

**STATE POLICING IN NIGERIA: FROM CONSTITUTIONAL ASPIRATION TO
LEGISLATIVE REALITY - A Doctrinal Analysis of the House of Representatives Passage of the
State Police Bill**

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ABSTRACT

On 10 June 2026, the House of Representatives passed the State Police Constitutional Amendment Bill 289–4, ending 60 years of centralised policing under Sec. 214 CFRN 1999. The vote, by show of hands after electronic failure, occurred hours after the Iluke Bunu School Attack and Bamgbose’s “THE HEAT IS NOW IN THE SOUTH-WEST.”

This position paper provides doctrinal, empirical, and comparative analysis. Using Operational Framework For Policing 2004, Suberu 1998, Legal and Ethical Issues 2009, Internal Security Law 2021, Deviant Behaviour 2025, and Plural Policing, Community Security and Neighbourhood Protection 2023, the paper establishes that Sec. 214 CFRN created the security vacuum exploited by hybrid threats. The 289–4 vote represents anticipatory legality — legislative response to empirical failure.

The paper examines: 1) Legal: Constitutionality under Sec. 9(2) CFRN, interaction with Police Act 2020 Sec. 41, TPA 2022; 2) Operational: Response time reduction, terrain intelligence, school hardening per Emergency Recognition 2004; 3) Fiscal: LGA autonomy linkage, 13% derivation, “bandit highways” remediation; 4) Safeguards: NHRC oversight, Akinade Proportionality Test, independent commissions.

Empirical validation: Kankara 2020, Tegna 2021, Owo 2022, Iluke 2026. Comparative: Canada Emergency Management Act 2007, UK Police Reform Act 2002, Singapore ISA.

Thesis: State Police is necessary but insufficient. Without Crisis Management Bill, SQR doctrine, and LGA autonomy enforcement, decentralisation risks local tyranny — Suberu 1998. With safeguards, State Police operationalises Sec. 14(2)(b) CFRN. The House forced open the window; Senate, States, and Governors must construct the frame.

Keywords: State Police, Sec. 214 CFRN, Plural Policing, Integrated Security Governance, Police Act 2020 Sec. 41, Akinade Proportionality Test, Iluke 2026, LGA Autonomy, Federalism, Decentralisation

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1.0 INTRODUCTION: THE 289–4 VOTE IN HISTORICAL CONTEXT

1.1 Background: From Decree No. 21 of 1966 to 10 June 2026

Nigeria’s centralised police was imposed by Military Decree No. 21 of 1966, abolishing Regional and Native Authority Police. Sec. 214 CFRN 1999 constitutionalised this military legacy: “There shall be a police force for Nigeria... no other police force shall be established.”

Operational Framework For Policing Akinade 2004 argued: “Centralised policing creates security vacuum at local level. Criminals exploit distance between Abuja and village.” For 22 years this was academic. On 10 June 2026, it became parliamentary: 289–4.

The vote followed empirical collapse: Iluke attack 10 June, Oriire displacement, Jega 9 June Sahel warning, SA evacuation postponement. Sec. 14(2)(b) CFRN — “security and welfare... primary purpose of government” — compelled action.

1.2 Problem Statement: Centralised Policing and Hybrid Threat Failure

Hybrid threats fuse terrorism, banditry, and criminality. Their TTPs require local knowledge:

1. Motorcycles: “War horses” — Bamgbose 2026. Kankara, Tegna, Owo, Iluke. NPF lacks bikes, bush path knowledge.
2. Schools: “Education is South West’s oil.” WAEC/NECO targeting needs 5-minute response. NPF station 40km away.
3. Intelligence: “Legitimacy is force multiplier” — Kilcullen 2009. #EndSARS destroyed NPF legitimacy. Communities stopped reporting.

Sec. 214 produced 371,800 police for 220 million — 1:592. UN recommends 1:450. Worse: 80% on VIP/urban duty. Rural LGAs unpoliced. “Bandit highways” exist because LGAs have no police, no roads.

1.3 Research Questions and Objectives

RQ1: Is the Bill constitutional under Sec. 9(2) and what safeguards prevent Suberu’s “local tyranny”?

RQ2: How does State Police reduce response time vs NPF per Emergency Recognition 2004?

RQ3: What fiscal framework links LGA autonomy to State Police viability?

RQ4: How does State Police integrate with NCMC and SQR under Integrated Security Governance?

Objectives:

1. Provide doctrinal validation for State Police using Akinade corpus.
2. Analyse Bill text against Akinade Proportionality Test.
3. Propose implementation roadmap for Senate, States, Governors.
4. Design safeguards against Suberu 1998 warning.

1.4 Significance: Why State Police Now?

1. Empirical: Iluke 40 bikes lingered 120 mins. State Police 5km away = interdiction.
2. Legislative: 289–4 = national consensus. Delay risks more Ilukes.

3. Fiscal: Supreme Court LGA autonomy ruling ignored. State Police funded by LGAs forces compliance.
4. Doctrinal: Plural Policing 2023: “Security is too important to be left to one agency.” Bill codifies pluralism.

1.5 Methodology

1. Doctrinal: CFRN 1999, State Police Bill 2026, Police Act 2020, TPA 2022.
2. Empirical: Iluke, Owo, Kankara. Kogi Govt Press Release 10 June 2026.
3. Comparative: Canada, UK, Singapore.
4. Content Analysis: Akinade 2004–2025; Suberu 1998; Bamgbose 2026.

2.0 LITERATURE REVIEW

2.1 Suberu 1998: Federalism and Democratic Consolidation

Federalism and Nigeria’s Crisis of Democratic Consolidation warned: “Over-centralisation breeds insecurity and local tyranny if decentralised without standards.” Advocated “cooperative federalism”: federal standards, state operation. Bill must include NHRC + independent commission or fails.

2.2 Akinade Corpus 2004–2025

1. Operational Framework 2004 p.47: “Centralised policing creates vacuum. Local police know terrain, language, criminals.” Predicted motorcycle TTPs.
2. Security Systems 2009: “Retired Generals idle while communities burn.” Bamgbose 2026 echoed. State CPs = Generals.
3. Legal and Ethical Issues 2009: “Ethics = force multipliers.” State Police needs NHRC oversight or repeats #EndSARS.
4. Internal Security Law 2021: “Anticipatory legality.” Bill passed after Iluke but before WAEC 2027.
5. Emergency Recognition 2004: “Every LGA needs EROs.” State Police = EROs with arrest power.
6. Deviant Behaviour 2025: “Wage theft + unemployment = okada weaponization.” State Police + LGA funds = jobs + roads.

2.3 Plural Policing, Community Security and Neighbourhood Protection 2023

Key theses:

1. “No single agency can secure Nigeria.” NPF monopoly failed. Plural policing integrates NPF, State Police, NSCDC, vigilantes, private security under law.
2. “Decentralisation without coordination = fragmentation.” Coordination requires federal standards + local accountability.
3. “Neighbourhood protection starts with knowing who lives there.” State Police recruits locally. NPF transfers every 2 years, destroying intel.
4. “Community security committees must have statutory backing.” Police Act Sec. 41 inadequate. State Police Bill must empower them.

Bill 2026 implements Plural Policing Chap. 4: “State Police as Primary Responders, NPF as Federal Crimes Agency.”

2.4 Bamgbose 2026

“THE HEAT IS NOW IN THE SOUTH-WEST”:

1. “Generals sidelined while boys die.” — Bill enables recall as State CPs.
2. “LGA funds stolen. Roads = bandit highways.” — State Police LGA-funded, forces road construction.
3. “Schools = oil.” — State Police Liaison per school. Iluke 5-min response.

2.5 International Models

Country	Model	Lesson
Canada	RCMP + Provincial + Municipal	Emergency Management Act 2007: Federal standards, local ops
UK	43 forces + NCA	Police Reform Act 2002: Independent complaints. NHRC equivalent
Singapore	Centralised + ISA Advisory Board	TPA Sec. 27 needs State High Court + NHRC review

3.0 LEGAL FRAMEWORK

3.1 CFRN 1999

1. Sec. 9(2): Amendment needs 2/3 NASS + 24 States. House 289–4 = 80% > 2/3. Senate + States next.
2. Sec. 14(2)(b): Primary purpose. House cited.
3. Sec. 214: “No other police” — Bill deletes.
4. Sec. 197: SIEC precedent. State Police Service Commission must be independent, not Governor-controlled.

3.2 State Police Bill 2026: Key Provisions

1. Amend Sec. 214: “There shall be a police force for Nigeria and for each State.”
2. Sec. 215A: State CP appointed by Governor, confirmed by Assembly, removed 2/3. Risk: Governor control. Fix: Amend to “Appointed by State Police Service Commission.”
3. Sec. 216A: Jurisdiction: State offences. Federal: terrorism, interstate.
4. Sec. 217A: NPF = federal crimes, VIP, borders.
5. Funding: State + LGA + 13% derivation.

3.3 Interaction with Existing Laws

1. Police Act 2020 Sec. 41: Forums become State Police interface. SQR Report to State DPO.
2. TPA 2022 Sec. 27: 90-day detention. State High Courts can order 30-day per Terrorism, Law 2020. Reduces abuse.
3. ACJA 2015: State ACJLs apply. Faster trials.

3.4 Akinade Proportionality Test

1. Legality: Sec. 9(2) process. Pass.
2. Necessity: Iluke, Owo, Kankara. Centralised failed. Pass.
3. Least Restrictive: Alternative = more NPF. Failed 60 years. State Police necessary. Pass.
4. Oversight: Bill weak. Must add NHRC + independent Commission. Conditional Pass.

4.0 EMPIRICAL VALIDATION

4.1 Iluke Bunu 10 June 2026

Facts: 40 gunmen, motorcycles, WAEC, 3 killed. Kogi Govt: “Military-vigilante repelled.”

Response Time: NPF from Lokoja 2 hours. Attack 30 mins.

State Police Counterfactual: Kabba State Police 8km. Response 10 mins. Emergency Recognition 2004: ERO intercepts at gate.

Cost: 3 dead, WAEC disrupted.

4.2 Oriire Oyo June 2026

Bamgbose: “Communities emptied overnight.” Oyo State Police + LGA roads = access. NPF from Ibadan 3 hours.

4.3 Kankara 2020 / Tegna 2021 / Owo 2022

All motorcycle TTPs. All >1 hour NPF response. State Police + local okada intel = pre-emption. Deviant Behaviour 2025: “Know your terrain or die.”

4.4 EndSARS 2020

Legitimacy collapse. State Police recruits locally, speaks language, accountable to Assembly. Legal and Ethical Issues 2009: “Legitimacy = intelligence.”

5.0 OPERATIONAL IMPLICATIONS

5.1 Response Time

NPF rural average: 90 mins. State Police target: 15 mins. Iluke 40 bikes spotted 6am. State Police interdict 6:15am.

5.2 Terrain Intelligence

“Motorcycles = war horses” — Bamgbose. State Police recruits ex-okada who know bush paths. Operational Framework 2004.

5.3 School Hardening

Emergency Recognition 2004: ERO per LGA. State Police provides. PTA gets Liaison Officer. Iluke VP had armed response 5 mins.

5.4 SQR Integration

Police Act Sec. 41 Forums train SQR. Report to State DPO, not Abuja. NCMC gets feed. Security Perceptions 2025.

5.5 LGA Autonomy Link

State Police funded by LGA. Governors “tarring expressway to prison” if they steal — Bamgbose. Roads fixed. “Bandit highways” blocked.

6.0 SAFEGUARDS: PREVENTING LOCAL TYRANNY

6.1 Federal Standards

1. Training: NPF College curriculum. Legal and Ethical Issues 2009.
2. Firearms: Federal license. NHRC audit.
3. Oversight: NHRC + State Assembly + Federal Appeal.

6.2 Independent State Police Service Commissions

Not Governor-controlled. Sec. 197 CFRN SIEC model. Members: Retired Justice, NHRC, NBA, ISN.

6.3 Inter-State Hot Pursuit

Territorial Conflicts 2007: “Boko Haram doesn’t respect lines.” Bill must allow pursuit with NPF notice.

6.4 Fiscal Federalism

1. 13% Derivation: Oil states fund.
2. LGA Funds: Direct. Supreme Court enforced.
3. No Diversion: EFCC monitors. Kogi laptop precedent.

6.5 Judicial Review

State High Court grants remand. 30 days max. NHRC visits. ACJA 2015.

7.0 POLICY RECOMMENDATIONS

7.1 For Senate

1. Pass by 31 July 2026: Iluke momentum.
2. Insert Sec. 215B: “NHRC shall have power to review all State Police detentions.” Security Perceptions 2025.
3. Insert Sec. 216B: “State Police Service Commission independent of Governor.” Suberu 1998.

7.2 For 24 State Assemblies

1. Ratify by 30 Sept 2026: Before WAEC 2027.
2. Concurrent SQR Law: Community Tactical Citizenship Act mandating SQR training.
3. Budget: 20% LGA Security Vote to State Police.

7.3 For Governors

1. South West Security Protocol NOW: 48-hr summit. Bamgbose. Plan structure.
2. Release LGA Funds: Fix roads. Supreme Court.
3. Appoint Generals: State CPs from retired AIGs. Security Systems 2009.

7.4 For ISN

1. Certify Commandants: ISN curriculum Operational Framework 2004.
2. Deploy SQR Trainers: 774 LGAs 90 days. Community Conflicts 2009.
3. Monitor: Annual State Police Scorecard. NHRC partnership.

7.5 For NPF

1. Transition Plan: Federal crimes, borders, VIP. Hand over State offences.
2. Asset Division: Stations, vehicles to States per formula.

8.0 CONCLUSION

8.1 Summary

The 289–4 vote ends 60 years of centralised failure. Doctrine: Akinade 2004–2025 + Plural Policing 2023. Empirical: Iluke. Safeguards: NHRC + Commission.

8.2 Theoretical Contribution

First Nigerian paper linking State Police to Integrated Security Governance and Plural Policing 2023. Extends Operational Framework 2004 with 2026 data.

8.3 Contribution to 19th ISN Conference Theme

Law: Bill + Sec. 12 SQR Law.
Technology: NCMC + State Desks.
Community: SQR + State Police.
Theme operationalised.

8.4 Final Call

Awolowo 1947: “Ignorance + Hunger = Desperation = Insecurity.”
State Police = Desperation solved: jobs + accountability.
SQR = Ignorance solved: doctrine.
LGA autonomy = Hunger solved: roads + schools.

Sec. 14(2)(b) CFRN is no longer aspiration. With 289 votes, it is operation.

“The window is not just closing. It’s slamming shut.” — Bamgbose.
10 June 2026: House forced it open. Senate, States, Governors, Citizens must keep it open.

Stay Safe. Stay Secured. Stay Lawful.

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APPENDICES

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