

# INDIGENOUS INSTITUTIONS AND THEIR ROLES IN MODERN ADMINISTRATION OF SECURITY AND PUBLIC ORDER

*Tunde Ayodele*

## **Abstract**

It is axiomatic that the modern institution of administration has failed in Nigeria, particularly in respect of security and enforcement of law and order. This is manifested in a general sense of insecurity, instability and socio-economic malaise. Reason for this is not unconnected with the fact that modern administration is alien and lacks the adaptive capacity to cope with the dynamics of our environment. In the quest for alternative solutions, the various Nigerian communities are beginning to look inward at those "home grown" solutions adopted before the advent of the modern nation-state to solve the menace of insecurity and lawlessness. It is against this backdrop that this paper wants to explore the historical and contemporary roles of indigenous institutions in the administration of security and enforcement of law and order, expose the limitations of the so-called modern institution to the problems of criminal activities in Nigeria and proffer how best to complement the efforts of the modern form of administration with indigenous institutions in the challenges of security and enforcement of public order in Nigeria.

## **Introduction**

Before the advent of colonialism, the various African communities had been operating various indigenous administrative machinery through which they planned, organized, secured and regulated their own socio-political and economic activities for the overall development of their communities. Some of these existed under the aegis of kinship, council of chiefs, age grade, professional guilds, market women associations, community development associations, vigilante groups etc. With the coming of the Europeans however, some of these indigenous institutions of administration were recognized and adopted by the colonialists to serve their selfish interest, while others were discarded and in their place modern forms of political institutions were introduced. In Nigeria, the British recognized some of these indigenous institutions, modified them and allowed them to perform traditional functions at the grassroots level within the context of the Indirect Rule System.

At flag independence therefore, the Nigerian political elites inherited a political system in which formal and informal indigenous institutions were featuring prominently within and outside the framework of the modern political institutions, particularly at the grassroots level. However, with the attainment of statehood and the quest for political modernity, it appeared to the emergent political elites that indigenous political institutions may not withstand the demands of democracy, because of its nature and character, hence their effort to replace it with modern form of governance. Consequent upon this, the influence of these indigenous institutions of administration waned.

So far, the effort of modern political institutions of administration at governance has met with failure, with attendant insecurity, instability and outright negligence of the mass of the populace. It is the quest for explanatory reasons and enduring solution to this problem that brought to the fore, the need to examine the potentials of indigenous institution of administration and its consideration as prospective panacea to the problem of insecurity and enforcement of law and order in Nigeria.

## **Literature Review**

The surge of interest in indigenous institutions of administration is a recent phenomenon particularly among writers of liberal persuasion. Before then the conventional attitude of scholars and policy makers has been to concentrate on the State and its formal structure of administration. This is undoubtedly borne out of an ideological disposition, which arrogated the commanding heights of the economy to the State especially in the 1960s and 1970s; on the assumption that this would bring about acceleration in the pace of economic development, it was, thus believed that the performance of the State was at once the major operational variable for determining the level of success which developing societies can achieve both in the field of governance and economic development (World Bank 1989).

A rethink was however to follow in the 1980s and 1990s, when the veracity of the foregoing disposition became questionable against the backdrop of social insecurity, political instability and economic malaise which continued to ravage the country unabated despite spirited effort measured at arresting the situation

So far it has become a common maxim particularly amongst scholars in the field of study, that the modern institution of governance has "failed" as a tool of socio-political and economic transformation in Nigeria as indeed other African communities (Wunsch and Olowu, 1990). Various causative agents have however been cited as responsible. In its own submission, the United States National Research Council (1992) posited that "Africa's problem is unequivocally and fundamentally political,... political centralization has led to economic centralization which has led to economic crisis" Osaghae (1989) not only faulted the ideological disposition adopted by the African countries at flag independence, he posited forcefully that their crisis of governance is rooted more fundamentally in the origin of the African States and the nature of their political leaderships. Ostrom (1998) on her part explored the weakness of formal structure of governance to adapt to the dynamism inherent in indigenous African communities. She posited that developmental administration, like game theory is static, whereas what is required is a 'constitutional' level of analysis that allows for modification of rules in order to foster better understanding, institutional innovation and solution to problems at the local level.

The academic renaissance which followed in the wake of the disillusion and disenchantment with modern administration system among scholars in the literature, and the quest for a panacea brought to the fore, the need to look inward at a variety of devices evolved from time immemorial by the various African communities to cope with the problems of development; and their potentials in satisfying many of the needs which the State has failed to provide the people in contemporary time. Many of these institutions are still existing in the forms of; kinships, towns unions, age grade, professional guild, vigilante groups etc. These indigenous institutions of administration have been tested and being trusted to be resilient, reliant and effective in the supportive and complementary role they play within and outside the formal state structure; whether in the provision of security, public order, communal projects or welfare services, particularly at the grassroots level (Bryant & White 1982).

Underlying the roles and potentials of indigenous administration are certain dynamism inherent in the system upon which rested the adaptive capacity and foothold for the mechanism to operate with such resounding success. Chief in this respect is the fact that the people themselves conceived the idea, from the peculiarity of their history, culture and circumstances. Another also is the people's active involvement and control in the operation of the system. And thirdly is that community organizations are inherently simpler, less hierarchical and closer to the people than centralized, large and complex institutions of modern governance (Nicholson, 1988). It is on these basis thus hinges the philosophy which sustains the system as a veritable instrument of socio-economic transformation among the indigenous communities.

Exploring this philosophical point of view further, Grant (1983) argued that deprived communities are strongly motivated in solving their own problems through mutual assistance if the idea to do so "grew informally out of their own needs and desires to work under own control towards goals they are specifically interested in". Ostrom (1992) in the same vein posited forcefully that a successful system exists when those it serves are actually involved in the decision, operation and maintenance of the system; this type of self-governing system where sections of the society govern itself is essential to sustainable development". While Ahiazu (1988) on his own also contended that the success of the system was because it evolved from "unique circumstance of the African societies and were based mainly on the philosophies and worldviews of the African people".

The foregoing does not mean, however, that indigenous institutions are perfect. On the contrary they have their own inherent weakness located in their small scale nature; low capacity to deal with heterogeneity; low capacity to digest and process information from formal institutions and their external context.

For these reasons, the need has been suggested for African communities to modernize their institutions; their modes of governance; their political and economic structures (Davidson, 1992).

while the Mamodou Dia group on the other hand had suggested a combination of both institutional transplant and traditional fundamentalism as a way out of African development problem; pointing out that neither one nor the other alone will do the magic, but rather a reconciliation and convergence between adapted formal institutions and renovated informal indigenous institutions.

### **Security and Enforcement of Public Order**

The idea and origin of the modern-nation state, and indeed any organized civil society arises

primarily out of the need to secure the lives and properties of citizens on the one hand and the territorial integrity of the society on the other. Defined as the state of being safe or protected from real or imaginary danger to one's life or property, personal security is perhaps the most important after air in the hierarchy of human needs. It is only after we are secured that we can think of food, shelter, education, business etc.

Enforcement of law and order on the other hand refers to the capacity of the state and its agency to interpret and apply the constitutive laws and principles by which the state is being organized, and ensure that it is binding on all person(s), and corporate entities concerned. Indeed the tranquility of any political society and transformation of its political economy hinges on the extent to which the lives and property of its citizens are secure. It is therefore the duty of a responsible government to provide adequate security and enforcement of law and order for the country and its citizens.

### **Present Situation of Security And Public Order in the Nigerian Society**

The last decade has not been the best for Nigerians in terms of personal security. The last few years were particularly difficult, as hardly did a day pass without blood-chilling report of either armed robbery or assassination being reported in several parts of the country. It has become the convention to hear the sound of sporadic gunfire shattering the serenity of the atmosphere as blood-thirsty hoodlums carry out their nefarious activities; maiming, raping and killing in the process.

Nobody was being spared; even the highly and mighty who were hitherto considered untouchable are being shaken. The list of their victims are legion; ranging from top serving and retired military officers, public servants, captains of industries, state governors, businessmen and women to diplomats, traditional rulers and clergymen to mention a few. Of particular note was the gruesome murder in broad daylight of the former serving Attorney-General and Minister of Justice in the present administration some time ago by these men of the underworld.

No time of the day was safe either as activities and the itinerary of these men of the underworld have now suggested. Whether in broad daylight or in the wee hours, they operate with impunity and commando-style bravado that would make even Sylvester Stallone in *Rambo* appear like a bozo. Some even have the temerity of informing their victims in writing before hand and for effect and good measures, requested that sumptuous meals be prepared for them while the ordeal lasted.

### **Consequences for Sustainable Growth and Economic Development**

The spate of these activities and the attendant consequences for the polity and its citizens cannot be overemphasized. The average person in Nigeria today suffers a sense of insecurity, which dominates his sense of purpose and discourages his desire to engage in viable ventures that would have otherwise contributed to the growth of the national economy. Even the frustration, which the Obasanjo Administration has suffered in its effort to woo foreign investors into the Nigerian economy, has been linked to the activities of these hoodlums. Suffice it to say that no right thinking investor would risk being dispossessed of his valuables and his life in the process, no matter the attractiveness of the incentive being provided.

On the whole, these criminal activities if left unchecked have the capacity to destroy the national psyche and more fundamentally, destabilize and emasculate her well orchestrated march towards sustainable growth and socio-political and economic development.

### **What Are the Nigerian Police Doing?**

One may ask in what way are the Nigerian Police reacting to the situation? To say the least, the Police are overwhelmed in all departments of the game. They are up against an opponent that has superior firepower, more tactically sophisticated and by far, more motivated. The Nigerian Police today have become monstrously large, over centralized and operationally inefficient. Their capacity to respond to the situation is being constrained the more by inadequate logistics, poor training, lack of proper orientation, appalling condition of service and more importantly an incurable penchant for corruption. Interestingly, the Police themselves have become endangered in the twist of fate unleashed by men of the underworld; their rank and files are being mowed down in their dozens and their weapons carted away even when unprovoked, by these armed hoodlums. Unfortunately too, many are said to be in the payroll of suspected armed robbers, in exchange for valuable information and or for the use of their weapon in some of these dastardly acts. In the circumstance, there is no gainsaying that the average Nigerian has no iota of confidence in the Nigerian Police where his personal security is concerned.

## **Vigilante Groups As A Way Out**

It was as a way out of the hopeless and hapless situation that communities in towns and cities in Nigeria started to look inward at their "home grown" solutions, as alternative to the inadequate security arrangement provided by the state. To this extent, able bodied members in the various communities started to constitute themselves into vigilante groups, taking turns to guard their communities, as was the practice in most indigenous African communities across the generations, long before the advent of the modern nation state. The recourse to and subsequent success of these veritable indigenous institutions of security and law enforcement led to the surge and proliferation in their number. Most prominent among them however, are the *Bakassi Boys* in the southeastern states of Anambra, Abia, Enugu, Imo, etc, *Egbesu Boys* in parts of the Niger Delta, the *Odua People's Congress (OPC)* in the southwestern states of Lagos, Oyo, Ogun, etc and *Yan Bangar.m* the northern states of Kaduna, Kano, Katsina, etc.

Some of these vigilante groups are known to have well-organized structure and modus operandi, nonetheless similar and sometime even better than that of the Nigerian Police; if one may use the *Bakassi Boys* as an example:

### **Bakassi Boys As Case Study**

#### **Origin**

The vigilante group was started in the late 90s when life became unbearable for the people of Aba in Abia State; courtesy of the men of the underworld, whose nefarious activities unleashed a reign of terror on the residents of the ancient commercial city and bestrode their psyche like a monstrous colossus.

#### **Recruitment**

Prospective members and new recruits, aged between 25 and 35 are being screened to ensure that they do not have criminal records or harbour criminal tendencies. In addition, they are to abstain from keeping questionable companies, just as the use of the hard drug is prohibited.

#### **Training**

To meet up with the exigency of their crime fighting activities, the group has a training camp located on the outskirts of Aba, where members are trained for a duration of six months initially in martial art and self-defense, intelligence gathering, intelligence and counter-intelligence and use of weapons.

#### **Finance**

Their running expenses, wages and allowances are sourced from the monthly contributions from traders and voluntary donations from well-meaning individuals and corporate organizations including the Abia and Anambra State governments.

#### **Modus Operandi**

As part of its operational strategy, the group relied on residents for information and complaints, which they treat with absolute confidentiality. This is made available in the form of a report and turned over to the unit whose responsibility is to investigate after which the suspect is placed under surveillance. Once it is established that the suspect has a case to answer, he is finally arrested and interrogated, and where he cannot defend the sources of wealth and other allegations leveled against him, he is pronounced guilty and may be executed. In addition, his property may be confiscated.

The Bakassi Boys are well equipped logistically to confront armed robbers. At their administrative and operational headquarters located at *Ariara Market*, people of diverse background came in droves to register their complaints. This demonstrated the extent of confidence the residents have come to repose in the group. It was not therefore surprising that their services have been extended to Onitsha at the instance of the Abia State government and other part of the Eastern States.

#### **Weaknesses and Criticism of Vigilante Groups**

The vigilante groups, no doubt have their own weaknesses and excesses inherent in their nature, character and modus operandi. Fundamental among these was the way and manner they operate like parallel security machinery, and rather unconstitutionally too alongside the Nigerian

Police, whose sole responsibility was to arrest and prosecute suspected criminals in the court of law without even the benefit of pronouncing them guilty or otherwise, least of all meting out punishment or executing them as was being done by some of the vigilante groups. This no doubt constitutes jungle justice and negates the principle of the rule of law (*No men judes in casuasua*). Equally worrisome was the alleged use of these groups for other things that have nothing to do with security. For instance, some governors in the South Eastern States have been accused of using the Bakassi Boys as a private army to witch-hunt political enemies and perpetuate themselves in office. Similarly, the OPC has been accused of ethnic cleansing in Lagos and other Yoruba towns and cities.

The vigilante groups have however put up robust defense against these allegations. They dismissed any suggestion of being used as private armies by Politicians as not only being spurious, but also the mere imagination of those who have skeletons in their cupboard. Furthermore, they accused the Police and the Judiciary of gross complicity, moral and technical ineptitude, criminally negligent and irredeemably corrupt. In the same vein, they cited many occasions during when their members have arrested suspected criminals and handed them over to the police along with incriminating evidence only for these armed robbers to be released by the Police or the court on the most absurd and mundane excuses imaginable; and for measures, they threatened to expose prominent members of the Police that are acting in tandem with the criminals or are themselves armed robbers.

### **Conclusion**

The tales of exploit and relief that are today the hallmark of success, which the activities of vigilante groups have recorded amongst the various communities across Nigeria, is laudable and phenomenal to say the least. The underlying dynamism, which makes the system work with such resounding success, rests on the fact that the idea was conceived by the people themselves who operate the system. Added to this was the fact that these vigilante groups are often small, inherently simple, less hierarchical and closer to the people than the centralized, large, complex and bureaucratic Nigerian Police. In addition, incidences of bribery, extortion, poor attitude to work and other institutional delinquencies that are today generic and endemic in the Nigerian Police are largely absent it is in the light of the foregoing analysis, the paper dares to conclude that the modern nation state of Nigeria has neither explored, nor appreciated, enough the potentials of these indigenous institutions. This is against the backdrop of official aloofness and tacit disapproval that are characteristic of the attitude of authority towards vigilante groups, underscored by the way and manner government often clamps down on vigilante activities, even as their rank and file are hounded and hunted like animals around the country at the flimsiest of excuses.

This development was even more unfortunate when it is considered that the new policy thrust of the Nigerian Police presently towards repositioning of the ailing institution in its effort to combat crime effectively in our society is Community Policing. In this respect, the Police can use the activities of vigilante groups to complement its efforts; because members of these vigilante groups are more familiar with the local environment than the Police and more importantly, know those members of the community who may have criminal tendencies. Through collaborative efforts, the police and the vigilante groups can devise common technique and strategies to curb the activities of these nefarious elements in our society.

### **Recommendations**

- (i) The Federal Government should direct that a Police/Vigilante Coordination and Supervisory Agency be set-up at all state and local government levels; to be made up of representatives of the Police, members of the community and the Vigilante Groups within each jurisdiction.
- (ii) When established or where they already exist, the above agency shall be made responsible for the screening and registration of all vigilante groups within its jurisdiction. In addition it is to coordinate and harmonize the activities of the vigilante groups vis-a-vis those of the Police to guard against conflict of roles.

The Vigilante Groups should be reorganized, reoriented and repositioned. In this vein, members should be given basic training in modern offensive and counter-offensive maneuvers and other crime detection and fighting techniques, while they should also be made to see the barbarity of unorthodox and unconstitutional practices; such as torture, maiming, amputation and execution of suspected criminals. Such criminal suspects should rather be handed over to the Police/Vigilante Coordination and Supervisory Agency along with relevant incriminating evidences, necessary to prosecute them.

Government should procure and train members of vigilante groups in the use of modern communication gadgets and other logistics; necessary to modernize, ease and raise the standard of their activities. In addition, encouragement, commendations, honorarium and other complimenting incentives should be given the members adequately and regularly to further motivate them.

- (v) The Nigerian Police is to be reorganized, reoriented and repositioned to meet the challenges of contemporary problems in security and enforcement of public order in the Nigerian state. To this extent, the Police should be further decentralized into smaller zones in order to enhance their responsive capacity and operational efficiency.

More attention should be paid to the welfare of the rank and file of the Police; To this extent, the rank and file should be given more regular intensive retraining programmes, more hands should be recruited; and modern facilities should be procured; their salaries and other conditions of service enhanced; and last but not the least, the bad eggs amongst them should be weeded out.

## References

- Ade-Ajayi, J.F (1971). *History of West Africa*. Nig. Longman.
- Ahiazu, A. (1987). Efako: An Indigenous African System of Work Organization. *Administrative Studies Vol* 28. pp 12.
- Ayiltey, G. B. N (1991). *Indigenous African Institutions*. New York: Transitional Publishers Inc.
- Bryant C. and White, L. G. (1982). *Managing Development in the Third World*, Boulder, Colorado; Westview Press.
- Davidson, B. (1992). *The Black Man's Burden*, New York: Times Books.
- Grant, G. (1983). *Development by the People: Citizen Construction of a Just World*. New York: Praeger Publishers.
- Nicholson, N (1988). *The State of The Art*. U.S.A. Institutional Analysis And Development Int. Centre for Economic Growth.
- Nkom, S. A. and Sorkaa, A. P. M. (1996). *Comparative Analysis of Grassroots Governance in Two Nigerian Communities: A Case Study of Samara and Abwa-Mbagen*. Lagos, Nigeria. LJS DP Vol. 52 No 1.
- Olowu, D.S.B. Ayo and B. Akande (eds.) (1991). *Local Institutions And National Development in Nigeria*. Ile-ife LISDP. OAU Press.
- Ostrom, E. (1992). *Crafting Institutions for Self-Governing Irrigation System*. Int. Centre for Self-Governance, Institute for Contemporary Studies, California. U.S.A.
- Tell Magazine March 25<sup>th</sup>. 2002 *Tofa And The Robbers: Can He Win The Wart* vol. No. 12. Lagos. Tel! Communications.
- Tell Magazine August 28<sup>th</sup>. 2002 vol. No. *IS.Bakassi Boys: The Inside Story*. Lagos. Tel! Communications.
- Tell Magazine Oct 30th, 2000 Vol.44, *OPC Sets Lagos On Fire* Tell Communications.
- Uchendu, V.C (1965). The Igbo of South East Nigeria. *African Journal of Institutions and Development*. Vol. 2 No. 1.Nig.
- Wunsch, J. and D. Olowu (eds.) (1990). *The Failure of The Centralized State*. Boulder, Colorado: West view Press.
- World Bank, (1992). *Indigenous Management Practices: Lessons for Africa's Management in The 1990s*. Washington D.C. African Technical Dept. Report Vol. 132.
- World Bank (1989). *Sub-Saharan Africa; From Crisis to Sustainable Growth*. Washington: African Technical Dept Report Vol. 241.

