

## HUMAN RIGHTS PROTECTION IN NIGERIA: EXAMINATION OF THE ROLE OF SECURITY AGENCIES

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### **Abstract**

*This study examined the role of security agencies in the protection of fundamental human rights in Nigeria given their importance for peace, security and justice in the country. The study was anchored on the social contract theory propounded by Thomas Hobbes (1651). The study was content analyzed with critical analysis of extant literature. Data for the study were drawn from secondary sources such as articles from reputable journals, official publications and other relevant texts. Following the critical analysis of data, it was discovered among others that institutions charged with the protection of people's lives and properties in most cases shy away from their duties exposing citizens to all manners of premeditated killings going on across the length and breaths of the country and that security agents have continually denied citizens of their rights. The implication of the foregoing is that if the authorities fail to protect citizens' lives and properties, life will certainly become solitary and brutish just like in the state of nature. In view of the above findings, the following recommendations were proffered - that government should demonstrate political will to respect and protect citizens rights; that human rights education should be incorporated into the school curricula starting from the primary level to the tertiary level; that security agencies should be alive to their responsibilities by constantly providing adequate security to the people as well as their properties, etc.*

**Keywords:** Human rights, Human Right violation, Human right protection, Role, Security agencies

### **Introduction**

Human rights, which is widely known as fundamental human rights are the inalienable rights that citizens are entitled to in any country. These rights are very important as they cannot be taken away from man. It has been argued that human rights are given to man by God and as such, they are inherent in him. It is argued that the rights are fundamental to his being and existence and nobody or authority has any rights to deny him of such rights. Human rights are believed to be universal in character and application. Ramcharan (2004), submitted that the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly in 1948 was a landmark achievement in the world history as it was the first time that the international community set down formal standards of human rights and freedoms that should be enjoyed by everyone, everywhere. It is the general believe that respect for human rights is the foundation of freedom, justice and peace in the world. It is the intention of the United Nations Organization to make all human beings secure in freedom, in dignity with equality via the protection of their basic human rights.

However, each state has the duty to guarantee the protection of rights of the people. This explains why every country has ratified the United Nations Universal Declaration of Human Rights and went a step further to domesticate the fundamental rights in their respective constitutions. The constitution is the grand-norm or the fundamental law according to which a country is governed. For instance, Chapter Four of the 1999 Constitution of the Federal Republic of Nigeria as amended encapsulates the fundamental

rights to be enjoyed by every citizen of Nigeria. They include among others right to life, dignity of human person, personal liberty, fair hearing, and freedom of thought, conscience and religion. It is the paramount duty of the Nigerian state to ensure that it meets its obligations to the citizens by guaranteeing their rights as provided for in the constitution. It is argued that when a state is short in doing this, it is falling short of its responsibilities to the people. Such a state could be seen as a failed state.

Human rights protect the individuals and groups against actions of government that interfere with their fundamental freedom and dignity. Human rights oblige government to do something and prevent them from doing others. According to Okeshola (2013), human rights are necessary consequences of one's citizenship, which is based on the reciprocity between rights and duties.

It is important to add that the type and scope of rights enjoyed by individuals is based on the type of government in power at a particular time. For instance, the rights which citizens enjoy under a democratic government differ considerably from the rights which they enjoy under an autocratic regime. In Nigeria, it was during military regimes that the country witnessed the worst human rights records. The military junta usually suspends some sections of the constitution and rules with decrees. The decrees do pave the way for the military government to violate the fundamental rights of the citizens with impunity as it always removes or ousts the jurisdiction of the courts to entertain such matters.

The centrality of human rights necessitated the establishment of security institutions whose responsibilities shall be the enforcement and protections of such rights. Accordingly, security agencies such as Nigeria Police Force, Nigeria Security and Civil Defence Corps, Department of State Security Services, Nigerian Correctional Service, Nigerian Customs Service, Nigerian Immigration Service and the military architecture were put up to ensure that citizens' rights are not toyed with. From the foregoing security institutions, the Nigeria Police Force stands out as important agency that should at all times ensure that people's lives and properties receive maximum protection in the country especially under democratic dispensation. Unfortunately, that has not been the case as there has been flagrant abuse of human rights on almost daily basis. Today, many Nigerians live in fear and terror even as some people are subjected to torture, unlawful detention, unfair trial and possible death. Okeshola (2013) argued that Nigeria is one of the worst victims of human rights in Africa even though she has a National Human Rights Commission, a constitution and a signatory to the United Nations Universal Declaration of Human Rights. McCulley (2013) observed that cases of human rights violations which is becoming a culture of impunity in the country include: extra-judicial killings, illegal detention, destruction of property by security forces etc. Even studies by researchers revealed that other forms of human rights abuses in Nigeria include motorists' harassment and extortion by security personnel, political assassinations, and undemocratic imposition of candidates in leadership and intimidation of political opponents (Akhaine & Chizea, 2011). It is against the foregoing backdrop that this study sought to investigate the protection of human rights in Nigeria by security agencies.

### **Theoretical Framework**

The theory adopted to explain this work is the Social Contract theory by Thomas Hobbes (1588-1679), which was expanded by John Locke (1632-1704) and Jean Jacques Rousseau (1712-1778). The theory is of the view that state emerged as a result of contract entered into by men and which they consented. It argues that there was a period in human history when men freely decided to form a government and this development required that every man respects the terms of the agreement by means of surrendering their rights and obeying the government which they freely constituted.

There were variegated opinions on the situation of man in the state of nature before the formation of government. To Thomas Hobbes, man was naturally and essentially selfish and that he moved to action not by his intellect or reason but by his appetites, desires and passion. He argued that there was a perpetual struggle among men in the society to acquire all resources unto themselves, thereby making the entire society very uncondusive for individuals and survival of the fittest became the order of the day. Hobbes maintained that the life of man in the state of nature was solitary, poor, nasty, brutish and short. The general state of fear motivated men to voluntarily surrender all their rights to a sovereign who would consequently protect their lives and properties and this situation gave birth to state. The contract that resulted is not between the government and the people but between the people themselves and that the authority of the sovereign should be absolute.

On the other hand, Locke argued that man in the state of nature was not only peaceful but free and equal because of the existential realities that every man was living according to his own liking. The view of Locke on the state of nature seems somewhat similar with that of Rousseau. Locke maintained that there was a natural right which everyone subscribed to. Despite the existence of the right, there was no superior authority to enforce the observance of the dictates of the natural laws. This state of nature made man insecure and sought to have a government. He argued that every individual surrendered his natural right of enforcing the law of reason to the community and not to the government to ensure preservation of life, liberty and properties of the citizens. Be that as it may, the three philosophers on the social contract are in agreement that the state came into being as a result of contract voluntarily entered into by people who desire to live together.

The relevance of the theory to this study is that people having realized that there could be flagrant abuse of their natural rights if there is no superior authority to enforce them formed a state with government that ensures that individual rights are fully respected. Therefore, government exists purposely for the good life and good governance of the polity. Any government that fails in this regard could best be described as a failed authority. It should be the preoccupation of government to ensure the respect and protection of the fundamental rights of men since that has been the main reason for formation of state and government so that people could live together in love, harmony, peace and justice.

### **Historicity of Human Rights**

The history of human rights is traceable to the writings of philosophers such as Hobbes, Kant and French revolution.

To Hobbes (1558-1679) in his book “*Rudimentary Philosophy Concerning Government and Society*”, in the natural state of man, a sure and irresistible power confers the right of dominion and ruling over those who cannot resist... He added that right is acquired by force. It is believed that during the Hobbesian era, conquest was still a major means of acquiring title to land and even nations.

Ezeugwu (1999), submitted that we cannot separate the right of man and morality. He argued that there is a moral force that compels an individual to act in certain manner and not to act in a certain manner when he relates with a person or persons. It is the moral force that serves as a check which enables us to know that where our rights end another's begin. To prevent the violation of the rights of people, there should be not only a moral obligation to respect the rights of others, but also a legal obligation as well.

Law has since been recognized as an important instrument that has the capacity to restrict the free will of man. There is no doubt that unrestricted free will is very harmful to any society and it can make a society to

end up in a state of nature “where might is right”. Therefore, for a right to be meaningful, it must have a legal backing (Ezeugwu, 1999).

To Rousseau (1712 -1778), the individual entered into the social contract to constitute the general will without, in any case, divesting himself of his natural rights. He maintained that the natural rights of the individual include the rights to life and property.

Other historical events that gave rise to the development of human rights include the French Revolution which was executed to introduce equality, freedom and fraternity in the French Society; the English Petition of Rights (1672), the American Declaration of Independence (1776), and the French Declaration of Rights of Man and Citizen (1789).

Before the United Nations Declaration of Human Rights, fundamental rights were seen as the exclusive preserve of the individual country. Thus, each country decided the amount of rights that it is willing to give to her citizens. That explains why there was high level of insensitivity towards human rights violation across the countries of the world. Ezeugwu (1999), believed that this might be the singular reason why there was little reaction over Germany's massacre of about six million Jews in the Gas Chamber between 1938-1945. Moreso, Africa was partitioned and its resources shared among European countries and her citizens taken away as slaves. All these happened without reactions as people never realized that other citizens apart from their own people are entitled to rights.

However, the UN Declaration of Human Rights marked the universal acceptance of fundamental rights as applicable to all countries and cultures. This Declaration came after the Second World War when the world was in the mood for peace and justice and appeared to be committed to a new world order where the sanctity of the human person is respected.

In 1948, the International Bill of Human Rights was placed before the General Assembly of the United Nations. This was unanimously adopted by resolution 217a(III) of December 10, 1948. This is known as the Universal Declaration of Human Rights 1948. Moreso, the Vienna Declaration in 1993 emphasized that all human rights are universal, indivisible, interdependent and interrelated; and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing (Federal Republic of Nigeria, 2013).

The importance of the UN Declaration of Human Rights cannot be overemphasized. It has succeeded in placing human rights on a global agenda and confirmed its universality. This, therefore, encouraged regional international bodies to enact regional conventions in line with the UN Declaration.

### **Human Rights in Nigeria**

The history of human rights in Nigeria predates the advent of the white men to the shores of the country. Human rights and fundamental freedoms were recognized in the traditional Nigerian societies, though the idea of such rights was not conceived in the modern notion. Such values as right to family, kin and clan membership, freedom of thought, speech, belief, right to enjoy private property and right to participate in governance of the affairs of the society were jealously guarded. However, freedom from discrimination, right to association and equality rights were hardly respected because it was believed all men were not born equal as there were slaves and sons of the land, outcastes and freeborn, etc. (Federal Republic of Nigeria, 2013).

The entrenchment of fundamental rights and freedoms in Nigeria in the modern sense could, however, be traced to the Bill of Rights, 1958, which culminated in Chapter III of the 1960 Independence Constitution

and those that followed. The Independence Constitution of 1960 and the Republican Constitution of 1963 have provisions for the protection of fundamental human rights. The 1979 and the 1999 Constitutions went further by providing a Bill of rights in Chapter IV. It went further to provide for Fundamental Objectives and Directive Principles of State Policy in Chapter II which recognised Economic, Social and Cultural Rights but gave it an inferior status to the rights by making the Economic and Social rights non justiciable (Federal Republic of Nigeria, 2013).

The 1999 Constitution of the Federal Republic of Nigeria as amended in Chapter Four provides and guarantees the following fundamental human rights – the political rights, civil rights, social rights and procedural rights. The discussion on the rights will follow suit.

### 1. **The Political Rights:**

This right empowers the citizens to participate directly in politics. This however, means that citizens can vote and be voted for. Aristotle (1948), averred that a citizen is one who is able to rule as well as to be ruled. In the same vein Lasri (1925), argued that exclusion of a citizen from power means in the long run exclusion from the benefits of power.

In Nigeria, franchise is extended to every adult within the age range of 18 years and above but to contest for elective position, the 1999 Constitution of Nigeria as amended provides for a minimum age of 35 years for an individual to be qualified for election to the office of local government chairman, 35 years for governorship and 45 years for the post of president.

The political rights include –

- a. ***The right to vote:*** This implies that in a democratic setting all adult citizens have the right to vote.
- b. ***The right to stand as a candidate for election:*** A citizen of Nigeria has the right to stand for election into any office in the land provided he/she fulfils the constitutional provisions of the office he/she aspires to occupy.
- c. ***Periodic election:*** This implies that political power cannot be held permanently by a particular person or group. For purpose of good governance, there is need for periodic elections. This provides citizens with opportunity to remove unpopular government.
- d. ***The right to criticize government:*** It is argued that constructive criticisms normally bring about good governance. In a democratic setting, government should be responsive to public opinion as political liberty is absent in a political environment where people's voice are not taken seriously especially at election era. Public opinions should be able to influence the policies of government.

### 2. **Civil Rights:**

These rights protect the citizens from interference in their private lives. The rights include:-

- a. ***Right to Life:*** This right is an inalienable right of every citizen and government exists to protect this right. Thus, each country in order to guarantee the sanctity of individual life usually imposes capital punishment on those who deliberately snuff out life from other people. As the right to life is a natural right, a great deal of importance is attached to it so that it becomes even unlawful for one to take his or her own life and even attempted suicide in some states is a punishable offence.

- b. **Right to Dignity of Human Person:** A citizen has the right to his or her good name. This implies that the respect which is well founded in him/her and which others feel for him/her should not be tampered with by other citizens including government either by word (spoken or written) or by gestures and pictures.
- c. **Right to Personal Liberty:** This means the right to personal freedom and decent treatment. For instance, a citizen is empowered by this right to secure his personal belongings from unwarranted and unreasonable searches, and seizure by the state. It equally emphasizes the fact that law-abiding citizens of the land should not be molested by the state and its law enforcement agencies like the police, army, civil defence, etc.
- d. **Right to Fair Hearing:** This right presumes an accused to be innocent until proven otherwise in the court of law. It emphasizes the opportunity to hear the other side in the court of law. Another area of interest of this right is the equality of all before the law and that one's status should not count in law.
- e. **Freedom of Religion:** This right provides that individuals are free to belong to any religion of their choice. Citizens are free to establish their religious organizations and recruit new members. However, freedom to recruit members does not allow application of force or coercion to get new converts. This right has made it almost difficult for many states in this era to adopt a state religion.
- f. **Right to Peaceful Assembly and Association:** Citizens are free to belong to any lawful association or organization of choice. In any country, there exists a good number of organizations to which citizens are free to belong. They may be social, religious and economic. These associations are free to assemble, discuss and implement their ideas and objectives. To Laski (1925), the membership of these organizations gives the individual a feeling that he has found himself, a power of self-recognition, that is, an invaluable factor in the achievement of personal harmony. Nevertheless, the exercise of these rights are restricted by two conditions. One is that the assembly must be peaceful and should not in any way lead to a breach of public peace. Secondly, such gathering should normally be held in a lawful place as not to encroach on the rights of others.
- g. **Right to Private and Family Life:** This right implies that a man is at liberty to marry a wife of his choice; has the right to the custody and protection of his children without interference of the state. This does not mean that he has right to kill or sell his children into slavery.
- h. **Freedom of Speech:** This is the right an individual possess to say or write what he chooses bearing in mind that such write-ups or speeches are not blasphemous, seditious or defamatory of another's reputation. This right becomes imperative to allow an individual as a rational being to lend his voice to public issues especially when such is with intent to say the truth. But when an opinion is expressed with malicious intention to injure a person, the citizen to whom libel has been committed against can seek redress in the court of law.

### 3. Social Rights:

These are benefits and privileges that citizens stand to gain by consenting to be governed under the rules and by the agents of the national political community (Bendix, 1964). The rights include:

- a) **Right to Education:** Akena (2004), maintained that education liberates the human mind and makes it more rational and more problem solving. This right implies that citizens have rights to acquire qualitative and quantitative education beginning from the primary to the tertiary level. An educated citizen could join hands with others to make legitimate claims when his/her rights are denied and equally acquire essential skills or expertise relevant to earn them attractive incomes.
- b) **Right to Work:** Everyone is empowered to work in order to earn a living. This right presupposes that whenever a citizen of a particular country could not find meaningful job in the labour market, the state should provide him with one or as an alternative, devise a way of sustaining him until he secures gainful employment.
- c) **Right to Private and Personal Property:** This right stems from the realization that man needs incentives to labour and property is such incentive which springs out from labour. This is the right of an individual to use one's gain whether land or goods, the right of exclusive use, the right to destroy and the right to alienate by gift or exchange during life, and the right to bequeath.

#### 4. Procedural Rights:

Nwosu (1986) cited in Akena (2004), argued that procedural rights are those rights which relate to the procedures regarding the arrests, detention and legal trials. This implies that there are procedures to be followed in arresting, detaining and trying a citizen suspected to have committed an offence in a given state. However, for procedural rights to be respected and fair trial given to citizens, there is need for an independent judiciary which is free from government control. In Nigeria, it is expected that an accused citizen cannot be detained for more than 24 hours without being charged to court of competent jurisdiction. If that is not done, he/she could resort to the writ of *habeas corpus* as a way of ensuring speedy trial or release.

The foregoing discussion is a pointer that Nigeria as a country has recognized the importance of human rights, hence their domestication in her constitution so that it could serve as a check against government, its agents and individual in the enforcement of the rights. It equally means that individuals whose fundamental rights are breached will now be at liberty to approach the court of law for redress.

#### Human Rights Protection in Nigeria: The Role of Security Agencies

It is a known fact that security agencies in Nigeria just like what obtains in other countries are charged with the responsibility for the protection of lives and properties and by extension protection of human rights. In the course of enforcing the rights of the citizens some of them pay the supreme sacrifice with their lives. It is important to note that all the security agencies in the country such as Nigeria police Force, Nigeria Security and Civil Defence Corps, Department of State Security Services, Nigerian Correctional Service, Nigerian Customs Service, Nigerian Immigration Service and the military architecture, etc are all involved in defence of the citizens' rights. For instance, the military is at various theatres of war in an effort to protect the citizens against attacks by insurgents, bandits and other criminal elements who are hell bent in snuffing lives out of innocent Nigerians and other residents. Other security agencies are equally performing similar role to protect people's lives, properties as well as national assets.

However, the role of police stands out in the protection of the rights of citizens as Nigerian is currently under democratic regime. The Nigerian Police Force is principally responsible for maintenance of law and order. Accordingly, all other duties mentioned in section 4 of the Police Act are centered on this particular duty which involves maintaining law and order. This duty demands that the police compel the citizens to obey laid down laws as outlined in the Nigerian Constitution. However, the police are required to balance the freedom of the individual with the need to prevent and detect crime and, the preservation of law and order (Madaki, 2012). In this way, the police give protection to human rights, which means that police make decisions that either affirm or deny human rights of individuals. They are perceived as the centurions at the gate and defenders of the law, legality, freedom, individual liberties and human rights (Madubuike-Ekwe&Obayemi, 2019). For instance, the NPF has sweeping powers in the course of implementing their functions under the Police Act (2010) and the Administration of Criminal Justice Act, 2015. They include - the powers to make arrest, search, seizure, detention and use of force in certain circumstances. The exercise of these rights affects the citizens directly as well their property. Thus, the fundamental rights of citizens are more or less directly affected by police activities than any other institution. Nwoba&Nwokwu (2017) conceived a police as a uniformed person whose function is to guarantee prevention and detection of crimes and who is answerable to government for his actions or inactions. According to Greene (2010) Policing can be seen as law in action, as opposed to black letter law as printed. He further argued that it is a legal realism giving life to the laws that are at once substantive, procedural and restorative, concerned with legality but also with due process and doing justice. Therefore policing as an extension of human rights protection is an aspiration of democratic societies yet to be realized in Nigeria.

However, the situation of protection of human rights by security agencies in Nigeria is nothing to write home about. They have exhibited some attribute of lack of co-ordination and capacity in the performance of their duties. A case in point is the incident where the Nigerian Army, mistook KurminBiri Village in Igabi Local Government Area of Kaduna State for a bandits' camp on Sunday night and bombed people who were observing a Maulud event, killing no fewer than 85 villagers (Ibrahim, 2023). Intelligence gathering has been all time poor resulting to security agents adopting reactive approach rather than preventive model towards protection of citizens and residents' lives and properties. Currently in Nigeria, life has become cheap and its sacredness has since been thrown overboard. Onwuazombe (2017) argued that sanctity and sacredness of life have really lost its meaning in Nigeria. Nigeria is tilting towards the state of nature where survival of the fittest reigns supreme.

In the northern Nigeria, a group known as the Boko Haram which means that western education is evil sprang up. The group has continued to terrorize the nation by killing anybody perceived as not being supportive to their cause. The northeast has remained their battleground where they have engaged the police, army and other security agencies in an unending gun battles. A good number of people have lost their lives through the terror attacks by the clandestine group. Properties and investments worth billions of US Dollars have been lost even as it has resulted in the loss of foreign direct investment in the country. The Amnesty International submitted that since 2014, Boko Haram has committed war crimes and crimes against humanity killing at least nine thousand (9,000) civilians, abducting thousands of women and girls and destroying towns and villages (Amnesty International, 2015). Boko Haram and ISIS-WA (Islamic State West Africa) have continued to target anyone perceived to be disagreeing with their political cum religious beliefs or blocking their access to resources. While Boko Haram no longer controls as much territory as they once did, the two insurgent groups have capacity to stage forces in rural areas and carryout attacks against civilians as well as military targets across Northeast (Country Reports on Human Rights Practices, 2018).



Onwuazombe (2017) lamented that oil corporations in the Niger Delta have not helped matters as they adopted substandard environmental, health and safety practices in their field of operation thereby causing environmental degradation. He added that negligence, system or equipment failure and unethical practices have led to frequent oil spillage, continuous gas-flaring and unprofessional toxic waste disposal. It has been argued that since the beginning of oil exploration in 1958 at Oloibiri, it has been estimated that between nine million and thirteen million barrels of oil have been spilled as a result of poorly maintained pipelines and drilling equipment(Ojo, 2010), corrosion of pipelines and pipeline vandalism. The overall effects of the foregoing are huge environmental pollution, destruction and degradation which directly or indirectly infringe on the rights of the people living in the affected areas(Onwuazombe, 2017). Scientific findings have linked pollutants from oil industries to several diseases such as chronic respiratory diseases, nervous alimentary and urological disorders, heart disease, infant deformity, cancer and permanent genetic impairment (Okorodudu, 1996).

Several lives have been lost to the cold hands of death following violent clashes as well as reprisal killings between nomadic herders (Fulani herders) and local farmers. According to Amnesty International (AI), in 2017 alone about 549 persons were killed in the clashes. In February 2017, herders attacked Agatu Community in Benue State and killed at least 45 people. In January 2018, at least 168 people in Adamawa, Benue, Kaduna, Ondo and Taraba States were killed (Amnesty International, 2018). Amnesty International in her assessment has considered government's response to communal violence inadequate and unlawful. It argued that government security agents always failed to protect the people and ignored early warning signals from villagers and community leaders about impending attacks (Amnesty International, 2018).Nwokwu&Ogayi (2021) averred that cases of farmers and herders clashes have led to loss of valuable lives and properties and the situation is currently threatening food security in Nigeria as farmers shy away from their farms for fear of AK47 wielding herdsman.

Recently, at the eve of 2023 Christmas, a group of assailants simultaneously attacked three local government areas (Bokkos, Mangu and BarkinLadi) involving twenty-five (25) communities in Plateau State leaving in their trail 195 people dead, over hundred people sustaining different degrees of injury and 1290 houses burnt (Nanlong, Erunke, Agwam, Omobola, Odekina&Badru, 2023). This is inspite of early warning signals and repeated distress calls to the security agencies by some people prior and in the course of the unprovoked attacks.

The Federal Capital territory, Abuja is not spared; it is under siege. Bandits and other criminal elements have invaded some satellite communities causing panic and sending fears into the spines of the residents. Uncertainty has pervaded the areas as no one knows when the next attack will take place. This is a clear demonstration that nowhere is safe in the country. It is quite unfortunate that all these happen under the watchful eyes of Nigerian security architecture.

### **Security Agencies and Violation of Human Rights in Nigeria**

In Nigeria, security agencies have been accused of gross abuse of human rights in the country. The military, the police, Department of State Security Service (DSS) and other paramilitary establishments have been seen molesting, intimidating, torturing and harassing ordinary citizens who have no place of hiding or respite. Among the security agencies, the Nigeria Police Force has been singled out as the agency with mouth watering records of human right abuse. The Police Force has not amended Force Order 237 which allows the force to use lethal force in crime control and it is often used to justify shootings by police officers.

According to Ademu (2011), the Nigeria Police Force participates in mass killings, burying suspects in shallow graves while their personnel are found wanting in keeping adequate records of people in their custody knowing fully well that failure to do so is a breach of rights of detainees and suspects. Government on the other hand, has not been forthcoming with her exercise of intelligence to investigate such cases as they are swept under the carpet.

In addition, the police are permitted by law to make arrest without warrant if they reasonably suspect that a person had committed an offence. This power is always subject to abuse. Under the procedural rights of the 1999 Constitution of the Federal Republic of Nigeria as amended, police may arrest and detain people for 24 hours before charging them to court with an offence(s). This law requires an arresting officer to inform the accused of the charges at the time of arrests and to take the accused person(s) to a station for processing within a reasonable amount of time. Unfortunately, the police has paid deaf ear to the legally mandated guidelines. Consequently, people are arrested and detained for days and months against the constitutional provision. Our correctional centres (prisons) are always filled with majority of detainees awaiting trials thereby leading to prison congestion.

Ali (2008), argued that police response to workers' strike, student demonstration, public procession and demonstration against unpopular government policies frequently involve violence, harassment and intimidation, arrest and detention. It is also argued that police brutality manifests in extra-judicial killings or summary execution of suspects and revenge killings. There have been allegations of police involvement in armed robbery and recruitment of hired assassins. During criminal investigation, the police abuse the right of suspect by resorting to torture to extract confession. Torture by police takes the following forms – beating with sticks, iron bars, wires and cables, sticking pins or sharp objects into the private parts of suspects, shooting of suspect on limbs, use of cigarette light to inflict burns on suspect. Lending credence to the foregoing, Okeshola (2013) submitted that police in Nigeria have a history of abusing the human rights of the citizenry ranging from detention due to refusal to give bribe, sexual and physical assault of those in police custody, use of torture to extract confession, extra-judicial killings and many other acts which have turned the police to a blood sucking monster in the eyes of the Nigerian public.

The military has equally been accused of abuse of human rights in the country. In Zaria, Kaduna State, soldiers killed more than 350 supporters of the Islamic Movement of Nigeria (IMN) between 12 and 14 December, 2015. The state authorities later admitted to a judicial commission of inquiry that they buried 347 bodies in a mass grave two days after the massacre (Amnesty International, 2016). The leader of the IMN, Ibrahim El-Zakzaky and his wife remained incommunicado in detention without trial since their arrest in December, 2015 in defiance to court injunction ordering their release.

In January 2017, the Nigerian Air Force bombed an Internally Displaced People's (IDP) camp in Rann, Borno State killing 167 civilians, children inclusive. The military said the bombing was an accident as Rann has not been identified as a humanitarian camp (Amnesty International, 2017).

The police and the military have routinely and systematically tortured women, men and children, using different methods such as beatings, shootings and rape. Officials of the state security service have equally been accused of arbitrary detentions, keeping detainees incommunicado, conducting flawed investigations, torturing those in their custody and frequently ignore court orders for release of detainees (Amnesty International, 2014).

The above litany of records on police brutality as well as other sister security agencies are a clear pointer that instruments for our effective security and protection have finally turned the tide against us thereby

becoming the monsters that serially abuse our constitutionally guaranteed fundamental human rights. The security agents may not be totally blamed because they are borrowing a leaf from the leaderships of the country who have consistently flouted the provisions of the constitution relating to citizens' rights. In addition, they allegedly receive directives from the government of the day to flout the court orders. That explains why government of the day does not demonstrate the political will to investigate any abuse of citizens' rights by the police and other security agencies. Therefore, the attainment of total respect for citizens' rights in the country will continue to elude us thereby leading to loss of confidence in government and its security agents which might likely result in the state of lawlessness where everyone takes the law into his/her hand.

### **Conclusion and Recommendations**

The importance of protection of human rights to attainment of peace, justice and stability in any state cannot be overemphasized. That explains why several countries including Nigeria have made provisions of the rights in their respective constitutions thereby suggesting their preparedness to respect and protect the rights. Unfortunately, it has been discovered in Nigeria that government and her security agencies have continued to join forces either directly or indirectly to deny people of the rights. Consequently, there is almost loss of trust and confidence in government and its security institutions. People are now disposed to flouting laid down rules and regulations with impunity thereby leading to situation of lawlessness and disorder in the polity. It is therefore, the position of this paper that justice and peace cannot prevail in the country if the fundamental rights of people are not protected and respected by those who are constitutionally called to do so.

In view of the foregoing, the following recommendations were adduced to ensure respect and protection of the human rights in the country –

1. Officials of government should first of all demonstrate political will to respect the fundamental human rights as provided in the constitution.
2. Human rights education should be made part of the educational curricular beginning from the primary to tertiary level so as to educate citizens to conscientiously respect the rights.
3. There should be severe penalties for anyone convicted of abuse of any of the human rights.
4. Government should carry out extensive and massive orientation in its security agencies. This is to enable them imbibe the value of absolute respect for human rights.
5. Strict punishment should be meted out to any security agents who commit human rights abuses so as to serve as deterrence to others.
6. Civil society organizations should rise up to the occasion by criticizing and condemning in strong terms any acts of human rights abuse by the government in power and its security agents. This will definitely make governments across the country to sit up to their responsibilities as well as ensure respect and protection of citizens' rights.

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