
Police brutality and its impact on human rights: a comparative analysis of Nigeria and the United States of America

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Abstract

Human rights are often violated by individuals acting on behalf of the state. Police brutality reflects the struggle within the law enforcement circle to operate within the ambit of the legally allowed threshold needed to diffuse an incidence like civil disturbance or self-preservation by the law enforcement officers. Previous studies have been limited to the causes, consequences, and impact of police brutality and the generational economic effects on the minority groups. But few of these studies have investigated the historical, cultural, and political backgrounds to police brutality in the selected countries. This study, therefore, examined police brutality in Nigeria and the United States of America within these contexts. The paper adopted a phenomenology research design. This enabled the researcher to gain deeper understanding of the study phenomena by exploring the views of those who directly experienced police brutality in the selected countries. The study found that police brutality is deeply rooted in the colonial past of the two countries. The countries were both colonized by the British and they both inherited the Anglo-Saxon common law and their system of social justice. The study found areas of similarities and differences between the Nigerian policing system and the United States of America's policing culture. The study revealed that the failure of the police force in the two countries to rein in corrupt elements in their rank is one of the factors encouraging police brutality in Nigeria and the United States of America respectively. The study also highlighted the negative effects of corruption in the Nigeria Police and the role it plays in police brutality in Nigeria. The study, therefore, recommended comprehensive reform of the Nigerian police force and that Police officers should be retrained on racial and minority sensitivity in the United States of America to reduce the incidence of police violence against civilians.

Key words: brutality, violence, minority, racial profiling, police force, comparative, bureaucracies.

Introduction

Globally, police brutality is a recurring issue in law enforcement cycle. It is a frequent phenomenon for armless civilians to be brutalized by law enforcement officers whose salaries and other benefits are paid by the same taxpayers. Globally, respect for human rights and the preservation of civil liberty are the distinguishable hallmark of liberal democracy. Police violence or brutality runs contrary to upholding these rights freely enshrined in the constitutions of both Nigeria and the United States of America. Admittedly, the creation of anti-crime operations like the Special Anti-Robbery Squad (SARS) by the Nigerian police force over the years has led to an increase in extra-judicial killings, deaths while in police custody, inhuman and debasing treatment of citizens throughout Nigeria (CLEEN Foundation, 2016). Perhaps, the general increase in crime has further put additional burden on the police force to adopt some unconventional police practice. The police

have consistently used this to justify incidences of human rights abuse in its rank. The American Police officers are usually drawn from the local community they police and they interact daily with members of this community because it is their constitutional duty to protect and serve members of the community whose tax the police forces rely on for its sustenance and success. The police force does not exist in isolation. Its success at combating crime, and protecting lives and property depend largely on its peaceful co-existence with members of the local community (Apaza, 2017).

Police officers are sworn to protect and serve the public. They maintain law and order on behalf of the state. It is an important institution of the state. Like Nigeria, the American police force has a history of racial profiling and excessive use of force against the minority groups. The general perception is that African Americans, Latinos, and Hispanic communities are deliberately targeted due to the colour of their skin and are racially profiled in society (Roland, 2016).

The Nigeria Police Force, was established in 1930 during the colonial era to serve the British interest. During the colonial period, the police protected the colonialist's necessary by ensuring that there was no breach of public peace. The colonial police force was duty bound to protect and sustain the cultural and economic exploitations of the colonies. Their training, orientation, and everything associated with the police force were consequently colonial-oriented. Nigeria did not change this at independence. Training received by newly recruited police officers is dehumanizing. Allegations of subjecting recruits to inhuman treatment subsist even till present day Nigeria (Falana, 2017). The stress and inhuman treatments received during training are consequently transferred to the members of the public upon graduation. For years, there have been reports of unlawful killings and police brutality by law enforcement agencies in Nigeria. The average Nigerian police officer does his job based on his mood, which is often bad. And to make a bad situation worse, the Nigerian Police Force as an institution lacks psychological support and a functional counselling unit. The institution is decrepit. A hungry Nigerian policeman with a gun is quite dangerous (Chidozie, 2020). The police force is a product of the larger Nigerian society with little regard for human lives. Nigerian police with funding from the US and the UK for the development of the police force remain despotic, corrupt, and resistant to change. The police force is frequently led by individuals who hold on to power at all costs so that the police become the enforcers for their interests rather than the interest of the people (Akinniyi, 2018) Reform processes are manipulated by representatives of the existing order to protect their interests and achieve predetermined political or personal gains that are at odds with normative reform and efficiency (Hills, 2008) Justice often goes to the wrong individuals that can bribe the officials.

Corruption, nepotism, mediocrity and lack of stewardship accountability are deeply rooted in Nigerian society. The police force does not exist in isolation. it reflects the rot in public institutions in the country The Police Force is incompetently brutal, forcefully irresponsible, lethargically insensitive (Chidozie, 2020). The force has become largely unaccountable to the citizens it is meant to serve. The researcher is mindful of the fact that there are many professional and exemplary police officers in Nigeria, and who daily work in difficult and often dangerous conditions – some 250 police officers were reported to have been killed in 2009 (Amnesty International, 2017). To the most Nigerians, the police has painfully failed to fulfil its duty of maintaining law and order. Unsurprisingly, almost a century since its creation, the force is regarded with contempt and dishonor among Nigerians as predators than law keepers. The police force represents a discreditable symbol of Nigeria's unencumbered corruption, mismanagement, and human rights abuse. Interestingly, recruits into the Nigerian Police Force receive ten to twenty-four months. This is similar to the length of training a recruit receives in the United States before guns and other weapons of force are given to them. This contrast sharply with most European countries where police officers spend up to three years in Police University to obtain a degree in Public policing. Finland and Norway stand out for their in-depth police training (Haberfeld, 2019) In the U.S, training to be a police officer, and to carry

a gun on behalf of the state, ranges from as short as 10 weeks to 36 weeks. There is a gulf of difference in class, education between what is obtainable in Europe and other developed countries around the world.

One of the critical problems with the Nigerian police is that members of the force see themselves as a separate community that has more rights and extra privileges than the rest of the society (Ajilore, 2015). It will take a great deal of sustained effort to change this, especially after the decades of “Cop Shows” that glorify the most abusive practices of the Law Enforcement Community and portray Citizens as the Enemy. The process could start with the screening of the authoritarians, corrupt, unprofessional, and psychopaths out of the system and reinstate the reforms that were begun back in the 1970s in the US such as Community-based Policing. This gives the power to fire officers to the citizen or community. The Community should have the power to change or influence changes in the force since the community pays police salaries through tax. Comparatively, Police brutality in Nigeria and the United States is the engagement between police officers and civilians, not necessarily with suspected criminals (Shaw, 2012).

Police brutality includes is violence and brutal force against civilians and this is one of the most serious and frequent human rights violations (Goldhaber, 2014) The only distinction is that the use of deadly force by the police is considered within the context of arresting a suspected criminal while police brutality is often used to describe police use of force or violence against unarmed civilian members of the society. There is a proportionate similarity in the behavioral pattern of law enforcement offices in the two countries.

The behavior of Police in the US contrasts sharply when compared with other developed countries. This is perhaps due to the long history of systemic oppression against African Americans encouraged by the American ruling class (Susan, 2020). The Nigerian Police Force (NPF) is a tool that the government constantly used to wage war against the people. As a result, it became an organized instrument for regimes wishing to strong-arm any perceived opposition (Abiodun, 2000) The force has a reputation for brutality. At least 1,476 people were killed by state actors in the country in 2019. Comparatively, Police brutality is one of the major causes of death for young men in the USA. Roughly 1 in every 1,000 men of African American men can expect to be slain by the police.

Significantly, the risk of being shot dead by the police is higher between the ages of 21 to 35 for young men and women and all minorities ethnic and racial groups in the US. People of color are also likely than young white people to be killed by the police (Frank, E, Hedw, L & Michael E, 2018).

Consequent to the foregoing, the objectives of this paper is to comparatively examine incidence of police brutality in Nigeria in the context of the End Special Anti-Robbery Squad (SARS) protest of October 20, 2020 and the racially charged protests that broke out around the world following the unprovoked killing of George Perry Floyd, an black man by a police officer in 2020. Specific objectives are to assess the extent to which police brutality acted as catalyst for civil unrest and distrust in local communities in Nigeria and the United States. Qualitative approach was used in this research work. The research was carried out using relevant secondary sources such as textbooks, journals, and materials on the internet.

Literature Review and Theoretical Framework

Cultural and Historical Background of Police Brutality in Nigeria

The Nigeria Policing culture has been studied by many scholars. This includes the history and prevailing culture of law enforcement in Nigeria. Such studies include (Adeyemi, 1999; Alemika, 1993; Ebo, 2006; Ehindero & Kayode, 1976; Okonkwo, 2003). There is a consensus among these scholars that some law enforcement practices in Nigeria were in flagrant breach of the provision of the constitution, this is because the constitution exists to safeguard and maintain human rights.

These researchers observed that these rights freely given by the constitution are violated without regard to the constitution by the police force. Such human right violation all resulted from a culture of colonial arbitrariness, Nigeria's corrupt penal code, police excessive indulgences of politicians, and manipulation of the judicial system extensively to undermine Nigerians' rights (Adeyemi, 1999; Ehindero & Okonkwo, 2003). This includes the avoidable use of force, abusive language, and unjustifiable field investigation of extra judicial killings. (Reiss, 1968) The very essence of police brutality lies in the use of force against the citizens. It must be quickly pointed out that in keeping the state safe, drawing a proper line between right and wrong use of force, especially during an investigation by the police can be very blurry. The distinction between the use of unnecessary force rest on overt behavior and is thus an elusive quest (Finn, 2014).

Alemika & Chuckwuma (2000) opines that Police brutality has been a recurring socio-political issue in Nigeria since the colonial period. The colonial government established police forces was organized as constabulary and para-military forces. They were used to advance British colonial interests at the expense of the oppressed Nigerians. The police force was mainly exposed to punitive expeditions that will facilitate the maximum exploitation of the colony. They were used to maintain the repression and exploitation of indigenous labor. In some of these arrests, batons, rifles and revolvers were used to overpower, harm and kill individuals who oppose to colonial rule.

Due to the frequent repressive deployment of police against workers during the colonial period, Tamuno (1993) cited in Alemika & Chuckwuma (2000) noted that the police earned the displeasure of some trade union leaders and members, a factor that did not promote good public relations as far as the workers were concerned.

There is extensive ignorance and misunderstanding of the role and powers of the police by the Nigerian Public (Alemika and Chukwum, 2000). This misrepresentation arises from the undignified history of making use of the police force to repress the citizens by both the pro-independence and post-colonial governments. There is a general perception among the citizens that the police are part of the machinery set up by the government to oppress the citizens. This often leads to undue fear and resentment of the police force by the citizen.

Alemika and Chukwuma (2020) reported that police's use of violent force against Nigerians during the "end SARS" protest was rampant. In Nigeria, it is a funny over exaggeration that the police are citizen's friend! They are the worst nightmare of the citizen because they embody everything that is wrong with Nigeria. This is untrue because individuals in authority often misuse their power while in office. Not only is the power abused by those holding public office, but it is also a justification for certain acts of corruption such as giving underserved favors and privileges to themselves and their cronies.

Cultural and Historical Background to Police Brutality in the USA

Tracing the historical evolution of the Policing culture in the USA, Surowiecki (2016) maintained that the US policing system developed from the slave trade. He noted that in 1704, the first slave patrol was formed. Slave patrols were in charge of enforcing laws that prohibited blacks from travelling without permits, and foiling revolt. Over time, these slave patrols ultimately transformed into a form that is now known as modern law enforcement. the slave patrol, which began as an offshoot of the militia, came to resemble the modern police, thus providing a transitional model in the development of policing. It can be argued that from the beginning, law enforcement existed to control, not protect, blacks.

Further, as African-Americans were literal property, policing that returned runaway slaves to their masters directly served the purpose of maintaining white property interests. Slavery was formally abolished in the United States by the Thirteenth Amendment to the U.S. Constitution in 1865 (Netflix 2016). However, official control over black bodies continued even after the end of

slavery. Contained within the 13th Amendment was an exception that allowed for the continued enslavement of those under government control (The Library of Congress). Under the “convict-labor exception, a system of “convict leasing” emerged that allowed forced labor to continue through the prison population. Although African Americans did see important gains during “Reconstruction,” the period between 1865-1877 that immediately followed the Civil War, the accumulation of rights by African-Americans led to a “white rage” that “worked its way through the judiciary, the legislatures, and other government bureaucracies. In 1865, laws known as the “Black Codes” were enacted:

They aimed to control the activities of the free black population in the states of the South and to preserve a captive labor force for the plantations. Their provisions hark back to the previous slave codes. The Black Codes remained in force only until the military rule was established by Congress in the states of the former Confederacy and the eventual enactment of the Civil Rights Act in 1866 and the Fourth Amendment.

In addition to the inequality written into U.S. laws, African-Americans simultaneously faced threats from both public officials and non-governmental agents. Non-state actors such as the Ku Klux Klan (the “KKK”) also bolstered the legalized system of control: the KKK, a hate group founded and based on white supremacy in 1865, participated in “night rides” to terrorize the freed black population. Thousands of African-Americans were lynched, often with either the tacit or explicit approval of state authorities. Policing system in the United States is broken. Police brutality— which in this paper is defined as any situation where public officials use the power invested in them by law to unlawfully kill or maim armless civilians. Corroborating this, Lumsden (2017) submitted that police brutality has left a permanent stain on the US policing culture. One could argue that little has changed since Baldwin (1966) wrote that:

By design, the police are the enemies of the people. They have the mandate to keep the black and other minorities group in check and they seem to have no other job than to protect white interest.

One could justifiably argue that not much has changed since Baldwin made the above statement. The central theme of this paper is the failure or the inability of the US political authorities both state and federal to eliminate or reduce the bad eggs from its policing system. The term police brutality is typically used to describe an undue or excessive use of violence or force that cause physical harm to a person. Lumsden (2017) rhetorically posited that the main issue is if the U.S. policing institutions as presently constituted, can pro-actively stop police brutality and the associated unnecessary deaths. If the answer to this question is no, a lesser question is what is the cost of failing to prevent needless police brutality in general and the uneven rates at which unarmed black men are either brutalized or killed? These pressing issues require urgent solutions, they are just as important as immigration, climate change, LGBTQ rights, women’s rights, and other current issues that politicians fight over in Washington. These pressing issues require an immediate national policy response. Police brutality is intimately linked to the economy. It is at the center of economic equality discussion; the cost implication of police violence is enormous and this has huge economic implication It is the position of this paper that the current status quo is untenable and cannot stand in a nation that is committed to human rights freedom and the democratic governance. Her reluctance eradicate or minimize police misconduct in all its forms has both grave economic and material consequences. Poor and minority members of society do not bear these costs alone, although they are among the most directly affected

Overview of Policing System in Nigeria and the United States of America

The Nigeria Police force has evolved from the policing system bequeathed by British colonial rule. Even though local police forces existed from 1968 until 1972. Since the early 1970s, Nigeria has there has only been a single National Police Force, with 1 police officer per 540 persons (World Bank, 2022). The Police force carries an uneasy legacy of civilian oppression, brutality, vandalism, incivility corruption, and low accountability to the public (Alemika, 1988; 161 cited in Karimu & Osunyikanmi, 2012). Put differently, there is no single centralized police force in the U.S. There are about 18,000 police formations and about a million officers in the U.S policing system, this means that the U.S. policing system is vastly decentralized. The U.S. is often described as a “punitive nation”, having the highest incarceration in the world (World Prison Population, 2015).

Comparatively, the US has one of the highest rates of violent crimes among developed nations (World Prison Population, 2015). The New City York Police Department is one of the largest municipal police departments in the USA. The department employs 55,000 people. This includes 35,000 uniformed officers to police a daily dynamic, and a constantly changing population of almost 19 million people (Ramachandra, 2005). Generally, previous studies indicated that a large share of the populace has negative opinions about the police force (Sims, Hooper & Peterson, 2002); however, the minority. Group does not trust the law enforcement officer because of the years of abuse and oppression. This group includes black Americans, the Hispanic community, and others (Tyler, 2001; Tyler & Hou, 2002).

Human rights abuse and police violence in the United States

Since the beginning of the state-controlled policing in the United States – slave patrols – racialized policing has been a constant feature of the American public policing landscape. Ritchie and Mogul (2016) believed that police brutality and racial profiling began during this period. That is, in the administration of Slave Codes, and later Black Codes and Jim Crow segregation laws. Police violence against native, black Americans were all rooted in colonial culture in the United States. Studies constantly found that people, especially of color are unduly subjected to human rights abuses at the hands of police officers and other law enforcement officers, these range from persistent verbal abuse and constant harassment, routine stops, unjustified shootings, excessive use of force and torture.

Ritchie and Mogul (2016) further argued that It is clear from available statistics that continue to trail minorities group treatment in the hand of law enforcement officers that uneven use of excessive force by the police or law enforcement officers against people of color remains widespread across the United States. While the government recognizes the existence of police violence and human right abuses in its report to the congress, it continues to underscore the fact that existing judicial processes or remedies are adequate to address the abuse. Police violence and human right abuse have no place in a liberal democracy. Simply put, Steffen and Jefferson (2009) suggested that there is no legitimate political space for the questioning or interrogation of human rights abuse in a democratic setting. Yet, from the researcher’s experience, cases of police violence against civilians abound from Texas to New York.

Collin (1998) opined that police violence is one of the most divisive and enduring human rights violations in the United States. The problem of police violence against minorities group is pervasive, nationwide and institutionalized. Law enforcement officers routinely and brutally engage in unjustified shootings, fatal chokings, and needless physical abuse in cities across the United States. Just like in Nigeria, victims of police brutality have many avenues to report the abuse, they have little means of getting those officers punished or held accountable for their actions. Victims of police abuse also understand that because of the structuralized nature of police violence, victims tend to give up on ever getting justice for an injustice done to them by a police officer. Consequently,

this often result in deep seated frustration, resentment and complicates the abusive treatment from law enforcement.

The United States of America and Nigeria Police Force Compared

The United States and other developed nations have developed a code of professional conduct and operating procedures for police officers (i.e., the Miranda rights and the Fourth Amendment). These protect citizens from all forms of police brutality and undue oppression. Nevertheless, as effective as these measures are, they are still cases of injustices in the criminal justice system. This includes discrimination against minority populations (Kent & Jacobs, 2005). Taylor et al. (2001) found a racial hierarchy of backing for police. There is more support for the police among white and Asia than black Americans. There is a similarity between the two countries because they have working police and law agencies are the broad similarity. Unlike Nigeria whose police force is controlled by the federal government, US policing structure is such that there is devolution of structure. The FBI is controlled by the Federal government while the American constitution provides for local policing like the NYPD.

In the US, every police department in each state, city, and local government is controlled by either the state government or the local government, and operation is restricted to its area of responsibility. The Department of Justice is responsible for administration, promotion, and national coordination. In Nigeria, the Nigeria Police Force is in charge of police administration, promotion, and recruitment across the federation. This national influence gives the police similar clouts and influence on the military and thereby provides unhealthy rivalry. This does not happen in the United States because the FBI can only work on cases that concern two or more states – and within state or territory is within the jurisdiction of local law enforcement authority. This is because the authority of the people in control is restricted to a particular jurisdiction and thereby prevents an overload of responsibility. These checks and balances ensure that power and control are distributed and checked. This is not the case in Nigeria as the Inspector General of Police holds all the power.

The implications of the END SARS Protest on Human Rights Abuse in Nigeria

Tracing the historical evolution of the Special Anti-Robbery Squad (SARS), Edafe (2021) noted that the special unit was founded in 1992 by Simeon Danladi Midenda, the then Police commissioner in charge of Lagos State. SARS' formation was spurred by the murder of Col. Israel Rindam (Nigerian Army) by police officers in Lagos on September 1992 at a check point, which ultimately led to the arrest of three police officers. The withdrawal of the Nigerian police from checkpoints, security areas, and other points of interest for criminals; some police officers for two weeks led to an increase in crime rate. SARS was consequently established with an initial 15, officers operating in secrecy to avoid further trouble with the army. Due to the existence of three already established anti-robbery. At formation, Midenda needed to distinguish his squad from the already existing teams. The newly formed police unit was named Special Anti-Robbery Squad. After months of negotiation, the Army and the police force settled their differences and regular police duty restart in Lagos. The SARS unit was subsequently commissioned in Lagos.

The newly formed unit instead of improving the security situation in the country became a nightmare for both young and old Nigerians as the men of the SARS unit turned themselves into terror to the very people they are meant to protect. Their activities were deeply rooted in corruption and shrouded in secrecy, misconduct and gross abuse of human rights (Human Rights Watch, 2010). They torture and kill innocent Nigerians under the guise of interrogation and suspicion of being a criminal.

The government turn a blind eye to these excesses of the Anti-Robbery Unit of the Nigeria police force for decades despite outcries of well-meaning citizens and the international community without any meaningful action from the government. The return to liberal democratic rule in 1999

was expected to bring an end to SARS' brutal human right abuse because of democracy flourishes on respect for human rights (Amnesty International, 2014).

However, the SARS unit much like the larger police force against all expectations became a willing tool used by government and politicians to execute their nefarious activities of oppressing the citizens. Wada (2021) submitted that the hashtag #ENSARS was a social movement that started in 2017. The protest quickly gained national attention after it was posted on Twitter to draw attention to the gruesome and extra-judicial killings by a unit of the NPF known as the Special Anti-Robbery Squad, SARS.

The SARS unit is made up of a few police officers operating under the criminal investigating department (CID), it was first established in Lagos state in the early 1990s to control the rising incidence of armed robbery and other criminalities. SARS was quickly adopted by many other states of the federation to deal with similar issues. SARS was established by the highest Criminal investigation department of the NPF (Salaudeen 2017). Even though the special anti-robbery Unit was very effective in its early years, over time it became an obvious instrument of oppression against the citizens. The Nigerian state is yet to recover from the mental repression and human rights violations committed by the men and women that operated in this unit.

The #ENDSARS hashtag was used by Nigerian youths to relive their experiences of violence and brutality perpetrated by the disbanded Special Anti-Robbery Squad (SARS). However, the movement was revived in October 2020 after a video emerged of the killing of a young man in Delta State, Nigeria thought to have been killed by police officers thought to be members of the SARS unit. This Unit of the Nigerian Police force was originally established in 1992 to curb armed robbery activities and kidnapping. They operated mainly behind the scene (Eteng, 2020). However, just like any weak institution in any corrupt democracy, they became emboldened and started carrying a gun to harass members of society (Ogunnaike, 2020).

SARS has over the years become a deliberate source of state violence that the citizens encounter daily. Youths, the demographic behind #ENDSARS protest overwhelmed public discourse with reports of harassment, bribery, and even killings and kidnappings by SARS officers. This notorious unit of Nigeria police with a penchant for human rights abuse. The youths were stereotyped as criminals because they "dress like" Internet scammers and because they wear tattoos and dreadlocks.

According to Amnesty International 2020 report, there are many cases of extra judicial killings, extortion, and torture methods, including "hanging, mock execution by SARS officers. Nigerian soldiers numbering 20 were deployed to brutalize and massacre Nigerian youths, thereby killing young people who had peacefully assembled to demand accountability for rampant police brutality in Nigeria (Ogunnaike,2020). This movement had drawn global attention and support for over two weeks and shifted attention to the more serious problem of bad governance, corruption, and poor standard of living in Nigeria.

Theoretical Framework

The study adopted social conflict theory as its theoretical underpinning. Social conflict theory was first propounded by Karl Max and later gained popularity around the world in the 19th century. Social Conflict theorists see that state as instrument of oppression to perpetuate the interest of the ruling or dominant class (Lersch, 1998). The policing structure is a government institution charged with the responsibility of maintaining the interest of the state. It is a product of the political process which reveal the interests of the ruling class in the society. The police maintain and protect the status quo of poverty and inequality and help the dominant class to fully exploit the poor and powerless in the society (Holmes et al. 2008 & Lersch 1998). This thinking originated from the Marxist, Holmes and Lersch as a result found that together with the rational choice logic.

They stated that the joining of race and class together determines the dynamic of police-civilian interaction. In the same breath, Lersch (1998) further stated that the economically disadvantaged and the politically less influential members of society are expected to complain about police abuse and to experience acts of police violence than other classes in the society. The killing of George Floyd in May 2020, which sparked a global protest by angry minorities and across political divides, and the killing of a young man in Delta State, Nigeria led to the #END SARS protest are one of the publicized cases of police brutality in modern history. Punch & Gilmour (2010) cited in Edefe (2021) argued that:

In spite of the empirical and scholarly established evidence that show that police-citizens' relationship with the police both in the United States of America and Nigeria is dominated by the power dynamics of race, tribalism, gender and class divisions, there exist a limitations of social conflict theory to explain the causality of police brutality and rights abuse. As a macro-sociological theory, it hastily assumes that it is the factors external to the elite class that constructs and dictates police officers' behaviors in their interaction with civilians. Though this hold true to explain the way the police have often being used as instruments of oppression by the elites to torment the masses by means of indiscriminate arrest, extrajudicial killing, torture and infringement of their rights (p. 190).

Methodology

A qualitative approach was used in this research work. The Researchers used relevant secondary sources such as textbooks, journals, and materials on the Internet. To answer the research question, the author adopted a phenomenology research design. This enabled the researcher to describe the situation under study creditably. According to Nathan (2021), phenomenological research seeks to describe the general essence of a phenomenon. It investigates the daily people's experiences while suspending the researcher's predetermined assumptions about the phenomenon under study. Put differently, phenomenological research investigates lived experiences to gain a deeper understanding of people's perceptions or understand those experiences. The adoption of this design, therefore, allowed the researcher the opportunity to gain deeper insight into the historical, cultural, and political dimensions of police brutality and the implication for human rights abuse in the selected countries.

The population of every study is related to the important groups of individuals that help to analyze the study phenomenon. Given the focus of this study, the target population of the study was 230.31 million (Nigeria-206.1 million and 332.4 million – USA). Due to the nature of this study and the phenomenon that was studied, purposive sampling which enabled the researcher to reach a target sample quickly was employed. The study purposely chose the USA and Nigeria as its case studies as they both have high incidence of police brutality against civilians. The sample size for this research work was 30 interview sessions with 15 interview sessions each from the two selected countries to give accurate and correct information on the subject matter.

Data was collected through in-depth interviews, and existing documentary evidence of police brutality from library and internet sources. The data collected from the in-depth interview sessions conducted were transcribed, coded, and grouped based on the themes of the study and content analyzed. Furthermore, data from secondary sources like textbooks, reports, periodicals, journals, documentaries, newspapers, newspapers sources, were all analyzed relevant to the study were all analyzed. This method enabled the researcher to obtain the needed information on the incidence of human rights abuse and police violence in the two selected countries to scholarly address the problem.

Results and discussion

The paper comparatively examined police brutality in Nigeria and the United States of America from cultural, historical, and political perspectives. The study showed that there is a strong relationship between police brutality and civil unrest in Nigeria and the United States of America. The study draws on the killing of George Floyd by a white police officer and the #ENDSARS protest that shook the foundation of the Nigerian political establishment and somewhat re-affirmed the role of the citizens in democratic governance. These two incidences or acts of police brutality and the attendant civil unrest will continue to define the 21st century American and Nigerian societies for decades. The study also reviewed extant literature on policing structure and the difference between the police systems in the United States and Nigeria. The paper differentiated between the levels of policing in the United States and Nigeria.

The Nigerian police force is extremely understaffed, poorly equipped, and insufficiently trained, the Nigerian police force had a huge responsibility in the #ENDSARS crisis and was appallingly found out. This inefficiency is largely linked to the pervasive level of corruption in the Nigerian Police Force. This perhaps explains their poor performance in law enforcement duties and the frequent allegations of human rights abuses. Some of their actions have been particularly gruesome and repressive. The study attributed this problem to the historical and cultural evolution of policing culture in the two countries. The proliferation of anti-crime operations that usually result in extra-judicial killings, undue torture, and inhuman and degrading treatment in police stations throughout Nigeria requires special attention by the government. This is because these actions flagrantly violate the fundamental human right of the citizens as enshrined in the constitution of the federal republic of Nigeria and the fourth amendments to the United States of America Constitution.

Perhaps, the general increase in crime has further put additional pressure on the police force to adopt some unconventional police practice. But this outcry by the civilians has also been used to unscrupulously justify instances of human rights abuse as an unavoidable part of the fight against crime. This poor performance of the NPF in effectively addressing crime and the sense of mistrust by the citizens has led to the formation of armed vigilante groups at the local and state level, with the openly declared approval of some state governments.

Conclusions

Both the Nigerian and the American governments have the responsibility to ensure that the Police force stops every act of torture or inflict other degrading treatment of suspects, extra-judicial executions, and excessive use of force. The rights of the citizens as enshrined in their respective constitutions must be obeyed.

The institutions of governance should be strengthened to hold erring police officers accountable for any involvement in human rights violations or brutality against members of the public.

The governments should ensure that members of the police force are held responsible for torture or other extra-judicial executions and excessive use of force are immediately investigated and sanctioned in line with international standards of fair trials and they must be on unpaid administrative leave before the outcome of the investigations.

In line with the findings of the study, the government must ensure that victims of police brutality adequately obtain redress and reparation, this includes fair and adequate compensation, restitution, rehabilitation, and guarantees of non-repetition in line with article 14 of the UN Convention against Torture.

There should be extensive reform of both the American and the Nigerian police force to prevent a resurgent of the end SARS protest and the Gorge Floyd protest that threatened public peace. The destructions, killing, and loss of life that came with it could have been avoided if the government had acted on time. The reform process should be devoid of corruption.

The United States needs to urgently retrain its police force to stop the brutal treatment and killing of minorities. One important lesson that American policing can learn from the Nigerian Policing culture is the non-use of lethal weapons against civilians. While it cannot be argued that the Nigerian Police are free from this, it is more ingrained in the American culture for a police officer to pull out a gun against civilians than it is in Nigeria. This is partly due to fundamental differences in culture between the two countries.

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