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# Policing the COVID-19 Outbreak, Accounts of Misconduct, and the Imperatives of Procedural Justice Training for Nigerian Police Officers

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## Abstract

Globally, questions have been asked on how police utilized additional powers created to manage the spread of the COVID-19 virus without negatively impacting police legitimacy. This was particularly a concern in countries that had hitherto recorded high incidents of police misconduct prior to the emergence of the pandemic. Using a victim-centered approach, a qualitative study was conducted to examine the dimensions of unlawful use of force, human rights violations, and other police misconduct which prevailed during the enforcement of the COVID-19 lockdown in Nigeria. In all, 82 interviews with victims of police violence were conducted, and a thematic analysis of the narratives was carried out. Findings indicate negative perceptions of police legitimacy to intervene in public health crises. In building better community relations that will engender public compliance with police directives, the police authority is advised to purge itself of its militarized system, with officers undergoing procedural justice training and imbibing its principles.

**Keywords** COVID-19; Nigeria police; procedural justice; victims; violence

## INTRODUCTION

One of the biggest concerns that emerged from the global health emergency occasioned by the COVID-19 pandemic was the manner of police intervention in managing the trouble which has resulted in a public health crisis (Aborisade 2021; Jones 2020; Stott, West, and Harrison 2020). Also, how police will enforce new laws and bylaws that restrict democratic freedoms, without negatively impacting police legitimacy, was a subject of global concern (Amnesty International 2020a). These concerns are premised on the existing knowledge that measures taken by governments across the world to control diseases often produce outcomes that are capable of threatening the very basis of functional democracy (Bolger and Walters 2019; Stott et al. 2020). Ironically, in apparent affirmation of some speculations (Amnesty International 2020a), global reports on the enforcement of restrictions of movement and “social distancing” by the police have leaned heavily toward abuse,

high-handedness, unlawful use of force, and discriminatory impact of measures adopted to counter COVID-19 which target racialized communities and other marginalized groups (Amnesty International 2020a; Human Rights Watch 2020a).

In the United Kingdom, emergency legislation gave police the power to issue instant £30 fines to people who gathered in groups of more than two people or left their homes without cogent reasons (Reuters 2020a). However, some police officers were accused of unduly stretching their powers by using drones to spy on people taking walks and engaging in other activities considered as violating stay-at-home orders, while using the footage to shame them on the Internet (Al-Jazeera 2020). Also, during the lockdown period in France, Amnesty International (2020b) verified 15 videos of instances of unlawful use of force and/or racist and homophobic insults by law enforcement officials in 15 different French cities. In seven of the 15 videos, people who were under arrest and/or under police control were beaten (punched, kicked, or hit with objects such as a muzzle). In some cases, people were beaten while lying down on the ground. Transparency International's Advocacy and Legal Advice Centers received over 1,500 complaints relating to military and police abuse during the COVID-19 pandemic (Transparency International 2020). The complaints were mainly about police officers and soldiers demanding bribes from people who passed roadblocks, stayed out past curfew, and wanted to leave quarantine centers. In the report, police officers in Zimbabwe were accused of demanding bribes from pregnant women and sick people trying to go to hospital.

In Nigeria, the police were officially called to the duty of combating the outbreak of coronavirus on 30 March 2020, upon the declaration of total lockdown of Lagos and Ogun states, and the Federal Capital Territory Abuja, as well as the imposition of a national curfew (Mbah 2020). However, within the first month of police enforcement of shutdown mandates, the National Human Rights Commission (2020) reported 21 extrajudicial police killings of those adjudged to have flouted the lockdown orders. Meanwhile, within the same period, 11 patients were reported to have died of coronavirus, prompting reports that lockdown enforcement had recorded more casualties than the virus itself (BBC News 2020). In addition, the commission was reported to have received 105 complaints of human rights violations against law enforcement officials within the same period (AfricLaw 2020). In one of the reported human rights abuses, three police officers were filmed flogging a woman with long canes in Osun State, apparently for flouting the stay-at-home rules (Kabir 2020).

Meanwhile, frontline health workers across the country who were exempted from the "stay-at-home" order of the government were also reported to be at the receiving end of police aggression and extortion (Reuters 2020b). This led the Nigeria Medical Association to embark on an indefinite sit-at-home strike, even as the nation continued to battle the pandemic (Adejoro 2020). In the same vein, foodstuff dealers in the country under the auspices of the Amalgamated Union of Foodstuff and Cattle Dealers of Nigeria accused officers of the Nigeria police of extortion on the highways, despite the exemption given to food sellers and farmers from the lockdown and stay-at-home orders (Ewepu 2020). The association indicated that its members were made to pay bribes before being granted passage to transport food from the North to the southern part of the country, thus amounting to multiple "taxes".

In this article, insights into the dimensions of unlawful use of force, human rights violations, and other police misconduct that prevailed during the enforcement of lockdown in Nigeria are provided. Drawing from procedural justice theory, the article explores accounts of police use of excessive force in enforcing movement restrictions and other COVID-19 protocols. Also, the potential of the procedural justice approach against the Nigeria police's control-dominated and repressive styles of ensuring compliance is explored. The significance of this study is premised on the global concern that the heavy-handedness of policing during the pandemic may become the "new normal" if not adequately addressed.

### **Theoretical Orientation**

In recent years, criminology has prominently featured discussions on the consequences of perceived legitimacy. Legitimacy, as Tom Tyler (2006a:375) describes it, "is a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just." Tyler (2001, 2006b) and other authors (Johnson, Maguire, and Kuhns 2014; Murphy, Bradford, and Jackson 2016; Tankebe 2013) have demonstrated the effectiveness of perceived police legitimacy in engendering public support, long-term compliance with the law, and active cooperation with the police. This form of compliance and cooperation based on legitimacy has also been extended to criminal offenders (Homolová 2018; Papachristos, Meares, and Fagan 2012).

According to Homolová (2018), legitimacy does not only enhance the effectiveness of the police but also strengthens the relationship between the police and the communities that they serve. As Tyler (2006a) affirms, people identify more with the police when they perceive the police as legitimate and are thereby encouraged to participate in the civic responsibility of assisting the police in their sundry official duties. On the other hand, reactions of the public to the perceived lack of beneficial relationships or lack of perceived legitimacy may lead to passive acceptance or passivity towards the police (Homolová 2018).

As part of his contributions to police legitimacy, Tyler (2006b) propounds procedural justice theory from his seminal work based on a social psychological analysis of "why people obey the law." The core proposition of the theory is that people conform to the directives of powerful authorities based on two distinct modes: instrumental and normative compliances. While instrumental compliance revolves around fear of the capacity of authorities to punish those that transgress directives, normative compliance has to do with adherence to law emanating from the positive judgment of authority directives as being morally appropriate and enforced fairly.

There have been empirical studies that have tested the extent to which police procedural justice and legitimacy predict compliance with the law. In their study on why people comply with traffic laws and regulations, Bradford et al. (2015) found evidence that both instrumental and normative factors explain variance in motorists' self-reported propensity to offend. Similarly, using a South-Korean college sample, Lee, Callahan, and Kwak (2022) examined the impact of procedural justice and police effectiveness as predictors of perceptions of police legitimacy. They found support for both instrumental and normative models of legitimacy,

leading to a sense of obligation to obey the police. However, there have also been studies that demonstrate weak support for the impact of police procedural justice on predicting compliance. For example, Kyprianides et al. (2022) assessed the extent to which police procedural justice, effectiveness, legitimacy, and perceived risk of sanctions predict compliance with the law among people experiencing homelessness. They found a significant but weak effect of police procedural justice and police legitimacy on compliance with the law.

### ***The Legitimacy of the Nigeria Police and Procedural Justice Theory***

The Nigeria Police Force is the principal law enforcement and the lead security agency in Nigeria. It was established under British colonial rule in 1820 within the Lagos protectorate (Alemika 1988). Other police formations were later formed in various parts of the Northern and Southern protectorates. However, in 1930, the northern and southern regional police forces were merged by the British colonialists to form the colony's first national police – the Nigeria Police Force.

Since its formation years, the Nigeria Police Force has been widely perceived to be a control-dominated system characterized by a centralized police structure, which derives its legitimacy mainly from the State and has crime control as its main function (Akinlabi 2017; Alemika 1988). As Mawby (2012) posits, the operations of such a police system are built on the rational choice theory which informs its reliance on instrumental incentives as the key motivation for compliance. Meanwhile, empirical studies that examine the effect of police procedural justice have affirmed its significance in enhancing police–public relationships and engendering compliance. For example, Akinlabi (2017) tested young people's judgment about police legitimacy and procedural justice and found evidence that procedural justice is a more important predictor of police legitimacy than police effectiveness. However, in the discharge of its law enforcement duties, the Nigerian police have been severally accused of resorting to unwarranted and repressive force, engaging in torture, committing gender-based violence and extrajudicial killings, and other human rights violations (Amnesty International 2020c; Human Rights Watch 2010; Network on Police Reform in Nigeria 2010).

Scholarly work on policing in Nigeria has also documented accounts of human rights violations by officers of the Nigerian police, highlighting how problematic police–public interactions erode the legitimacy of police authorities in the country. For example, Akinlabi (2020) confirmed that police abuse and the use of excessive force have negative effects on trust in the Nigerian police (see also Arisukwu et al. 2021; Famosaya 2021). Aborisade and Oni (2020) reported gender-based violence perpetrated by Nigerian police officers on female citizens at the point of arrest and while in detention. Similarly, inmates of four prisons in a Nigerian state described their experiences of police brutality and torture during their interactions with officers of the Nigerian police (Aborisade and Obileye 2017).

In an apparent vindication of the consistent reports of civil organizations and scholarly research reports, the strained relationship between the police and the Nigerian public led to nationwide protests against one of the units of the Nigeria police, known as the Special Anti-Robbery Squad (SARS), in early October of the year 2020 (Etim et al. 2022). The protests against police brutality resulted in a call for

disbanding the SARS unit, total reform of the police, accountability, and justice for those extra-judicially killed by police officers (Iwuoha and Anichie 2022). The protests which took place in the middle of the COVID-19 pandemic, and with protesters defying the COVID-19 protocols to engage in street protests across the country, suggest that pre-COVID police legitimacy may impact pandemic policing.

### ***The Nigerian Police and Pandemic Policing: A Brief Review***

Police enforcement of lockdown mandates and other COVID-19 measures in Nigeria has been fraught with violence (Asimi 2020; UN News 2020). In enforcing the lockdown rules, the already over-militarized Nigeria police became even more militarized (Amnesty International 2020b; National Human Rights Commission 2020), instigating further drift away from community-based approaches and public accountability (Aborisade 2021, 2022; Aborisade and Adeleke 2022; Aborisade and Gbahabo 2021; Gulleng and Musa 2020). This approach may have negatively impacted the level of public compliance with the stay-at-home order and social distancing procedures supervised by the police. This premise is based on research that shows that police legitimacy and public trust in the police have important consequences for whether or not people obey the law (Bottoms and Tankebe 2012; Terrill, Paoline, and Gau 2016).

Transparency International (Asimi 2020) described the approach deployed by the Nigerian police in supervising the stay-at-home orders as tantamount to criminalizing the lockdown rules. This was identified as responsible for the high casualty rate recorded from police enforcement of movement restrictions and other COVID-19 measures (AfricLaw 2020; Asimi 2020). In a qualitative study of frontline health workers' experience in responding to the COVID-19 pandemic, participants reported different forms of police aggression and extortive behavior at checkpoints (Aborisade and Gbahabo 2021). Also, Shodunke (2022) reported police challenges in ensuring compliance with the COVID-19 rules and identified pre-existing police illegitimacy as a factor that negatively impacted compliance. On gender-based violence perpetrated by COVID-19 enforcement officers, Aborisade (2022) presented the accounts of 83 women who considered they were sexually victimized during the lockdown enforcement.

In reviewing the performance of the police during the COVID-19 lockdown, senior officers of the Nigeria police identified unpreparedness of the police in intervening in public health crises, deficiency in public trust, and public resistance to the repressive force used as major impediments to effective pandemic policing (Aborisade and Ariyo 2022). The problematic relationship between the police and the Nigerian public during the COVID-19 lockdown and after suggest the need to reimagine the police approach in engaging the members of the public in uncertain times.

### ***The Present Study***

In this study, using a victim-centered approach, an empirical appraisal of the Nigeria police's intervention in the public health crisis occasioned by the coronavirus pandemic was conducted. The study is guided by three questions.

How do the victims of human rights abuse perceive police intervention in a health crisis? In what ways do they consider their rights abused and other forms of police victimization experienced during the lockdown? What are their opinions on the ideal approach the police should have used in enforcing the COVID-19 protocols and lockdown rules? In policing the pandemic, researchers are offered opportunities to evaluate how police are building, fostering, or losing legitimacy. This study explores community members' experiences in their interactions with the police, and how the perception of the police's actions during the pandemic can provide important insights into policing and police legitimacy during the pandemic and post-pandemic times.

## **METHOD**

This research, being an exploratory study of police use of excessive and unlawful force in supervising COVID-19 mandates, adopted a qualitative approach. The adoption of a qualitative approach was further premised on the aim to capture the breadth of experience and viewpoints of victims of police violence perpetrated during the COVID-19 lockdown rather than dominant discourses and commonality on police brutality.

### ***Procedures and Data Collection***

The community of interest for this study were adults who were at the receiving end of the police use of excessive force during the lockdown enforced from 20 March to 30 June 2020, when the restriction of movement was eased. In recruiting participants for the study, the call for participation was announced between April and August 2020. This involved the pasting of posters at community centers of high-density areas like Ajegunle, Ijesha-tedo, Oshodi, and Ebute-Metta in Lagos State and Ita-Osin, Onikolobo, and Adatan in Abeokuta in Ogun State. The selection of the areas was based on preliminary information about the heavy presence of police checkpoints in the areas during the lockdown and the accessibility of the areas by the researchers. Due to the limitation of financial resources, other states were not covered; however, social media and web advertisements were used to circulate the information. The call invited people aged 16 years and above who had encountered what they considered "unpleasant events or attitudes" from police who enforced lockdown orders. The use of force, violence, brutality, and abuse of rights were not included in the announcement for safety reasons to protect the participants.

The prevailing COVID-19 pandemic and the accompanying restrictions impacted the interview process and methods, as a large number of participants (42/82) opted for electronic interviews through voice calls (23), WhatsApp video calls (13), and Skype (6). However, there were no noticeable differences between the interviews that were conducted via electronic means compared to those in-person. The participants were interviewed about the nature of their "unpleasant" encounters with the police enforcing the lockdown and other COVID-19 measures. We were interested in people's level of awareness of the threat that coronavirus poses to public health, the legitimacy of police involvement in enforcing social distancing and their perception of how police should have approached the COVID-19

restriction mandates. We listened to not just how police officers behaved aggressively towards them, but also how participants formulated these scripts of police abuse in the interview itself as a way of discerning the surrounding normative forces.

All the semi-structured interviews were conducted by the author and his assistants; they were audio-recorded and ranged in length from 20 minutes to one hour and 40 minutes. The transcription was done concurrently with the interviews until the interview process was concluded. Manual editing of the transcripts was done by an independent language editor after the completion of the transcription. Ethical approval for the study was granted by the Research Ethics Committee of the Faculty of Social Sciences of Olabisi Onabanjo University. Voluntary participation and assurances of anonymity were given to prospective participants. Also, informed consent in both verbal and written form was requested from participants before interviews were conducted. To strictly safeguard the confidentiality of the participants, each interview was categorized and analysed with a nickname given by the participants themselves. Of the participants who were interviewed face to face, 15 requested some form of financial compensation, and received between N2500 (\$6.50) and N5000 (\$13.10) as compensation for their time and transport fares. The interviews were held between August 2020 and January 2021 and were conducted in British and Pidgin English languages. A total of 82 participants were interviewed for the study.

### **Sample Participants**

In all, 82 people (44 women and 38 men) were interviewed, between the ages of 17 and 52 years, living in towns and villages spread across the two states (Lagos and Ogun). Although the study was able to draw participation from only 11 out of the 36 states in Nigeria, participants formed an ethnically diverse group. Half of the participants were residents of Lagos (41), 11 residing in Ogun, eight in Oyo, six in Delta, and three from Osun states. The remaining participants indicated residency in six states of the federation. One-third of the sample identified with one of the three major ethnic groups in Nigeria (Yoruba; 27); smaller proportions identified as Igbo (18), Ijaw (8), and Hausa/Fulani (6). The remaining 23 participants identified with 11 ethnic minority groups in the country, including but not limited to Tiv, Ibibio, and Urhobo. Concerning employment, the majority of the participants (47) were identified as petty traders, farmers, self-employed, and artisans. The frequency of the participants who identified with teaching (8), staff of government agencies (4), and businessmen/self-employed professionals (2) was low.

### **Analytical Strategy**

An inductive thematic analysis approach for the detection, examination, and reporting of patterns within data was adopted for this study (Braun and Clarke 2006). This approach presents an accessible form of analysis that is flexible and not restricted to any particular theoretical framework. The author started the analysis by reading 15 transcripts which were selected at random. In the process, the common



and contrasting thematic elements among the samples were noted, and a preliminary coding scheme was drafted.

In the initial codebook that emerged from this, the tracking of participants' descriptions of police legitimacy, their use of themes that problematize police aggression and the ideal approach for supervising social distancing were done. Two academics in the fields of sociology and psychology were tasked to independently code the same 15 transcripts coded by the author in order to test the reliability of the data. The agreement of the three coders using Krippendorff's alpha coefficient was 0.918. Thereafter, the three coders met to discuss the discrepancies in their conceptualizations, and amendments to the coding scheme were made accordingly. The rest of the transcripts were then coded separately by the author and the two independent coders. Finally, the author met with the other two coders to resolve all discrepancies to agree on all applied codes.

## RESULTS

### *Preliminary Findings*

To engender an understanding of the themes discussed in the following subsections, the behaviors that participants considered to be aggressive, violent, and a violation of human rights were first contextualized. Most of the participants described threats, expressions of anger, physical assault, and punishments as aggression and unlawful use of force. In respect of the violation of rights, the opinions of the participants were observed to differ along the lines of whether they had an excuse for moving around despite the stay-at-home order. Those that considered they had valid excuses recognized that their rights had been trampled upon, while others who felt they contravened the lockdown orders without valid excuses initially did not recognize their rights were breached by officers. The majority of those who felt they contravened the lockdown orders believed that police had the power to punish violators of the lockdown orders.

As part of the preliminary questions, participants were requested to express their opinions and beliefs about the prevailing COVID-19 pandemic. It was important for the purpose of the study to affirm participants' beliefs and knowledge of the existence of the virus, the mode of transmission, the severity of the disease, and the need for public health interventions.

In respect of the severity of the virus, while 64 participants believed the virus was deadly, 14 stated that its potency did not surpass the strength of malaria symptoms, while the remaining four participants could not comment on its severity. All 82 participants agreed there should be some form of government intervention in containing the spread of the virus, but 56 participants believed that the lockdown was too harsh a measure to apply in Nigeria considering the various socio-economic realities. Out of the 26 participants that accepted the restriction of movement, 17 of them elected that it was wrongly applied in terms of the timing, notice given to the public, and insufficiency of palliative measures. The themes discussed below are perceptions of Nigeria police involvement in COVID-19 interventions, excuses for defying stay-at-home orders, encounters with the police during the lockdown, and the ideal approach to police enforcement of lockdown.



### **Perceptions of Nigerian Police Involvement in COVID-19 Interventions**

Although the majority of the participants consented that there is a need for the involvement of the police, in regulating measures and rules bordering on observing COVID-19 protocols, they provided diverse opinions on the level of involvement expected of the police. Of the participants, 47 explained that based on the suddenness of the emergence and spread of the virus, Nigerian police personnel were not well equipped to be regulating movements, social distancing, and other measures. Adeokin, a healthcare worker, was one of those that shared this opinion:

... considering the fact that police officers that mounted checkpoints in Nigeria are mostly illiterate and semi-educated, the knowledge of the virus is very essential for any interventionists or responders. How can officers of the Nigerian police be first responders to the virus they do not know about? Eventually, they are going to pose higher risks to the public. I confirmed this severally by engaging some of them at checkpoints about basic knowledge of the virus and I was vindicated a lot of times. Some of them were even taking bribes from motorists with bare hands, while many of them didn't wear their face masks properly nor maintain physical distance between drivers and commuters ... (Adeokin, male, pharmacist, Ikeja, Lagos State)

Aside from the public health concern about police involvement in the enforcement of COVID-19 measures, 31 participants thought that the forceful and abusive approach that police officers often use to enforce their directives will amount to "double tragedy," as Olalekan puts it:

... the virus itself is bad enough, now getting the police involved in restricting people's movement makes it a double tragedy. Police officers have been giving us [Nigerian citizens] troubles that are equitable to the hazards of the virus before, so their involvement in controlling coronavirus will only present them with more opportunities to harass, intimidate, extort and brutalize citizens. If indeed the virus is a serious one with a potent transmission mode, then Nigeria police cannot help or save us from it, rather, they will aggravate it. Or is it not the same Nigerian police that set criminals free and arrests innocent citizens? (Olalekan, male, trader, Ibadan, Oyo State)

Aside from the concerns bordering on COVID-19 knowledge deficiency and the militarized enforcement approach expressed by Adeokin and Olalekan, other reasons given by participants why the Nigeria police may not be able to provide positive intervention include police corruption, negligence of duty, professional misconduct, low education of field officers, poor welfare, inadequate training, poor interaction with the general public, negative perception of police officers, and police integrity problems

Participants who expressed concern over the suitability of Nigerian police officers in rendering effective intervention to check the spread of the disease were asked about alternative measures of intervention that could be deployed *in lieu* of the police. It was suggested that voluntary organizations, which relate better with

members of the public, such as the Man O' War, Boy Scouts, Red Cross, and Civil Defense Organization, should have been deployed to assist the police. According to Njoku:

... these are organizations that have a better connection with members of society and consist of highly educated and disciplined groups. People will listen to them as they have a stronger number of memberships across society than the police. They are better trusted to have more knowledge. So, since this has got to do with healthcare problems, health support agencies should also be deployed to communities to enlighten people. There is no way the lockdown can be sustained for long, as people's lives cannot remain at such a standstill, but if people are well informed, they will adjust their social life to keep safe rather than applying force to make them safe. (Njoku, male, worker in banking, Osogbo, Osun State)

Some participants argued that the enforcement of lockdown and other measures by police officers made people perceive COVID-19 safety protocols as government agendas to inflict hardship rather than self-help practices. "That is why you see some people wear it [face mask] only when they are likely to meet with police officers rather than for their safety," Moradeyo said. "Since police officers are synonymous with crime-fighting, using the same system [police] and the military in a time of health crisis presents an atmosphere of crime and war which generates more fear than precaution," Adekanbi added. Several participants opined that the use of force should not have been considered as a plan to disrupt the spread of the disease; rather, "government and police authorities should have focused more on appealing to the conscience of the society to keep themselves and their household safe," Haliru submitted.

### ***Excuses for Defying Stay-At-Home Orders***

Participants were requested to provide information on why they had to defy the order to stay at home and take the risk of facing police officers enforcing the stay-at-home orders during the lockdown period. Of the participants, 36 indicated that they had the required permission to move around during the lockdown by the nature of their jobs, consisting of healthcare workers and journalists. Another 12 participants stated they were without a government "pass" but they were allowed to move around by virtue of their occupation as farmers, food vendors, and drug sellers. The remaining 34 participants indicated that they were compelled to "break the rule" for various reasons ranging from the need to get food, money, medical supplies, responding to distress calls, strolling along the main road or streets, and physical exercising.

Participants that had the required "pass" or official permission to move around during the lockdown stated that they were at the receiving end of police violence at checkpoints, citing "police misinformation or lack of information about frontline workers and their rights of passage," "corrupt tendencies of police officers and my refusal to grant their request for a tip (bribe)," "officers refused to listen to me or see my documents," and "I was accused of behaving arrogantly by the officers." Three of

the participants in this category stated that their documents were torn by police officers in anger as they were bent on disallowing everyone from passing the checkpoint. Sangosanya, a journalist, provided details:

... they [police officers] refused to see me as an essential worker despite showing them my documents. They were asking me to explain how journalists are essential workers during a pandemic ... that since people are not outside due to the lockdown, there is no news for me to cover. I told them I am not obliged to explain my duties to them as an essential worker. That infuriated one of the officers and he pointed his gun at me and commanded me to turn back or he will fire his gun and nothing will happen. (Sangosanya, male, journalist, Ojodu-Berger, Lagos)

The majority of the participants who had an official pass to move around during the lockdown shared Sangosanya's explanation. They mostly blamed police officers' aggression, corrupt tendencies, poor communication, misinformation, prejudice, misconception, abuse of power, inability to cope with work pressure, and negative attitudes as reasons for encountering difficulties at police checkpoints during the lockdown.

The 12 participants who had no documents to authenticate their rights of passage but who were considered essential workers based their "unpleasant" experiences at police checkpoints on police corruption, misinformation, and abuse of power. Five participants who were farmers reported that police officers knew they were meant to be allowed to pass at checkpoints but still delayed them until they either gave money or shared their farm produce with them. Four participants who are drink and food vendors also gave similar statements. Anjola, who works for a pizza-making company, stated that she was often delayed if she did not have money to pay a bribe or pizza to give as a "gift".

Most of the 34 participants who had no official pass to move around during the lockdown blamed the government for giving little time for them to prepare for the lockdown. They attributed their flouting of the stay-at-home rules to inadequate preparation for the lockdown, unfavorable economic conditions, health emergencies, desire for physical fitness and response to distress calls. The majority of participants under this category acknowledged that they flouted the rules; however, most of them believed the police officers could have been lenient with them because they had valid reasons to be outside. Some of them suggested that the enforcement of restrictions on movements was concentrated in low-income residential neighborhoods while people living in high-income neighborhoods had relative freedom of movement.

### ***Police Violence and Abuse During Lockdown***

Participants described various degrees of actual physical and threats of physical violence, verbal abuse, mental exhaustion (being deliberately held up at checkpoint), forceful snatching of financial/material belongings, and corporal punishments of varying degrees suffered at the hands of the police officers enforcing lockdown mandates. The actual physical violence reported included hitting, pushing, kicking,

beating, hitting vehicles or motorbikes, tearing or destruction of passes or other documents, as well as the use of weapons. Threats of physical violence reported included threats to use weapons, shooting to scare, threats to inflict body injuries and threats to deflate vehicle tires. Non-physical violence such as verbal abuse, being taunted, insulted, shouted at, teased in an unfriendly manner, and negative remarks made about their personality, were also used. Although all participants shared stories of being violated either physically or otherwise, it was observed that the way and manner that officers treated those that had official passes of free movement differed slightly. The majority of those in this category complained of being delayed, verbally abused, taunted and teased unpleasantly, with only three of the 36 reporting physical violence. According to Fawehinmi:

... to force you to pay some bribe despite being granted official permission, they will delay you and attend to others that came after you. I am usually asked to park off the road and abandoned there once I make them realize I am unwilling to pay any bribe. On one occasion, when I angrily asked that I should be attended to otherwise I will drive off, one of the officials hit the bonnet of my car in anger, causing a dent, and then warned that he would break the windshield of my car if I disturbed them again. I was delayed for close to two hours before being asked to go. (Fawehinmi, male, medical doctor, Ikeja, Lagos)

Some 12 participants, consisting of farmers, food vendors, and portable water merchants, mainly complained of extortion at the police checkpoints. Eight of them reported that their farm produce, food items and kegs of water were forcefully snatched from them by police officers without their permission at checkpoints. Anjola gave details of her experience during her routine deliveries of pizza:

... normally they [police officers] ask for money between N200 and N500, but on this occasion, they refused money and insisted they want a taste of the pizza. I told them the pizzas were all meant to be supplied to customers that already placed their orders, but they remained adamant. I was trying to place a call to my office to explain my predicament when one of the officers forcefully grabbed one of the pizza packs. In an effort to prevent him from removing the pack, the force with which he pulled the pack made me fall off the *okada* [motorbike] that I was on. In the process, my phone fell off and got broken, and I had bruises on my body from the impact of the fall. Although the officer and his colleagues apologized, nonetheless, they started eating the pizza right in my presence, even without my approval. (Anjola, female, pizza company, Lagos)

Three farmers who were distributing their farm produce reported forceful snatching of their produce and money from their pockets. According to the participants, the officers, in the process of extorting money or items from them, oftentimes engaged in covert behaviors by joking, being playful, or use of subtle force. However, they all stated that the items collected by the police officers often have a negative impact on their profits.

Those apprehended by police officers without official permission described various use of excessive force and punishments meted out to them. However, those that were apprehended with their vehicles reported less physical violence as compared to pedestrians. The few cases of police physical violence against those with their vehicles included being shoved, pushed, hitting their cars with gun butts, damaging parts of vehicles, and being grabbed by their clothes. However, the majority of them reported being deliberately held up, verbally abused, threatened with severe physical torture, and asked to stay out of their car under the sun as punishment. On the other hand, those apprehended while walking past the checkpoints reported higher degrees of physical violence such as being kicked, slapped, beaten or flogged and hit with weapons. Of the participants, 14 reported being subjected to corporal punishments like being asked to kneel, lie down, frog jump, carry heavy stones or objects above their heads for a stipulated time, squatting, and other excruciating forms of exercise. Of the participants, 11 stated that they were still nursing physical injuries and pain from the physical violence they had suffered from the police, while 41 reported emotional hangovers of anger and hatred for the police.

### ***The Ideal Approach for Police Enforcement of Lockdown***

The study participants were requested to render their opinions on the desirable ways that the Nigerian police should have adopted in the enforcement of the lockdown order. This was done to elicit information on approaches that would have a positive impact on police–public relations during the pandemic. The participants suggested the use of persuasive, informative and community engagement approaches by the police. “There is a need for the police to be empathetic with the people since the lockdown came suddenly, and many people earn daily income that cannot sustain them for more than a few days,” Adeogun remarked. Adeogun, a community leader in Kogi State, who reported being shoved in the process of attempting to intervene in the police abuse of one of his community members, shared his thoughts:

... if indeed, the use of police officers to restrict movement is meant to help the people avoid the spread of the disease, then the measures used by the police to perform this function should be people oriented. We should not be made to suffer amid the suffering caused by the virus. The Nigerian police should have realized that there is a difference between crime-fighting and this kind of responsibility. Therefore, a different method should have been used to regulate the people during the lockdown. (Adeogun, male, community leader, Kabba, Kogi State)

All the participants had negative impressions of the use of force by the police to enforce the lockdown. Some of them remarked that criminalizing the stay-at-home orders created more panic and frustration than adherence. “That is why people found one way or the other to breach the security mounted by the police. Besides, the Nigerian police are too corrupt to successfully use mere force to effectively restrict people’s movement,” Abubakar pointed out. Participants suggested that massive public enlightenment and education about the virus should have preceded the announcement of the lockdown “so that people will not see the lockdown as

punishment but as a necessary step to keep them in good health.” According to Fawehinmi, “the inadequacy of available information about the virus to the people before the announcement of the lockdown and guidelines on how to stay safe, coupled with the use of the police made the efforts of the government to be counterproductive.”

Participants also remarked that officers of the Nigerian police often discriminate along the line of social class which means the use of unlawful force will be felt more by people within the lower rung of the social ladder. By implication, lower-class communities will be over-policed during the lockdown. Many of the participants who suffered physical violence from the police were of the lower class and reside in low-income neighborhoods. “Those who were able to pay bribes at the checkpoints never had problems with the officers as they moved freely around while we remained stranded and punished,” Adenipekun, a plumber residing in Sango-Ota, Ogun State submitted.

## DISCUSSION

Participants’ narratives show the impacts of mistrust of police among citizens on their perceptions of police intervention in the prevailing health crisis. Several of their accounts acknowledged the relevance of police institutions in safeguarding public health but expressed pessimism on the capacity of the Nigeria police to positively disrupt the spread of the coronavirus. The pessimism was premised on their assessment of police interaction with the public, police’s lack of training and education on the pandemic and preparedness efforts, the forceful and abusive approach usually deployed by the police, negative public perception of the police, over-policing of low-income communities, and reoccurring police corruption. The perceptions of the participants about the legitimacy of the Nigerian police’s involvement in public health intervention are supported by earlier studies that largely reported problematic police–public interactions (Aborisade 2022; Aborisade and Oni 2021; Akinlabi 2020; Famosaya 2021).

Earlier studies on pandemic policing and police legitimacy have affirmed the need for the police response to be compassionate and built on procedurally just operations, with the assistance of the newly enhanced powers and legislation (Jones 2020; Stott et al. 2020). However, as evidenced in this study, the response to the pandemic by the Nigerian police appears to result in further militarization, and therefore drawing deeper divides between the police and the public. The apparent division between the police and the public appeared to have culminated in the #EndSARS nationwide protests against police brutality (Etim et al. 2022). According to police legitimacy theorists, citizens’ cooperation with the police is highly dependent on their perception of the police to be legitimate (Tankebe 2013; Terrill et al. 2016). Therefore, the apparent reduction in police legitimacy rating by Nigerian citizens may be partially responsible for the widely reported violation of the lockdown rules (Asimi 2020; UN News 2020).

Evidence from the study indicates that one of the reasons for negative police legitimacy by Nigerian citizens is the negative attitude and conduct of police officers towards the citizens. Participants who were frontline workers during the pandemic

and others who believed they had compelling excuses not to obey the stay-at-home orders (such as attending to family emergencies) reported being assaulted by police officers despite presenting their valid documents. This misconduct by police officers may be the outcome of the repressive, force-based styles usually adopted to enforce government orders (Akinlabi 2017), enduring police corruption (Aborisade and Fayemi 2015), and stresses caused by the additional burden of COVID-19 duties (Stogner, Miller, and McLean 2020). In addition, participants' narratives, particularly those who were without official passes to move around, expressed a lack of compassion on the part of police officers toward citizens, because some of them were out to get medical attention and supplies. Earlier, the need for police officers to be compassionate had been stressed by international agencies considering the sudden nature of the lockdown announcement, and the socio-economic realities in Nigeria (Amnesty International 2020b; Human Rights Watch 2020b; UN News 2020).

Participants gave accounts of how they were at the receiving end of various forms of actual or threats of physical violence, and verbal and mental abuse. The treatment of the violators of the lockdown rules by officers of the police as found in this study symbolizes the criminalization of stay-at-home orders and other COVID-19 protocols. Taking into consideration earlier studies that had reported unlawful use of force, torture, and other maltreatment of suspects under police custody (Aborisade 2019; Aborisade and Obileye 2017; Aborisade and Oni 2020, 2021; Akinlabi 2017), the experiences of the participants of physical assault in the hands of officers enforcing the lockdown are quite plausible. Participants reported being kicked, slapped, beaten or hit with weapons and subjected to corporal punishments capable of causing excruciating pain. This is despite the recently passed Anti-Torture Act 2017 which stipulates freedom from torture and cruel, inhuman and degrading treatment. Meanwhile, studies that examined adherence to the Act have reported incidents of violation of the provisions of the Act by the police (Aborisade 2019; Aborisade and Oni 2020; Babatunde 2017).

In addition to visiting violence on their persons, participants reported damage to their vehicles and documents, forceful snatching of food items and other forms of extortion. The accounts of the participants align with the findings of studies on gross misconduct often perpetrated by officers of the Nigerian police (Aborisade and Fayemi 2015; Akinlabi 2017; Human Rights Watch 2010). Considering the mode of transmission of the coronavirus, the patterns of exerting violence and extorting money and other materials from motorists and pedestrians as described by participants portend a high risk to the police and public at the checkpoints. This is aside from the breaching of the fundamental rights of the people that are being violently maltreated and extorted. As posited by procedural justice theorists, the success of the police response to public health crises does not only depend on lawmakers or the government but also on public trust and confidence in the police as legitimate power holders (Jones 2020). However, misconduct perpetrated by police officers enforcing the COVID-19 protocols as reported by news media (Orunbon 2020), international agencies (Human Rights Watch 2020a; Transparency International 2020), and participants of this study may further reduce public trust and confidence in the Nigeria police.

To strengthen the police–public relationship, especially during the pandemic, participants suggested that the police should adopt persuasive, informative and



community engagement approaches that will boost public willingness to obey the COVID-19 protocols. In addition, the need for the police to be empathetic and compassionate in recognizing the socio-economic realities of millions of Nigerians who live on daily income has been emphasized (Human Rights Watch 2020b; Reuters 2020b), and this accounted for the reasons some participants broke the stay-at-home rule. The suggestions of the participants align with the postulations of procedural justice principles aimed at improving police legitimacy, increasing public trust and willingness to obey the law (Aborisade and Adeleke 2022; Bolger and Walters 2019; Johnson et al. 2014; Terrill et al. 2016; Tyler 2001, 2006b). This, therefore, underscores the relevance of the procedural justice theory and principles to this present study, as well as the policies and practices of policing public health crises in particular, and the Nigerian society in general.

### ***Implications for Theory, Policy, Practice and Research***

The theoretical implications of this research highlight the need for the consideration of consent-based policing models as an alternative to a control-dominated policing system which often relies on repressive, force-led styles. The principles of procedural justice have long been established as the most reliable predictor of citizens' trust in the police (Bolger and Walters 2019; Jones 2020). The COVID-19 pandemic and the emergent involvement of the police in assisting in a public health crisis have further presented the imperatives of procedural justice principles in achieving public compliance with safety protocols. Apparently, COVID-19 on-duty officers of the Nigerian police must have approached the lockdown operations with the usual mindset that they use in enforcing public order and arresting criminals and criminalities. Consequently, officers of the Nigeria police must be purged of the enduring culture of deploying militarized approaches and practices when interfacing with the civil population. This can be effectively achieved if out-field police officers are made to undergo procedural justice training.

In adopting the training, there are four elements of the procedural justice principles that will address the deficiencies of the Nigerian police officers in their interactions with the public. The first is giving the public a voice. Officers should be trained in allowing community members to be heard before police decisions or actions are taken. Officers' conduct in enforcing COVID-19 protocols was tilted towards the use of force rather than policing by consent, which may have had a negative impact on the success of their operations. Second, police officers should be trained to play down factors such as gender, social class, physical appearance, monetary incentives, or other individual characteristics. The third element is respect and dignity which should make members of the public acknowledge that police treat them as citizens with full rights. Finally, training emphasis should be placed on trustworthiness. Officers need to be purged of corrupt practices and tendencies as well as other misconduct. Members of the public need clarity in understanding police decisions, actions, and expectations, without insinuating the need to pay a bribe or other illegal incentives to get positive police attention.

Future research should explore the workability of procedural justice principles by the Nigeria police, the sociocultural factors that could make an impact on the adoption of the principles, political interference that might hinder the operations of the

principles, and other “Nigeria factors” that could inhibit the adoption and operations of procedural justice policing. These considerations from multiple viewpoints will help broaden our understanding of the various challenges and complexities of policing in Nigeria and assist in fashioning out ways to evolve positive changes.

## CONCLUSION

This present study has responded to the research opportunities provided by these uncertain times occasioned by the COVID-19 pandemic to examine how the Nigerian police are building, fostering, or losing legitimacy. While previous research has highlighted the problem of police brutality, use of excessive force, abuse of human rights, and other misconduct, pandemic policing which entailed police intervention in the health crisis presented a new scenario where police (mis)conduct has severe public health implications. This research has captured rich descriptions of the experiences of citizens who had violent and/or abusive encounters with police officers enforcing lockdown orders occasioned by the COVID-19 pandemic. The forms of violence, abuse, coercion, and extortion are similar to the ones previously reported by victims. Therefore, the suggestion for the adoption of procedural justice police practices, as presented in this study, will have an impact not only on pandemic policing but also in post-pandemic periods and situations in Nigeria. Recognition of the need to revise the operational approach of the Nigerian police and the provision of training on procedural justice principles will engender positive police–public engagement. There is no doubt that the prescribed training and practice for the officers of the Nigerian police will help build a style of policing that is consent-based and more suitable, not only for the present moment, but also for the future needs of Nigeria.

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## TRANSLATED ABSTRACTS

### Abstracto

A nivel mundial, se han formulado preguntas sobre cómo la policía utilizó los poderes adicionales creados para gestionar la propagación del virus COVID-19 sin afectar negativamente la legitimidad policial. Esto fue particularmente preocupante en países que hasta ahora habían registrado un alto número de incidentes de conducta policial indebida antes del surgimiento de la pandemia. Con un enfoque centrado en las víctimas, se realizó un estudio cualitativo para examinar las dimensiones del uso ilegal de la fuerza, las violaciones de los derechos humanos y otras malas conductas policiales que prevalecieron durante la aplicación del confinamiento por la COVID-19 en Nigeria. Se realizaron 82 entrevistas a víctimas de violencia policial y se realizó un análisis temático de las narrativas. Los hallazgos indican percepciones negativas de la legitimidad policial para intervenir en crisis de salud pública. Para construir mejores relaciones comunitarias que generen el cumplimiento público de las directivas policiales, se aconseja a la autoridad policial que se purgue de su sistema militarizado, con oficiales que reciben capacitación en justicia procesal e internalizan sus principios.

**Palabras clave** COVID-19; policía de Nigeria; justicia procesal; víctimas; violencia

**Abstrait**

À l'échelle mondiale, des questions ont été posées sur la manière dont la police a utilisé les pouvoirs supplémentaires créés pour gérer la propagation du virus COVID-19 sans nuire à la légitimité de la police. Cela était particulièrement préoccupant dans les pays qui avaient jusqu'à présent enregistré de nombreux cas d'inconduite policière avant l'émergence de la pandémie. En utilisant une approche centrée sur les victimes, une étude qualitative a été menée pour examiner les dimensions de l'usage illégal de la force, des violations des droits de l'homme et d'autres fautes policières qui ont prévalu lors de l'application du confinement lié au COVID-19 au Nigéria. Quatre-vingt-deux entretiens avec des victimes de violences policières ont été menés et une analyse thématique des récits a été réalisée. Les résultats indiquent des perceptions négatives de la légitimité de la police à intervenir dans les crises de santé publique. Pour construire de meilleures relations communautaires qui engendreront le respect par le public des directives de la police, il est conseillé à l'autorité policière de se purger de son système militarisé, avec des agents suivant une formation à la justice procédurale et intériorisant ses principes.

**Mots-clés** COVID-19; police nigériane; justice procédurale; victimes; violence

**抽象的**

在全球范围内,人们对警察如何利用额外权力来管理 COVID-19 病毒的传播而不会对警察的合法性产生负面影响提出了疑问。对于在大流行出现之前警察不当行为事件频繁发生的国家来说,这一点尤其令人担忧。采用以受害者为中心的方法,进行了一项定性研究,以审查尼日利亚实施 COVID-19 封锁期间普遍存在的非法使用武力、侵犯人权和其他警察不当行为的严重程度。对警察暴力受害者进行了 82 次访谈,并对叙述进行了专题分析。调查结果表明人们对警察干预公共卫生危机的合法性持负面看法。为了建立更好的社区关系,使公众遵守警察指令,建议警察当局清除军事化系统,让警官接受程序正义培训并将其原则内化。

**关键词** : COVID-19; 尼日利亚警察; 程序正义; 受害者; 暴力

**خلاصة**

على الصعيد العالمي، تم طرح أسئلة حول كيفية استخدام الشرطة للسلطات الإضافية التي تم إنشاؤها لإدارة انتشار فيروس COVID-19 دون التأثير سلباً على شرعية الشرطة. وكان هذا مصدر قلق بشكل خاص في البلدان التي سجلت حتى الآن حوادث عالية لسوء سلوك الشرطة قبل ظهور الوباء. باستخدام نهج يركز على الضحية، تم إجراء دراسة نوعية لفحص أبعاد الاستخدام غير القانوني للقوة، وانتهاكات حقوق الإنسان، وغيرها من سوء سلوك الشرطة الذي ساد أثناء إنفاذ إغلاق COVID-19 في نيجيريا. وأجريت 82 مقابلة مع ضحايا عنف الشرطة، وأجري تحليل لمواضيعي للروايات. تشير النتائج إلى تصورات سلبية عن شرعية الشرطة للتدخل في أزمات الصحة العامة. لبناء علاقات مجتمعية أفضل من شأنها أن تولد امتثالاً عاماً لتوجيهات الشرطة، ننصح سلطة الشرطة بتطهير نفسها من النظام العسكري، مع خضوع الضباط للتدريب على العدالة الإجرائية واستيعاب مبادئها.

**الكلمات المفتاحية** COVID-19; شرطة نيجيريا; العدالة الإجرائية; الضحايا; العنف

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