
THE NIGERIAN POLICE, COMMERCIAL DRIVERS AND FUNDAMENTAL HUMAN RIGHTS

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Abstract

Fundamental rights are generally regarded as the set of legal protections in the context of a legal system, where such system is itself based upon the same set of basic fundamental or inalienable rights. Countless ordinary Nigerians attempting to make precarious ends meet are accosted on a daily basis by armed police officers who demand bribes and commit human rights abuses against them as a means of extorting money. This study, therefore, examines the attitude of policemen towards the human rights of Commercial drivers in Nigeria. The research design that was adopted for this study is the descriptive survey research. This research adopted the descriptive survey method because it is found relevant for the study. The target population consisted of 300 drivers randomly selected from 10 garages in Ibadan. Instruments, used for this study is questionnaire, which consists of sections A and B. The results of the study shows that Nigerian Police are in the habit of abusing human rights of commercial drivers, It, therefore recommends training and re training of commercial drivers on protection of human rights, setting of monitoring team to monitor compliance by policemen, and also giving drivers education on their rights under the law.

Key words ; Human Right , Commercial drivers Nigerian Police

Introduction

Fundamental rights are generally regarded as a set of legal protections in the context of a legal system, where such system is itself based upon the same set of basic fundamental or inalienable rights. Such rights, thus, belong, without presumption or cost of privilege, to all human beings under such jurisdiction. In 1948, United Nations entered into what is known as universal declaration of human rights. Such fundamental Human rights includes the right to be free from slavery or servitude.

Countless ordinary Nigerians attempting to make precarious ends meet as taxi drivers, market traders, and shop keepers are accosted on a daily basis by armed officers who demand bribes and commit human rights abuses against them as a mean of extorting money. Those who fail to pay are frequently threatened with arrest and physical harm. Far too often, these threats are carried out. Meanwhile, victims of crime are obliged to pay the police from the moment they enter a police station to file a complaint until the day their case is brought before a court.

Extrajudicial killings by the Nigeria police is a chilling reminder that the work that must be done to make Nigerian a country of law and order is herculean. For many years, many people have warned about the ease with which Nigerian policemen 'kill and go'. Many poor and innocent commercial drivers trying to earn a living have been murdered by members of the police, sometimes, for flimsy excuses like giving them twenty naira bribe when they expected fifty or one hundred naira (Eke, 2013).

Security agents in Nigeria see themselves as being above the law as they often times break the law with impunity. Nigeria police, many a times, see no reason for paying any transport fare, commercial drivers do not have guts to even demand for transport fare from them.

Despite repeated government pledges to address the problems in the Nigerian criminal justice system, little progress has been made. Among the Nigerian Police Force (NPF), there is a flagrant and widespread disregard for human rights and due process. Policemen have turned Nigeria to a country where bribes guarantee safety, those who cannot afford to pay are at risk of being shot or tortured to death by the police. (Donner, 1990)

December 12th, 2008 is a day the residents of Sagamu in Ogun state will not forget in a hurry . This was a day in the which one of their own, a woman, was shot dead by the police and then branded as leader of a gang of robbers . The scenario reminds one of the criminal actions of the Nigerian police force in the past. The act of brutality by police started years back. Such act includes the police terror of the colonial years such as the brutal killings of 21 Nigerian miners and the maiming of 59 others at Iva Valley mines, Mungu in November, 1949, by colonial police or the insane killings of Dawodu brothers in Lagos, some years ago, as well as those of the Apo 5 in Abuja.

In 2008, a catalogue of woes, which included the following, could be listed according to Iyabo (2009). Abayomi Ogundeji, a journalist with This Day newspaper was gunned down by people in police uniforms, Modebayo Awosika, a banker while returning home from shopping on the night of October 1st 2008 was shot dead, his car rolled into a ditch and set on fire so that it could look like an accident. A police van was, however, seen by on – lookers speeding off from the scene.

Statement of the Problem

United Nations in 1948 proclaimed what is universally accepted as the fundamental human rights whose implementation lies in the hands of security officers which include the Nigerian police. It is observed that those who are supposed to protect these human rights are in the habit of violating them. Many commercial always complain of security agencies violating their rights. This work therefore looks at the attitude of the police towards commercial drivers in Ibadan, Nigeria.

Objectives of the Study

The study set for itself a number of objectives:

1. To appraise police attitude towards commercial drivers in Ibadan.
2. To investigate police respect for the rights of commercial drivers to earn a living.

3. To investigate if the police respect commercial drivers right to fair hearing
4. To also look at the extent in which police respect commercial drivers' dignity of life.

Research Questions

The research questions generated for the study are;

- i. Do policemen in Nigeria respect commercial drivers' right to earn a living?
- ii. Do policemen in Nigeria respect commercial drivers' right to fair hearing?
- iii. Do policemen in Nigeria respect the commercial drivers' right to dignity of lives?

METHOD

The research design that was adopted for this study is the descriptive survey research. This research adopted the descriptive survey method because it is found relevant for the study. The study aims to find out the attitude of policemen towards human rights of commercial drivers in Ibadan, Oyo State, Nigeria.

The target population consisted of 300 drivers randomly selected from 10 motor parks in Ibadan. The respondents in this study were commercial drivers because the study was about their human rights protection. Instrument that was used for this study is questionnaire, which consists of Section A and B. Some respondents filled the questionnaires themselves because they were literate while it was interpreted for the illiterates among them

Section A, consists of demographic information of participants such as sex and age and academic level. Section B, consists of 12-item questionnaire on the attitude of policemen towards human rights of the commercial drivers. The respondents are required to react to the statement on the bases of personal perception. Data from questionnaires were compiled, sorted, edited, classified, and coded into a coding sheet and analyzed using frequency count and percentage to answer the research question.

Research Data Analysis

This section presents the summary results of data obtained from the study in frequency counts and simple percentage in a tabular form below;

- i. Do policemen in Nigeria respect commercial drivers' right to earn a living?

Table 1: The level of tolerance of police in respecting right of commercial drivers to earn a living

S/N	ITEMS	SA	A	D	SD	MEAN
1	Policemen are in the habit of asking for bribe	132 (52.0)	156 (44.0)	12 (4.0)	0 (0.0)	1.60
2	Policemen delay drivers who refuse to comply with their demand for bribe	180 (62.0)	110 (36.0)	8 (0.08)	1 (0.01)	2.64
3	Policemen are in the habit of forcefully using commercial vehicles	160 (65.0)	130 (30.0)	15 (5.0)	5 (1.0)	1.37
4	Policemen are in the habit of detaining drivers giving flimsy excuses	195 (65.0)	102 (34.0)	0 (0.0)	1 (1.0)	1.37

The result from table 1 clearly shows that policemen attitude towards commercial drivers affects their means of, livelihood, as the majority of them are of the opinion that policemen always delay them giving flimsy excuses.

- i. **Research Question 2:** Do policemen in Nigeria respect commercial drivers' right to fair hearing?

Table 2: The extent at which policemen in Nigeria respect commercial drivers’ right to fair hearing.

The result from table 2 shows that policemen do not respect commercial drivers’ right to fair hearing. According to the result, policemen are in the habit of punishing drivers unduly, detaining them indiscriminately and do not protect drivers against abuses.

ii. Research Question 3: Do policemen in Nigeria respect the

S/N	ITEMS	SA	A	D	SD	Mean
8	Policemen are in the habit of detaining drivers giving flimsy excuses	195 (60.0)	101 (39.0)	3 (0.05)	0 (0.0)	2.71
9	Police protect commercial drivers against abuses from passengers	188 (55.0)	90 (36.0)	17 (2.01)	3 (1.05)	1.0
10	Police always listening to drivers reason for an action	188 (55.0)	92 (36.0)	15 (2.0)	5 (1.0)	2.93

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From the table 3, the majority of the respondents agreed that policemen do not always respect commercial drivers’ right to dignity of lives as they are in the habit of detaining them for giving flimsy excuses, and hardly listen to them when alleged of wrong doings.

Summary of Findings

From the table analysis in table 1, the level of tolerance of the police in respecting the right of commercial drivers to earn a living is low. The table revealed that policemen are in the habit of asking for bribe from commercial drivers, policemen delay drivers who refuse to comply with their demand for bribe, and that they always forcefully use commercial vehicles without compensation. To corroborate this, observe that policemen in Nigeria could kill or maim commercial drivers who refuse to give them bribe or pay less than what was demanded by policemen. (Eke, 2013); Barnabas, (2014).

Analysis in table 2 shows that the Nigerian police do not give commercial drivers fair hearing, as the majority of the respondents believe that police are in the habit of punishing drivers unduly and they could be detained on flimsy excuses and will not be listened to whenever they are arrested. This also corroborates the findings of Abe (2009) who opined that the Nigeria Police see commercial drivers as criminals. She stated that once a driver is apprehended for any offence, the Nigeria Police have the notion that he/she must have committed the offence.

Conclusion

From the results of the findings, it is observed that policemen in Nigeria are in the habit of terrorizing commercial drivers because of the fact that they would not want anything that will waste their time: they have targets of what to 'deliver' at night coupled with their ignorance of their human rights as enshrined in the constitution.

Recommendations.

Based on the findings from these studies, the following recommendations are made:

1. That Federal Government should set up monitoring team whose membership should be drawn from other agencies to monitor compliance by the police.
2. That there should always be training and re-training for policemen on the need to protect the fundamental rights of

commercial drivers. The drivers should always be enlightened of their rights, under the law. Policemen should always be made to face the wrath of the law.

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