two, the possibility of entrapment in the process of engagement with the police, such that the risk of getting expensively bogged-down in Byzantine and expensive proceedings is often invoked as a deterrent to bringing a case to police attention, such that engagement with the police is widely seen as a risky inconvenience to be avoided, and a further reason to make recourse to alternative methods of dispute resolution. At this point it is fair to add that this disposition also applies to other agencies of state, and to government more widely; “a sense that contact with the state causes problems permeates popular discourse about interaction with the government” asserts Pierce (2006), among many others.⁸

In fact, police are popular nowhere in the world, even in the UK which is often upheld as a model of consensual and public-oriented policing. Derided as low-status by middle classes, and as treacherous objects of suspicion by many working-class people, the police

⁶ Interview, male Assistant Superintendent, north-central zone, November 2009. In Nigeria, as in the UK, only courts have the right to set a cash amount for bail; police bail is in theory (but almost never in reality) free.

⁷ Further, and as regards surveys specifically, I’d attribute a measure of self-sustenance to the facts produced by such repeated perceptions surveys; certainly as a former respondent contributor to the Transparency International *Corruption Perceptions Index*, I can confirm that known previous placings in such an index do influence at least some respondents’ ratings when such exercises are repeated.

⁸ Pierce, Steven: Looking Like a State: Colonialism and the Discourse of Corruption in Northern Nigeria *Comparative Studies in Society and History* Vol 48 No 4 2006 (p891)

in most developed nations are often caricatured as funspoilers or fascists, when they are not simply low-status untouchables doing society's dirty work⁹; and are most often appreciated only in emergencies when members of the public become victims of crime. Policing is typically often less consensual, professional and popular in developing nations. But even despite this, the extent of public dislike of the police in Nigeria is noteworthy and abundantly clear in everyday life. And in fact 'dislike' is a broad and general term about which we need to be more specific. We can break it into three aspects:

- The police are not *liked*, insofar as the public display little empathy with them, have little sympathy with their problems, and readily blame them for problems to the extent of regularly accusing them of active collusion with criminals.
- The police are not *respected*. The manifestations of this are multiple. While in a filling station, a former police officer with wide global experiences pointed out to me that Nigeria is one of the only countries they had seen where people (whether in helpfulness or fear) do not allow police vehicles to pass ahead of them in fuel queues. Few non-police families with educated offspring hope for them to join the police,¹⁰ and popular culture is full of representations in which the police are the butt of jokes and mockery.
- The public have an *aversion* to the police; the police are feared and avoided. There is an operative sense in Nigerian society of fear being associated with respect. For example, I have seen this applied to a new yam masquerade, explained as being about making the community/audience "fear us, respect us and love us" (the royal lineage performing the masquerade), and it is equally manifest in the mix of fear, awe and pride with which people discuss the army. This however seems *not* to be the sense in which they fear the police. Fear of the police is fear of illegitimate force, of avoidable trouble, of costly entanglements.¹¹ Indeed it is well-documented that parallel systems of community-based justice and dispute resolution have continued to thrive in the gulf between the public and the police, and that this is a space which has also afforded opportunities to

⁹ See Young (1995) for analysis of the police as symbolic 'pigs' consuming and transforming society's dirt, and being thereby polluted. Young, M: Black Humour – Making Light of Death *Policing and Society*, 5 (2) 1995

¹⁰ The current economy of permanent crisis however means that it ends up being a career option for many nevertheless. It is telling meanwhile that most graduate officers did not make the police a first career choice.

¹¹ While on the subject of cost, I think it interesting that there are also indications that many members of the public believe the police are richer than they in fact are. Witnessing a quack medical salesman pitching patent Chinese magnetic cures to assembled police personnel, I was interested to note that his estimation of their disposable income seemed hugely optimistic; his opening price was more than six times what even the most affluent of them were able to pay.

alternative security providers, specifically in the 1990s explosion of vigilance groups.

The Public Through the Eyes of the Police

Much less well-known, of course, is what the police think of the public, and while I have attempted no systematised research into this, aspects of behaviour and comment provide windows into this issue and enable some broad conclusions.

- As everywhere, police work in Nigeria can easily engender cynicism about human nature. Repeated encounters with the most sordid aspects of human relations leave policemen and women, especially those tasked directly with criminal investigation, largely cold and emotionally detached in the presence of suffering, prone to stereotyping and in the end resigned and determinedly un-idealistic.
- There is often an air of exaggerated contemptuousness in the treatment of the public by the police, comparable perhaps to the concept of ‘bloody civilians’ which the military deployed freely during their era of dictatorial rule in justifying dismissive, superior and/or violent dispositions toward the public.
- With reference to paramilitary Mobile Police (MOPOL) specifically, there is a highly confrontational ethic at work. In this respect, I can cite for example an incident during the 2007 elections in Lagos, when I was in queue of traffic held up on one of the city’s long over-water causeways by rioting political supporters. On asking a Mobile sergeant what was causing the delay, he replied that “Seventy percent of Nigerians are thugs. Don’t worry, the army will deal with them”.
- Tellingly, the police are highly conscious that they are not liked. They were, after all, not always police, and before they were in uniform they previously partook in the general public’s attitudes and orientations towards the police. They retain non-police schoolfriends and relatives, they are often out of uniform on the bus and in the market, and they hear and are very aware of the way the police are discussed in everyday life as well as in the media. They are thus extremely aware that the respect they command is most often, in the Nigerian phrase ‘in the mouth’.¹² Such respect as they are outwardly accorded is based only on immediate fear and coercion (cf the absolute lack of authority enjoyed by any unarmed police officer interacting with the public). There is therefore a huge amount of status anxiety at play, and the outward forms of displaying respect become even more loaded.
- There is however observably little malice and hatred in the police interaction with the public, even with suspected criminals. Observing interrogations and processing of criminal suspects for petty offences, I have been repeatedly struck by the frequency with which the same officers detaining, questioning, extorting and physically maltreating suspects will also be the ones helping them for

¹² I.e. it is formal and verbal only, rather than heartfelt.

instance, to open a tin of condensed milk brought by a relative, or making sure they have eaten. There is instead perhaps, a mild human interest and an overriding detachment; or perhaps it is true to say that the power games and the violence are at the same time much more intimately social than I had expected.

Breaking Down ‘The Public’: Civic and Particular

So the public don’t like the police and the police don’t much care for the public. That’s perhaps not a particularly revolutionary finding. To push our analysis a little further, then, it is necessary to step back and consider first, how much of a useful operative concept *is* the idea of the civic general public in the contemporary Nigerian context?

Certainly there is a large body of political studies literature – and a derived popular discourse – which states that the idea of a public in Nigeria is underdeveloped, and riven by ethnic and religious consciousnesses (whether false or genuine depends on the beholders’ analytical leanings) and groupings which prevent the establishment of a meaningful and stable concept of a civic public. I would moderate this position on a number of counts:

Firstly, I don’t know that there is any particular ‘correct’ level of development of a civic public or sphere against which we can assess deviant examples. Secondly, it is not true that a civic public does not operate in Nigeria. At certain points it is very visibly present, across divides of ethnicity, religion and even the biggest social boundary in Nigeria, class. Illustrative examples would be the popular pan-national expression of public will leading up to the aborted election of 12 June 1993, or the popular and broad public support for the Nigeria Labour Congress (NLC) campaign of strikes over fuel prices in 2004/2005. In fact, it might seem that, given the considerable heterogeneity of Nigerian society, it is surprisingly easy to get a civic public non-sectional consensus mobilised in protest; indeed the *language* of mass protest is most often couched in the terms of the civic.

When we move to strategies of accommodation, rather than confrontation, however, we switch most often from the civic to the realm of the particular. Accommodation with government/power/state authority – both as it is sought by sections of the public, and in the terms it is offered by those in power – is most often particularist, in accommodating the interests of a particular communal or identity group or even individual.

This is true whether we talk of the macro level, at which for example the claims of ethnic groups are accommodated through state creation intended to defuse and redirect tensions in the political economy,¹³ or the micro level at which people approach interactions with the police, citing and bringing to bear connections and memberships of status, family, descent, patronage, political, professional, confessional or other associational groupings to claim preferential, faster or fairer treatment – a system in which it is often more fruitful to locate a claim to ‘exception’ than it is to navigate the formal system of institutional

¹³ See Suberu (2001)

processes and accountabilities. There are shades here perhaps of Peter Ekeh's well-known two publics, the civic and the primordial, defined as alternate and opposed fields of action, values and trust.¹⁴ Certainly the limited investment placed in the civic public sphere and its insurance with strategies located in closer-to-home and more operative networks suggests such. Yet the comparison applies only incompletely, as the deployment of the notional civic public re the police in this case contrasts with groupings which can include, but which range far beyond, simply primordial ethnic publics, and which are often much more vertical than any concept of 'public' would explicitly acknowledge.

In fact the system of public interaction with the police as it is manifested in the everyday interactions of criminal cases, complaints, calls for intervention and so forth implies and involves *both* the formal general system of laws and practices, *and* the particularist system of claims, interventions and exceptions, used in creative interplay with each other. It also often happens that claims to 'exception' are invoked simply to navigate the formal system more efficiently, for instance in ensuring cases are transferred quickly to court, or prisoners are discharged as the law dictates without extended periods of detention prior to charge. An archetypal example of this from my fieldwork context would be that of political thugs detained for felonies who then deploy their high-level connections to get the case smoothly handled, transferred and then dropped at a court level through insufficient evidence or other technical strategies.

In such a case, it does of course help hugely to have an ally who can procure the services of a lawyer who can master the language and procedures of the formal system; yet this formal procedure is just one plank in the strategy, which usually works best in conjunction with the exploitation of associational and vertical networks and social capital – whether that be the Local Government Chair's Special Assistant, or your wife's cousin who is a senior police officer in a neighbouring state, or the Imam of your mosque, or the police constable who rents a room in the building you own - to try to exercise influence and make it felt that an exceptional and particular result should be achieved.¹⁵

In fact such networks and strategies can reach a surprisingly long way, from the bush to the tower blocks of the distant capital. An example from fieldwork illustrates:

The rural areas of the division I work in, and the state in general, experience plenty of disputes between farmers and cattle herders, of the type which are known in colloquial shorthand as 'a Fulani case'. Usually to do with trespass and

¹⁴ Ekeh, Peter P. (1975) "Colonialism and the Two Publics in Africa: A Theoretical Statement." *Comparative Studies in Society and History*, 17:91-112.

¹⁵ It goes without saying that the frequent and repeated recourse to such strategies, when effective, is a cause of huge frustration to police officers who have worked to arrest well-known miscreants; at the same time, as it is often also combined with financial inducements, it is also a significant illicit revenue source for some. Equally and conversely for the police, the most important particularism regularly (though not always) applied in handling cases is social status of the accused and the victim.

crop damage, they occasionally escalate into violence, such that (in the opinion of a former boss of the state CID's homicide section) up to 3/4 of the handful (usually fewer than 20) of homicide cases the state handles in a year can be the result of such incidents. One particular case during my fieldwork in spring 2010 involved the wounding of a youth from a farming community, and as is usual in such cases, the Fulani youth(s) responsible immediately fled the state. In such cases the usual strategy is for the police to creatively (and in contrast to formal procedure) utilise the familial and clan structures of Fulani pastoralist society: the *Ardo* (leader of a band of pastoral Fulani) is summoned and detained (or failing the *Ardo*, other male relatives of the suspects) until he successfully summons the suspect back from whichever distant or even cross-border location he has gone to lay low, in order to face investigation. It is noteworthy that distinction and particularism is maintained respecting the detainee too; whilst the elderly *Ardo* was detained at the police station, his age and status was respected in that his refusal to enter the cell with common criminal suspects, and his request to be fed in private with no observers (which would have been disrespectful to his status) were acceded to (with a certain degree of wonder and amusement in the latter instance), and he was permitted to sleep in one of the offices rather than in the cell itself. In this particular case, the aggrieved Fulani elders, who felt themselves to be the injured party in the farmer-herder dispute, engaged the help of an educated, literate Fulani interlocutor to help them petition their case. Circumventing legal procedure, he took the issue to the national level, and succeeded in having a party at the Nigeria Police Force Headquarters in Abuja to intervene in the treatment of the case. This was done by transmitting downwards pressure in expressing displeasure to the state Commissioner of Police, which displeasure was then transmitted to the Divisional Police Officer (DPO). And this downward pressure works, as we shall discuss below, because of the salience of career risk in the world of the police.

On the basis of evidence such as the above, we might broadly make the preliminary conclusion that whereas confrontations with the police are visible on the level of the formal public sphere; are complained about in the public sphere; and are detected by tools of analysis and data collection attuned to public discourse (surveys, media analysis), strategies of accommodation with the police, both licit and illicit in nature, most often work at the level of the particular and the individual. The corollary would be that solutions are 'grey', semi-formal, and less likely to be advertised, talked about, or picked up by quantitative or shorter-term research methodologies.¹⁶

Yet some further qualifications apply. It is important to note, for instance, that the police are not always the agent initiating the occasion for interactions – far from it in fact, as most of the time it is the member of the public who comes to a mostly *re*-active police to

¹⁶ It would also be naïve not to note of course that this is because most problems manifest individually and only major issues become of public interest; notwithstanding this my point still stands in as much as it references how claims are couched, very frequently in particularist terms rather than on civic or formal/legal grounds.

‘lodge complaint’: And complaints are lodged in very instrumental ways. During fieldwork I witnessed frequent cases in which members of the public have strategically sought to enlist police intervention - both licit and illicit - in pursuit of their interest in disputes, for instance between market traders, landlords and tenants, and tradesmen and clients. A neighbour threatens a householder, and the injured party drags the matter to the police station in order that it be aired and publicly known about, a prelude to any escalation of the issue, an opening public establishment of victimhood. A carpenter collects money to make furniture, keeps the money and doesn’t produce the goods. The unsatisfied customer visits the police to lodge a complaint, open a Criminal Breach of Trust case, and thereby enlist their help in recovering the money.¹⁷ These and other non-formal interactions give a telling lie and an important exception to the public rhetoric around aversion to the police.¹⁸

We should note too that the analysis above applies to police *crime* casework, which is usually taken by the public, and researchers *and* the police themselves as the archetypal and central concern of policing, and does not encompass the interactions with the public born of other types of interaction. But all the time there are many and diverse forms of these other modes of police-public interactions, even in the formal sphere, such as the request and deployment of police guards which accounts for huge manpower resources, or the public order interventions/law and order maintenance which some argue can account for the dominant portion of police work in developing-world contexts - where criminal investigation is crude and limited in capacity.¹⁹ It also leaves out other specialised and formally-recognised police functions, such as the abandoned child welfare cases and paternity settlements brokered by the Juvenile Welfare Centre (JWC) units.

Nor does that normative framing of police and public interaction easily encompass informal and non-procedural uses of the police which nonetheless rely on their normal authority and *modus operandi*: The police can even be enlisted in matters which reach far into the supposedly pristine circle of the family; on two occasions I witnessed families bringing particularly badly-behaved teenage sons to the police for discipline. In the first, a young teenager who has pilfered money from his mother’s handbag is brought to the Crime branch for interrogation; a warning shot using the fear of police which also encompasses questioning to find out if there is an underlying reason, and after which period of caning, slaps, stress positions, threats and humiliations, the boy is returned to

¹⁷ Although, as one investigative officer warned me, this can backfire if the tradesman is “someone who likes trouble” and is prepared to enlist the police in turn to fight back.

¹⁸ An ‘epidemiology’ of such voluntaristic engagements with the police would be interesting. We might posit that in ‘traditional’, rural or communitarian situations disputes are more likely to be resolved internally whereas in urban, fluid, anonymous or mass social situations people are more likely to use formal recourse to the police. However it seems even ad-hoc groups of urban traders and low-level manual service workers (*mai ruwa*, okada riders and the like) can fine their members for making what is judged to be undue recourse to the police.

¹⁹ Dr Kemi Rotimi, Obafemi Awolowo University, personal communication.

his family tearful, abject and apologetic. The other case involved an older teenager who slapped his mother and was brought to a CID officer by his brothers; for this more serious offence, the offender was chained up in the SARS cell (the cell reserved for dangerous criminals detained by the Special Anti-Robbery Squad) for one hour whilst the detainees, some of whom had been there for several months, were expected to inflict their own punishments while the CID officer chatted to me at the front counter.

Then, on top of formal and informal policing, there are the many and varied ‘non-professional’ interactions between police and public, especially those of an economic nature, whether it be the mostly female sellers of boiled corn, medicinal drinks and popcorn who call at the police station throughout the day, or the company reps and marketers who seek bulk police patronage for their bank or mobile phone network. And any broad discussion of the police and the public leaves out the very specific issue of how the police relate with the *elite* section of the public, who present a very different set of factors as potential providers of opportunity, patronage and goods, and as potential sources of risk.

The Police Fear the Public

Also less well-known and less apparent from outward appearances is that the police often fear - or at least are wary of, the public. This is a difficult thing to discern, especially as few police officers would ever admit to it, but it is manifest in certain actions and situations, and can be analytically organised around the issues of physical and career dangers.

Physical danger

As an outsider to the world of policing, I was surprised to find how vulnerable officers feel in the course of their duty and outside it. This is not limited to the Nigerian context; when I asked a British police acquaintance which question he would be most interested in asking were he in the position of doing my research, he answered ‘to find out how safe they feel while doing their job’. Needless to say, in a situation of frequent institutional dysfunction, the issue of reinforcement and cover in danger situations is often a locus of mistrust and consequent risk aversion. This is redoubled by the sure and certain knowledge of a non-functioning system of medical assistance payments in case of injury.

But police personnel often feel no safer – in fact, less safe – than other members of the public outside their workplace; constantly reminded that they are very vulnerable as potential victims of crime, and especially as deliberately *targeted* victims of violence if they are involved in, for instance, an armed robbery on public transport. In the course of my fieldwork I have regularly encountered police constables who travel to work in 35°C heat wearing overcoats in an attempt to hide their uniform. I have also encountered a female senior officer who moved house in fear of a stalker, and a recently-transferred WPC who was clearly traumatised and unwilling to leave the station after she was kidnapped and robbed in the bush by an *okada* rider on arriving in the town for the first

time on transfer. This acute awareness of risk whilst living among the general population in middle- and low-rent areas was a motivating factor in the frequent complaints about grossly insufficient barracks accommodation in my fieldwork location.²⁰

Career danger

In such a particularist social context, where private social capital often trumps or at least contests with the formal-legal citizenship order, the police officer faces a huge amount of career risk embedded in who precisely they are dealing with and what can happen if they get it wrong. Mishandling a criminal complaint by a high-status person, or equally mishandling a high-status person's person, or that of someone intimately connected with them can bring unexpected and swift career reversal. This is more usually in the form of re-posting to an undesirable location and duty than in formal disciplinary measures²¹. There exists also the issue of *vicarious* risk, which managerial-level officers consider particularly dangerous and unfair; a senior officer is held responsible for anything which happens on their watch, regardless of investigation into the culpability; so for instance a Divisional Police Officer of my acquaintance spent a humiliating last week before retirement behind the counter²² of the neighbouring station because a police officer from outside the state (and therefore not under his command) had shot and injured a member of the public while escorting a VIP motorcade on a road under his Division. This means that policing, especially in an area which is 'hot' ie complex, busy or volatile – is always fraught with the latent possibility of career risk completely outside the control of the officer, and which may at any time descend in the form of the CP's displeasure and being cast into the outer darkness.

Let's return to the Fulani case mentioned above to illustrate what career risk can mean, and what a senior police officer may choose to do in order to manage the risks which are under his control:

The consequent negative attention transmitted from Abuja to the state CP had eventual, if not immediate, repercussions for the DPO involved. When a new officer of Superintendent rank (from the CP's home state, and like the CP a former paramilitary Mobile Policeman) joined the state command, the DPO was ordered to vacate his post to make room for the new arrival, and was relocated to command a semi-rural division some 30 miles away, in a backwater area with little economic activity, notorious for youth and political unrest, and with an establishment of just over 30 officers (less than 20% of his former division).

²⁰ In order to limit the potential abuse, loss or misuse of police weapons, NPF officers are only allowed to carry arms during duty hours as assigned and are not permitted to take them home.

²¹ An enlargement of an originally colonial practice in which hot, uncomfortable and supposedly unhealthy stations were used as 'punishment postings' for expatriate officers who had fallen from grace.

²² i.e. temporarily detained but not in the cell.

From such a position, an officer can do little but try to lobby his superiors and await hoped-for eventual rehabilitation.

Sometimes interactions with the public can pose both physical and career danger in combination. One bomb squad officer recently reassigned from a Niger Delta state related the difficulties associated with clamping down on militant crime in that region. In his words “the same boys you arrest in the day, you will see in the Government House in the night”. The consequent policing solution is usually to sit tight inside the station and do as little as possible to incur a dangerous reaction. Another example of combined physical and career risk is the example of a constable in my fieldwork location who was disciplined, criminally prosecuted and imprisoned for shooting a member of the public in a crowded market. The constable is reported to have been arguing with a mob of local youths, who then attempted to take his weapon off him, and he fired at them in panic, killing one person. His motivation in such a situation can be assumed to be both personal physical danger and the career danger inherent in the severe punishment meted out to anyone losing a police weapon assigned to them. The aftermath of the case is also instructive. As this was the second fatal shooting by police in a short time in the town, the constable was made a public example of at the instigation of the Commissioner of Police (CP), in order to calm public tempers, and was prosecuted by a criminal court. The serving officers who related the incident to me felt this an example of unfair treatment and of the unmerited, unforeseeable vicarious risk which plagues police careers. They felt that the punishment inflicted in the second case was brought on account of the behaviour of the officer in the earlier unrelated case, and the public backlash (and thus reflected disapproval to the CP from local political authorities) that the relatively lenient disciplinary treatment of the earlier shooter had incurred. But what this also demonstrates is that there is a level of (usually unacknowledged) public accountability in respect of probable public reaction to police actions. This can be transmitted directly, or via the local political authorities – in this case most likely the state Governor, who will be called upon to take action and will thence transmit pressure to the CP.

In fact, this feedback of public disposition toward the police can represent a balance of forces much more in the public’s favour than the observer may at first appreciate, or than the analyst might discern from evaluating the public, media and policy studies discourses. Some months after his reassignment after the Fulani case, I went to see the former DPO of my division at his new post.

Close to our destination, we encountered a group of five or six youths under the age of 20 blocking the road at a point where it was badly potholed. Carrying picks and shovels, they were ostensibly collecting contributions for their work in repairing the road, but the lack of actual repair and their maintenance of a handheld sheet iron barrier across the only remaining paved portion made it abundantly clear that this was a politely glossed extortion. I was travelling in the company of an out-of-uniform Assistant Superintendent and a corporal, so was prepared for a bout of aggressive status-assertion, and was thus profoundly surprised when the senior officer gave N100 (US\$0.65) note on demand. Registering my surprise, the corporal (driving) furnished the explanation “it is just

because of God”²³ whilst the senior officer bashfully added that if we hadn’t given them something, we would be there for half an hour. My second surprise was on clearing the roadblock, to discover that we were less than 200 yards from our final destination, the police station. At first keen to ask what exactly was permitting the youths to operate an illegal roadblock so close to the station, I soon decided not to ask, as the question would have been in bad taste, and the answer was in any case abundantly clear from the context.

The DPO showed me his brand-new police station, and then pointed out the neighbouring smoke-blackened ruin which had been set alight by angry youths during the last election, before his arrival, when it had also housed the INEC²⁴ local headquarters. He described the local context in which numerous political aspirants, each with their own connections to higher authorities, were enlisting the help of large numbers of unemployed male youths in their vying for state offices and goods. He further outlined to me the limited human resources described above, only around half of whom (15 persons) were of sufficient length of service and rank to be allowed to carry weapons.

The tricky balancing act of policing that area became abundantly clear: With such limited human resources and such a politically vulnerable position, which managerial officer (especially one whose fingers had already been so recently burned) would risk provoking local youths to unrest? Far better to leave them to the relatively victimless crime of petty extortion from passing traffic, which at least provides a relatively peaceful opportunity for them to support themselves, while incurring relatively little risk to the DPO.

Conclusion

Reminding ourselves of Foucault’s dictum that power only really exists at the point of its exercise, it is clear then that there is a balanced consensus on which police authority rests and which dictates how it can be exercised. The risk to the public embedded in interactions with the police is sometimes exacerbated, and sometimes mitigated, by the networks of particularist status and identity-based considerations which contextualise and inflect the particular interaction. At the same time, police must weigh up the risk involved in their engagements with the public, both in direct terms of danger to themselves, and moreover in the hidden career risks with which police work – the exercise of coercive power – is fraught, and must re-evaluate these risks in each interaction based on the specific persons and dynamics involved. This is far from an exceptional aspect of policing in Nigeria. The policeman-turned-anthropologist Malcolm Young (1991) makes frequent mention of the fear of “the wheels coming off” and the importance of avoiding action which increases risk of controversy and opprobrium from superiors, in policing metropolitan Newcastle, England. In transitional democratising societies, these risks seem to be heightened proportionally with the strength of particularist considerations which operate in parallel to formal legal logics: Martin (2007) finds of Taiwan that a

²³ I.e it was a voluntary act of charity.

²⁴ Independent National Electoral Commission

public in which individuals retain strong ties of ‘intimate transparency’ to political bosses frequently invokes a balance between cultural values of sentiment, reason and law in negotiated interactions with police. Therefore, he says “Taiwanese street patrolmen carefully modulate their interventions so as to avoid aggravating social forces that exceed their powers of control, and they must do this because their actions are embedded within the reproduction of a social “order” that is constituted in a balance between contradictory foundations of power and authority”. Thus, he says, is “the rule of law within state institutions... kept within the boundaries of a social sensibility that does not take law as the last word”. In Nigeria, I would contend, such risks are heightened and underlined by the strong and continually-reinforced salience of the particularist ties which cross-cut formal logics; and which at the same time both underpin and are reinforced by a particular type of statist political economy. In fact I would argue that the implementation of a formal and supposedly universalist system of laws and justice in a heavily particularistic society is perhaps the most distinctive challenge of policing in Nigeria.

Yet, curiously, rather than producing a visibly timid and cowed police, at the same time this continues to be nested within a police disposition towards the public which is overtly (at times ostentatiously) militaristic, coercive and confrontational. We can account for some of that in the display of symbolic power which is necessary to maintain the bluff of superior strength on which state power partially always rests – and I perhaps need a better name for that than ‘shakara policing’.²⁵ Partly though, it seems that there is also a noteworthy public demand for this kind of disposition – witness my reference to fear and respect above – but also more critically, the very tough general public disposition on law and order issues apparent in public discourse²⁶. On one hand, it seems, the public want a police force capable of stern and swift wrath, and on the other hand, only within limits that suit them.²⁷ I venture the label ‘negotiated authoritarianism’ to describe this exercise of coercive power within felt-out limits of public tolerance.

²⁵ *Shakara* in Nigerian pidgin is bluff, bravado, showing-off.

²⁶ And in respect of this, there is another different police-and-public story we could tell if we were discussing the issue of extra-judicial executions and the operations of ‘fire-for-fire’ or anti-robbery operations.

²⁷ Though I accept that a singular ‘them’ masks the very significant and relevant conflicts between sections and interest groups of a differentiated public, and purports a fictive consensual unified public which rarely (and only situationally) actually exists.

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