

Social Control: The Society and the Police in Action

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ABSTRACT

Social control is about the enforcement of rules, norms, regulations and laws of a society in order to create a social order. Traditionally every society has its own informal method of social control to ensure conformity of the people to its acceptable standard of behaviour. With the emergence of modern state, formal and specialized methods of managing deviance from the pervading societal norms have been institutionalized. This is the police system of social control and its responsibilities include the maintenance of public orders and safety. The operational approach of the police system in Nigeria is known as the consensus approach which requires the cooperation and collaboration of the police and the people in the maintenance of social order, as both are on agreement on what constitutes law and order. There have been indications that all is not well in the relationship of the police and the people. This point was made clear in the ENDSARS mass protest and campaign in October 2020 against police brutality in which several lives and property were lost. The people called for police reform. This paper, which is coming from the functionalist perspective, maintains that destruction and anarchy awaits any society or state that ignores the importance of social control. We also recognized the indispensability of the police and policing system in any modern state and call for measures to improve the relationship between the police and the people. To achieve this however, the police system must undergo some reforms in its operational style, and on this the paper presented some suggestions that could be considered in the proposed reformation.

Keywords: Social control, Police, Endsars, society and operational style.

INTRODUCTION

From the perspectives of the functionalist theory, the society is stable and persists if it exhibits characteristics of cohesion, consensus, cooperation and reciprocity [1,2]. Society is viewed as made up of interrelated parts and these parts only work together because it is assumed that they need each other and they can only work together if there is a high level of agreement and consensus on social objectives, goals and values [3]. This is where the existence of rules becomes very important. When rules are properly set and followed, a stable environment is assured; a conducive human co-existence is guaranteed; and a community of people is now created where peace and order could flourish [4]. Where rules and laws are respected and regarded lives and property are protected. Human behaviour and conduct are moderated and guided towards what is accepted in society, the weak are protected because they are

always at a disadvantage when rules and regulations are broken with impunity. Rules and regulations however are not always obeyed because for many reasons every society has its own share of deviants, whereas obedience is essential to the maintenance of the social order [5]. Therefore, every society must devise a way of managing deviance which involves the enforcement of rules, norms and regulations in order to prevent their contraventions or to punish digressions from the accepted standard of behaviour of the group. This is where social control becomes imperative. Social control entails the "management of deviance from the prevailing social norms ... and stresses the enforcement of norms in order to prevent or to punish digressions from the accepted code"[6]. For [7] it refers to the capacity of a society to regulate itself according to desired principle... Social control is both formal and

informal. The modern state controls the society and has the monopoly of violence and consequently is the final enforcer of order. The State discharges

THE POLICE AND THE MAINTENANCE OF SOCIAL ORDER

The police represent the civil authority. Typically, its responsibilities include the maintenance of public order and safety, enforcing the law and preventing, detecting and investigating criminal activities [8]. In Nigeria, section 24 of the Police Act [9] empowers any police officer to arrest any person who commits an offence in his or her presence. [9], described the enormity, tenor and elaborateness of police powers in the following word. "The police is set up and founded by the society for the primary but omnibus purpose of law enforcement, order management, and ensuring a harmonious and enabling environment ... Peopled by men and women of both brain and brawn, and paid from the common purse of the people of the country. It is bestowed with enormous powers to ensure peaceful environment of peace and safety for all". Continuing in his narration of the importance of the police, Ojukwu further asserted that the "The police is indispensable to survival of society and human kind". "It is only fair to argue that societal peace, security and prosperity are contingent on the existence of a functioning police organization" [10], succinctly summarized the role of the police in the following words: "Society for its defence needs a well-led, well-trained and well disciplined force of police whom it can trust: and enough of them to be able to prevent crime before it happens, or if it does happen, to detect it and bring the accused to justice".

Sociology has identified two approaches in studying police and policing; Consensus policing and conflict policing Nigeria's approach to police and policing is consensual [11]. In this case the police are seen as coming from and

ENDSARS PROTEST

The ENDSARS protest began on October 4, 2020. A video footage on social media showed how the police in the most callous, careless, mindless and insensitive manner shot a young man, in front of a hotel in Ugheli area of Delta State, pushed him out of the car and

this function through the instrumentality of the police and other law enforcement agencies.

working on behalf of the people. Both the police and the general public are on agreement of what constitutes law and order and the goals to which the state aspires to attain [12]. This is unlike the conflict policing approach in which the police is estranged from the community and in fact regarded as "a hostile outside force". In this case of consensual policing, the cooperation and collaboration of the public with the police is central to the effective day to day discharge of the vast duties of the police. The police must enjoy the confidence and trust of the public to be effective. An absence of cooperation impairs the efficiency of the police and other criminal justice agencies and erodes the fairness of their operatives [13]. Cooperating with the police is an act of social control. Unfortunately such cooperation between the people and the police in Nigeria today is largely shaken and is dangerously unstable. The police has been accused of several misconducts ranging from false arrest, false imprisonment, police brutality, unwarranted searches, unwarranted seizure of property, false confession, falsification of evidence, unlawful killing etc. Paradoxically, the police rather than being friends and partners in the exercise of social control are now estranged from the people and are largely seen as their enemies. On a number of times, Nigerians as individuals or groups have called for a reform of the police through protests and campaigns. The most virulent, disruptive, destructive and the loudest of such campaign and protest occurred in September, 2020 in Nigeria. The protest was known as #ENDSARS. It was a mother of all protest against the police in Nigeria [14].

drove off with the young man's Lexus SUV. The footage as reported in Daily Sun [15] went viral and attracted wide spread condemnation. Within a few days, crowds of young people gathered in Nigerian cities to demand for the disbandment of SARS outfit in the

country. The youths also demanded for the reform of the police squad. For over two weeks almost all major cities in Nigeria, particularly Lagos, were occupied by the youths in a most peaceful, patriotic and peaceful manner devoid of any ethnic, religious and partisan colouration. The Federal Government responded to the protest by announcing that it was disbanding SARS and replacing it with a new Special Weapons and Tactics (SWAT) team. The protesters, however, were not deterred by the disbandment and the birth of a new unit which they regarded as cosmetic. The protests continued and

THE AFTERMATH OF ENDSARS PROTEST

The social, political and economic fabric of Nigeria was undeniably shaken by the protest. Coming on the heels of Corona, Covid-19 pandemic, the protest was generally traumatizing. Pointedly, the Nigeria Police force personnel are yet to recover psychologically from their experiences of the protest. For more than two weeks after the relapse of the protest, the police were completely out of their duty posts except those attached to certain offices, police personnel felt unwanted by the society they serve; their morale was so low and their relationship with the public was cautious and antagonistic. This situation of insecurity cannot be allowed to continue. The police remain indispensable to the safety of lives and property. A functional police force is imperative to have any secured space in human existence and the society and Nigerians to be specific must accept the

STEPS ON REFORM OF THE POLICE

In the words of the president, Muhammadu Buhari, "the end of SARS was only the beginning and that the disbandment of SARS is only the first step in our commitment to extensive police reform". Andrew R. Chow (October 28, 2020). The president's declaration is heartwarming. It is an exercise that would require intensive assessment and re-engineering of the police institution, its operations, recruitment processes, training and retraining programmes. This paper will not hesitate in proffering the following ideas which the reformers may find useful in seeking solutions to the

the police unleashed a crackdown on the protesters/and reportedly "hoodlums" cashed in on the situation and embarked on looting of shops, malls and warehouses, destruction of government offices and vehicles, burning down of police stations and killing of police personnel. Forty-nine persons as reported by Punch (October 21, 2020) lost their lives in clashes across the country. The several days of protests, riots, clashes and looting eventually culminated in an alleged shooting of protesters at Lekki by armed soldiers, which is today a subject of inquiry [16].

inevitability of the use of force in certain circumstances if they were to enforce the laws effectively but however do so with minimum degree of physical force and perhaps when the exercise of persuasion, advise and warning are not enough to police the situation [3]. The uncompromising fact is that police and policing is inevitable in any society. Without this the safety, health and properties of the people and the prevention of crime and civil disorder would not be assured. The present minimal cooperation between the people and the police, the atmosphere of unfriendliness, and the antagonism existing between them constitute a recipe to anarchy. This situation calls for immediate radical reform of the Nigeria Police to position it for effective discharge of its onerous responsibilities [5].

problems of the police and policing for effective social control.

(i) Recruitment Processes: What takes place at this level is very important. Nobody can give what he does not have. Certain qualities must be tested and found in whoever wants to make a career in the police force. Such qualities include physical fitness, critical thinking, problem-solving skills, communication skills, interpersonal skills, strong moral character and devotion to community [6]. Let it not be a case of a person joining the police as a last resort when there is no other thing else to do.

(ii) Training in the tenets of democracy. Nigeria is a democratic republican state. Democracy entails the existence of rights and freedom as guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (as amended). These include right to life, right to liberty, right to privacy and family life, freedom from torture. Violation of the right to life has occurred in several ways, including extra judicial killings, shooting of protesters. Human Rights watch (November 18, 2007) estimates that over 10,000 people were killed by the Nigerian police within eight years between 2000 - 2007. This is despicable.

(iii) Respect for Rule of law: The rule of law simply means the supremacy of the law or predominance of regular law as opposed to the influence of arbitrary power. This rule propounded by AV Dicey also provides for the equality of all persons before the law and that the liberty of all citizens would be best served by the existence of a competent, impartial and independent judiciary. For instance, section one of the Constitutions of the Federal Republic states; "this constitution is supreme and its provisions shall have

THE ROLE OF THE STATE

It may be necessary to restate the statement of Lord Denning (1980:p102) to properly explain the role of the state in building and maintaining people oriented and effective police force. He cautioned that "society, for its defence needs a well-led, well-trained and well disciplined force of police whom it can trust: and enough of them to be able to prevent crimes before it happens, or if it does happen, to detect it and bring the accused to justice". The pertinent question is what is the position about the welfare of policemen in Nigeria. [7], has an answer to the question. According to him, "the welfare of the policemen is not adequately catered for. His tools are not even there for the effective performance of his duties. He is made to work 12 hours daily, but sometimes,

binding force on all authorities and persons throughout the Federal Republic of Nigeria". It further states that; "if any other law is inconsistent with the provision of this constitution, this constitution shall prevail and that other law shall to the extent of the inconsistency be void". Police personnel must be trained, oriented and reoriented to internalize the principles of the rule of law which precludes anyone from initiating, making or implementing any law that is not consistent with the supreme law of the land. The police must not make its own law; it must obey the regular law of the land. Niki Tobi, Justice of the Court of Appeal (as he then was) pointed out the implication of violating the principles of the rule of law in *Onaforuwa v 1GP* (1991) NWLR (pt 198) at p. 650 in the following words:

The foundation of any democracy is anchored on the Rule of Law both in its conservative and contemporary meaning ... If we fail to uphold the rule of law, anarchy, despotism and totalitarianism will pervade the entire society. The social equilibrium will be broken. Law and order breaks down. Everybody will be his own keeper and God for us all ENDSARS has vindicated Niki Tobi.

duty demands 24 or 48 hours at a stretch, almost all year round, sometimes without the privilege of his annual leave ... so the average policeman is frustrated and constantly under stress and cases of displaced aggression are not unknown ..." The point is that the police service delivery system inevitably would be very poor under the situation they are working. The police are generally understated and ill-equipped. They lack accommodation, go about in tattered uniforms, work round the clock without allowances. The state has a duty to organize the police to be able to perform its constitutional role properly by improving their work conditions and providing them with necessary equipments and transport.

CONCLUSION

We would like to conclude the work by mentioning three principles out of the nine principles of Sir Robert Peel, regarded as “father of modern policing”. They are that;

- i. The fundamental mission for which the police exist is to prevent crime and disorder
- ii. The ability of the police to perform its duties is dependent upon public approval of police actions
- iii. Police must secure the willing support of the public in voluntary

observance of the law to be able to secure and maintain the respect of the people.

Social control is or is supposed to be the duty of everyone in the society. The police as an institution is only a formal and specialized instrument created by the state to ensure a steady and effective social control. To have an effective social control the police and the people must work together, cooperatively and collaboratively.

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