

Engendering Security Sector Reforms in Africa: A Policy Appraisal and Institutional Capacity Study of the Nigeria Police Force

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Abstract

The recognition of differing experiences and impact of conflicts, violence and insecurities on women and men, boys and girls motivated the adoption of the landmark UN Security Council Resolution 1325, which reaffirms the important role of women in the prevention and resolution of conflicts (Alaga, 2011:3; Hendricks, 2011:8). The adoption has witnessed increased efforts at global, regional and national levels to systematically integrate gender perspectives into Security Sector Reforms (SSR) and many African countries have incorporated gender concerns into their security regimens. The study undertakes an institutional capacity assessment and gender audit of the Nigeria police, using the framework of Police Gender Policy of 2010. From the current situational analysis of the Nigeria Police Force, the study explores the following questions: are gender issues properly understood and the need for mainstreaming appreciated within the rank and file of the Police Force; are the current administrative structures and operational procedures in the police force properly engendered; and what are the structural and operational constraints for effective implementation of gender mainstreaming in the force? Qualitative data collected from field surveys were analyzed descriptively. This paper is significant in that it envisages social, cultural and ideological transformation in gender relations within the Police Service as well as in the larger Nigerian society, through gender sensitive regulations and orders, and improved technical skills in gender mainstreaming and in the handling of gender-based violence.

Keywords: security sector, police reforms, gender, institutional capacity

INTRODUCTION

The motivation for this study is based on conclusions derived from two main discourses, namely: security sector reform and gender studies. These two discourses are intersected at the African political and social contexts of a democratising and developing state. African security sector is undertaking reform, which entails making institutions within the sector more transparent and transforming the role of the security sector within the state. The overall purpose of reform of this kind is to create a good climate for developing and deepening democracy, along with setting enabling environment for stable peace nationally and regionally.

Gender mainstreaming into security regimen reforms goes beyond viewing ‘humans’ or ‘people’ as a homogeneous group, but rather is a “strategy to ensure that security reform initiatives equitably consider and respond to the different security and welfare needs and capacities of men, women, boys and girls” (UNSSR, 2012:38). Gender mainstreaming promotes gender equality in society at large and ensures that all security activities integrate the human rights of all persons, irrespective of gender, ethnicity, age, class, nationality, religion and sexual orientation (Hendricks, 2011:73).

Incorporating gender differences into security regimen reform strengthens the capacity of different security sectors to respond effectively to the security needs of the public.

The National Gender Policy adopted by Nigeria in 2006 provides an over-arching framework for promoting gender-sensitive and gender responsive culture in national policy making in Nigeria. The National Gender Policy (NGP) aimed to establish the framework for gender-responsiveness in all public and private sector policies and programmes (FMWASD, 2006:10). In line with the framework of the NGP, the Police Gender Policy (PGP) was developed in 2010 to provide broad guidelines for mainstreaming gender issues into the police structure and administration, and improve police response to gender based issues within and outside the police institution (Nigeria Police Force Gender Policy, 2010:4).

Statement of the Problem

The Police Force is no doubt pivotal to the successful implementation of the National Gender Policy and other sectoral policies. However, this may become impossible

without mainstreaming gender concerns into the institutional framework and operational strategies of the Nigeria Police itself. Currently, the perception of an average Nigerian of the Nigeria Police Force is that of unfriendly set of uniformed men; while the force continues to attract to itself, an image of brutality and outright oppression of those they are paid to protect (innocent women and men). Given the commitments shown by the Nigeria Police Force in pushing through the development of a gender policy in 2010, has the policy translated into an effective framework in transforming gender relations within the Force? Are the structural and operational reforms envisaged in the policy document manifesting? What is the state of engagement of the Nigeria Police Force with the Policy? What are the institutional, operational and logistical constraints in mainstreaming gender into the police service in Nigeria? It is against this backdrop that a policy appraisal and institutional capacity of the Nigeria Police Force for gender mainstreaming within the organization is anchored.

METHODOLOGY

A variety of qualitative methods were used to conduct a gender-responsive assessment of the Nigeria Police Force. These methods include: a review of the organisational structure of the Police Force to examine gender equality in leadership positions; review of personnel policies and other related policies to assess equitable treatment of both gender groups; documentary review of penal code, national constitution and force directives to identify gender gaps; and key informant interview (anonymous) with officers of the police force. Data collected were analysed descriptively. The study was undertaken within a major security agency and for security reasons, access to sensitive information and data were limited. In addition, officers were often reluctant to provide information without official clearance from superior officers.

Contribution to Knowledge

The paper provides a policy framework to eliminate gender-based discriminatory regulations and practices within the Nigeria Police Force, and ensure that the Police Force as a major security organ of government is able to effectively deal with gender-based violence within the larger Nigerian society. The study also provides conceptual and theoretical framework for a strategic design that will ensure a gender-responsive policy planning, operational execution, improved justice and security delivery to men, women, girls and boys.

Conceptual Clarifications:

Security Sector

Security sector is broadly understood to encompass all the official government agencies that have the monopoly and authority to use, or order the use of force in order to protect communities, individuals, and the state (OECD-DAC, 2005). From this broad perspective, security sector will include the armed forces, police force, immigration and custom, intelligence services, drug enforcement agencies, special task forces, among others (UNSSR 2012:2).

Security Sector Reform (SSR)

Security sector reform is a process of assessment, review and implementation as well as monitoring and evaluation that has as its goal the enhancement of effective and accountable security for the state and its peoples without discrimination and with full respect for the rule of law and human rights (UN 2008:A/62/659-S/2008/39). Security sector reform processes are designed to address a variety of problems within the security sector such as corruption, lack of technical capacity, human rights violations, lack of transparency and oversight, as well as broader social problems such as crime and armed violence.

Institutional Capacity

Institutional capacity encompasses three main activities: (i) skill upgrading; (ii) procedural improvements; and organizational strengthening. In general terms, institutional capacity can be defined as the ability to perform functions, solve problems and achieve stated objectives.

Gender

Gender is a socially constructed definition of women and men. It is the social design of a biological sex, determined by the conception of tasks, functions and roles attributed to women and men in society and in public and private life. It is a culture-specific definition of femininity and masculinity and therefore varies in time and space.

Gender Mainstreaming

Gender mainstreaming is a strategy for making women's and men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated (ECOSOC, July 1997). Gender mainstreaming strategy can be applied both to the SSR process itself (e.g. by ensuring gender training for personnel responsible for SSR policy and planning) and to the institutions undergoing SSR (e.g.

by including gender training for new recruits as part of a police reform).

Gender-based Violence (GBV)

These are forms of violence which are based on the socially ascribed differences between males and females, what is known as ‘gender-based violence’ (GBV). GBV is not only violence against women; men and boys can also be victims. However, in many cases women and girls constitute the majority of victims.

Theoretical Interrogations

The paper is at the intersection of two main discourses, namely, security sector reform and gender studies. Since the end of the cold war, a new understanding of national and international security has been formulated within the academia and among practitioners. The new security challenges in the contemporary era connote element of development: economic security; social security; environmental and food security; the quality of life and technological security. Feminist international relations scholars as well as women’s rights and peace activists contend that realist approaches that equate national security with the protection of state sovereignty and territory mask other forms of violence and insecurity (Hunter, 1999; Enloe, 1980).

The gender constructions associated with war and the attendant negative consequences for women were interrogated by feminist scholars (Hoogensen and Stuvoy, 2006; Hudson 2005:157). These scholars contended that gender is a critical variable in the study of conflict and security reforms. For example, Hoogensen and Stuvoy (2006) emphasised that gender was ‘a determining factor in deciding who goes to war and who does not, who is a victim and who is not, and who is recognised within the security sector and who is not’ (cited in Romaniuk 2009:148).

Human security approaches emphasise “the security of people rather than state sovereignty, the obligation of states to ensure people’s security, the cross-border nature of many security issues, the importance of non-state actors, accountability for violators of human rights and humanitarian law, the complexity of security threats and the need for multifaceted responses” (Manchanda 2003:12). A ‘gender-responsive’ human security approach also emerged within the broad framework of human security. This perspective was formulated by feminists who criticised human security for ‘paying lip attention’ to gender issues and for ‘failing to take up women as subjects’ (McKay 2004:165). Feminists argued that ‘collapsing femininity or masculinity into

the term “human” could conceal the gendered underpinnings of security practices’ (Hudson 2005:157). Gender debate in Security Sector Reform (SSR) has become a significant domain of research within SSR programmes. Gender in security sector reform has been centred on justifying the inclusion of women in security reform in governments and the importance of gender equality dimensions within SSR programmes, as well as being part of the international development agenda (Mobekk, 2010:278). The ultimate objective of gender-responsive security reform is to improve the ‘ability of security sector institutions to address different security threats faced by women, girls, men and boys, through facilitating the participating of women and girls in SSR decision-making, assessment, planning, implementation and oversight’ (UNSSR 2012:11).

Policy Appraisal and Institutional Capacity Assessment of the Nigeria Police for Gender Mainstreaming:

Policy Appraisal of the Nigeria Police Force:

A gender analysis of Nigeria’s local laws and policies affirms that many legal instruments are discriminatory, and at best, gender blind. Ranging from the constitution to the criminal code, local edicts to customary laws, women’s rights have been systematically undermined. The Nigeria Police was established by Section 214 of the 1999 Constitution of the Federal Republic of Nigeria, with the mandate to ensure the internal security of the country. Despite its prohibition of discrimination on grounds of sex, the Nigerian Constitution is embedded in the patriarchal system which produced it. For example, the language of the 1999 Constitution is gender biased as the pronoun ‘he’ appears in the 1999 constitution about 235 times. Section 12 of the Constitution restricts implementation of international treaties signed by Nigeria except the treaty has been “*enacted into law by the National Assembly*” The implication of this is that though CEDAW and other gender friendly treaties had been ratified by Nigeria, they have not been transformed into a domestic law capable of enforcement. (Nigeria NGO Coalition Reports, 2008: 47-58).

❖ Accommodation and Welfare

While male police officers married to civilian wives are allowed to bring their spouses to live with them in the police barracks, police women married to civilians are not permitted to live in the barracks with their husbands. Furthermore, when on official duties, provision for travelling allowances are made for accompanying wife and children of male officers while the husband of travelling police woman is not entitled to any allowance (*Police Force Order, No. 201 and 203*). Another discriminatory policy within the police could be seen from the regulations on payment of benefits to family

members of injured or deceased police officers. The *Force Order No. 92:2 (ii) and No 2 (iv)* make provisions for payment only to 'wife' or 'widow' and no reference was made to husbands of policewomen for the payment of benefits and entitlements (Police Gender Policy, 2010:16-17).

❖ Gender Analysis of Penal Code

There are equally many discriminatory clauses in the Penal Code, which weighs heavily against women. The criminal code for instance, discriminates against women on the issue of punishment for personal assault. Section 353 of the Criminal Code stipulates that 'any person who unlawfully and indecently assaults any male person is guilty of a felony, and is liable to imprisonment for three years'. However, Section 360 of the Criminal Code prescribes two years imprisonment for indecent assaults on a woman or girl and the offence is termed '*misdemeanour*' while that of male is termed '*felony*'. It is obvious from the above provisions that the assaults against women attract less stringent sanctions than assaults against men, even though in most cases, women stand more risk of being violated (Police Gender Policy, 2010:18).

Institutional Capacity Assessment of the Nigeria Police for Gender Mainstreaming:

The adoption of a gender policy by the Nigeria Police Force in 2010 has not translated into transformation of gender relations and appreciation of gender issues in police operations. Both the institutional and operational reviews envisaged in the policy have largely not been carried out and the police still retain the image of a feudal, coercive force rather than a democratic, responsive public service. A direct fall-out of institutional weakness of the Police Force to mainstream gender into structural and operational reforms is the alarming rate of gender-based violence, violence against women and child abuses, especially, the girl child, which litter the national landscape.

Training and Recruitment

The Police Act 118 clearly stipulates that only unmarried women are allowed to join the Nigeria Police and married women are disqualified. The Act equally declares that any female police officer that wishes to marry could only do so with the express permission of the Inspector General of Police (*Police Act.No.122-127; Force Order No.30; and Force Administrative Instructions No. 23*). The exclusion of married women from joining the police and the stringent procedures to get permission to marry could be among the reasons for the low representation of women in the Nigeria Police Force. Furthermore, the Police Act equally restricts women to limited supporting positions and excludes them from strategic duties. According to the *Police Cap*

121-123, *FO No 30 and FAI No 23*, 'police women shall only be employed on duties which are connected with women and children'

❖ Dressing and Nomenclature

Discriminatory practices within the police force also extend to the mode of dressing and identification of police women. Section 128 of the Police Act forbids police women from wearing earrings and using lipstick and face powder. The Act also stipulates police women to place alphabet letter '**W**' before their rank for easy identification as women while their male colleagues are not required to put letter '**M**' in front of their rank.

❖ Absence of Specialized Gender Units

An observational visit to operational headquarters of the Police Force across zonal and state headquarters, divisional police offices reveal clearly the absence of specialized gender units manned by gender specialist to handle gender related cases. In many cases, juvenile and family units are always seconded to handle gender cases. Police stations also lack trauma centers and other facilities to support victims of gender based and domestic violence and in most cases, often refer victims to private centers operated by civil society organizations.

❖ Structural Weaknesses for Gender Mainstreaming

As obtainable in other public agencies in Nigeria, the collection and presentation of data by the Nigeria Police are not disaggregated by sex. It is thus difficult to monitor progress, personnel development and crime rate by gender. A fall-out of this absence of gender-disaggregated data is the difficulty in monitoring and tracking victims of gender-based violence. The Nigeria police also lack access to modern forensic technology like DNA for investigation and detection of gender based violence, especially rape. In addition, there is limited access to professional specialist like trauma counselor, clinical psychologists, and psychiatrists for rehabilitation and investigation.

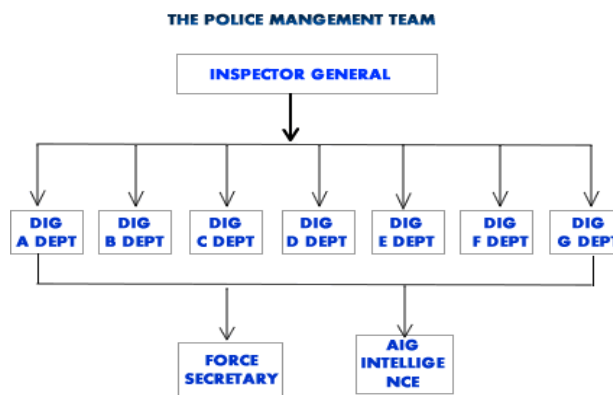


Figure 1: The Nigeria Police Management Team
Source: The Nigeria Police Force website (2016)

A major structural weakness militating against effective gender mainstreaming in the Nigeria Police Force is the glaring absence of women in the police management team. It is interesting to note that Nigeria has never produced a female Inspector General of Police and since independence to date, only two female officers have ever been appointed into the police management team. The current management team does not have any female police officer.

❖ Sexual Harassment/ Exploitation

While many of the respondents during the field work could not openly indict senior officers, they clearly affirmed cases of sexual exploitation and harassment of junior and unmarried female officers by their superiors.¹ The respondents equally declared that existing procedure for reporting such anomalies are cumbersome and unreliable. Many women officers who were bold enough to reject advances from male officers suffered victimization in form of delayed promotion and unfriendly postings. Equally worrisome is the many reported cases of sexual exploitation of female detainees behind bars by male officers, which sometime resulted into pregnancy. As indicated for harassment within the force, there are no effective procedures for reporting and sanctioning erring officers.

Strategies for Engendering African Security Regimens

The first step to engendering African security regimens is to undertake a critical gender analysis and auditing of security sector to identify specific security needs and capacities of men, women, boys and girls. A gender analysis would reveal glaring gender gaps that may require policy interventions. Formulation of appropriate gender policies should take into account the following: equal rights of men and women to participate as staff and decision makers; recognition of sexual violence and domestic violence as human rights violation and threats to state's internal security; involvement of women in implementation of security policies; participation of civil society organizations in monitoring implementation of security policies; and establishing rules against gender discrimination within security regimes (UNSSR, 2012:39).

Adequate funding allocation to support gender equality processes within the security sector is also required. A critical gap observed within the Nigeria Police Force is the absence of gender-specific budgetary allocations to undertake gender mainstreaming initiatives. Development partners such as the World Bank, UN-Women, USAID, UNICEF, among others can also

provide supports by sponsoring specific gender-focused initiatives in the engendering project. Appropriate guidelines to implement gender-responsive budgeting should be established to ensure that gender issues are not subsumed under general expenditure.

Another critical gap identified within the Nigeria Police Force is weak capacity to undertake gender mainstreaming. This could also be applicable to other security regimens in many African states. It is therefore necessary that capacity development on specific gender issues should be undertaken. Such capacity building may be undertaken through systematic multi-disciplinary workshops, seminars, training programme, academic studies, and regular briefings. Among specific gender issues that require capacity building are: gender mainstreaming techniques; sex-disaggregated and gender statistics; gender budgeting; sexual and gender-based violence; and communication.

Furthermore, engendering African security regimens should be undertaken at the highest policy level of government for appropriate institutional support. It is also necessary to enlist inter-ministerial collaborations and supports since gender is a cross-cutting issues. For effective engendering process, relevant government agencies in other security services, communication technology, information, education, health, finance, judiciary and the parliaments should collaborate together to ensure an holistic action.

CONCLUSIONS

Engendering the Police sector through appropriate framework will eliminate all gender-based discriminatory regulations and practices, and ensure that the Police Force as a major security organ of government is able to effectively deal with gender-based violence within the larger African society. Eliminating discrimination and other human rights violations by security sector personnel is not only an obligation under international law, but creates more trusted and effective security institutions.

It is expected that proposed engendering strategies in this paper will lay the ground for a strategic design and planning process that will ensure a gender-responsive framework for policy planning, operational execution, improved justice and security delivery to men, women, girls and boys. Finally, engendering project will enhance the representative and participatory nature of security sector institutions; increase accountability; and a reduction of human rights violations.

¹ Fieldwork interactions at Police Force Headquarters, Abuja, Nigeria

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