

THE MECHANISM OF LAW AS MEDIUM OF VIOLENCE AND THE EMERGENCE OF END SARS: TOWARDS THE ARTICULATION OF GOOD LEADERSHIP IN NIGERIA

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ABSTRACT

This work establishes that the primary justification for the state is its role as the guarantor of last resort of the personal safety, liberty and property of the citizens. The essay upholds that the state exists fundamentally for the protection of life and property and ensuring the wellbeing of the citizens and unless it performs this basic function it has no reason to exist. The essay equally establishes that no other time since the civil war era has Nigeria's state been seriously engulfed in perennial security challenges than now. It is the stand of this essay that the current trend of violence imprints on the psyche of Nigerians that the government security apparatus is incapable of guaranteeing the security, safety and wellbeing of the people. It is the candid opinion of this essay that the paradox of Nigeria's state security is that instead of the state being a framework of lawful order and the highest source of authority, it now constitutes the greatest threat to itself. The essay submits that peaceful protest is against the ruling elite that has exploited and appropriated the collective patrimony to itself. It substantiates the legality of EndSARS Protest necessitated by the improprieties of the unit of Nigeria Police Force – Special Anti-Robbery Squad (SARS) against human rights violation, extortion, torture brutality and extra-judicial killings by SARS due to sustained years of leadership deficit in Nigeria. The protest though hijacked by hoodlums is a wake-up call for articulation of good leadership and governance in Nigeria. The Essay adopts an expository and critical evaluation method to drive home its aims and objectives. It relies on secondary sources of information such as journal articles, National dailies and magazines.

Keywords: Law, endsars, violence, good leadership.



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INTRODUCTION

For far too long, the country's political leaders have been taking a perceived docile nation for a ceaseless ride, which is cyclical in nature. Fortunately and rightly so, it appears the present generation of youths are not in any way ready to entertain leaders who behave as if they (leaders) operate on another planet. That is why the End SARS, a social movement birthed on Twitter is spearheaded the ban of the special Anti-Robbery Squad, a unit of the Nigerian Police Force (NPF) whose operatives have allegedly been involved in extortion of Nigerians, armed robbery, humiliation, maiming and killing of innocent Nigerians. As a matter of truism, for the first time as an independent nation, the youths, via the instrumentality of the End SARS campaign have suddenly come to terms with the reality that Nigerians (people) can move against a government, get their demands on a platter, and even bring the government (State) to its knees all via peaceful protest on the streets. What makes the protest more captivating and interesting in the entire scenario remains the fact that the protests which totally jolted the government had no clear cut organizers other than aggrieved youths bonded by pains elicited by sheer inhumanity by the Federal Government Perennial insensitivity to victims wailings.

In the 21st century, the reality holds in high esteem for the justification of a state lies in its role as the guarantor of last resort of the personal safety, liberty and property of the citizens. Put differently, the state exists fundamentally for the protection of life and property and ensuring the well-being of the citizens. A state that cannot or does not perform this function has no reason to exist. One can arguably say that no other time since the civil war era has the Nigerian state been seriously engulfed in perennial security challenges that threaten the very foundation of the country than now. The current trend of violence is imprinting on the psyche of Nigerians is that the government security apparatus is incapable of guaranteeing the safety and security of people (Eyo and Ojong 32; Chima et al, 28; Ogar and Ogar 22). The paradox of Nigeria's security is that instead

of the state being a framework of lawful order and the highest source of authority, it now constitutes the greatest threat to itself (Edor, 57). Against this backdrop, this essay establishes the legality of the EndSARS protest necessitated by the improprieties of the unit of Nigerian Police Force- Special Anti-Robbery Squad (SARS). This essay also establishes that the emergence of EndSARS protests is the result of pent up frustration. Following years of human rights violations, extortions, torture, brutality and extra-judicial killings by SARS sustained by years of inept leadership in Nigeria. It is our submission that the EndSARS protest is legal though hijacked by hoodlums is a wake-up call for timeous articulation of good leadership in Nigeria.

SARS WHAT IS IT?

The Nigeria Police was first established in 1820 but it was over a century later in 1930 that the northern and Southern Police force merged into the first national police force; called the Nigeria Police Force (NPF). In 1992, the Special Anti-Robbery Squad (SARS) was formed to combat armed robbery and other serious crimes. Before that, anti-robbery was the responsibility of the Nigerian Police Force generally, although from 1984 anti-robbery units existed separately as part of different states criminal investigation departments. Other special units which went by different names, included the intelligence unit, formed to tackle rising violent crime following the end of the Nigerian civil war in 1970. By the early 1990s, armed robbers and bandits were terrorizing Lagos and Southern Nigeria. Police Officer, Simeon Midenda was incharge of the anti-robbery unit of the criminal investigation department in Benin, Southern Nigeria. With crime on the rise in Lagos, Midenda was transferred and tasked with uniting the three existing anti-robbery squads operating in the former Federal Capital Territory into one unit in a bid to break the stronghold of armed gangs. As the new sheriff in town, equipped with 15 officers and two Station Wagons, Midenda formed an amalgamated unit and named it the Spcial Anti-Robbery Sqad (SARS) in 1992. The Squad functioned under different conditions from the

regular police, wearing plain clothes, and carried specialist weapons, operated mostly covertly in unmarked vehicles and was also used as a rapid response team.

In the heydays hardly did law abiding citizens ever encounter the SARS, and they were quite effective in tackling particularly armed robbery. Gradually, SARS became more visible in daily life with men in plainclothes carrying sophisticated weapons in public, mounting roadblocks; stopping public and private vehicles for stop and search operations. For 10 years, SARS only operated in Lagos but by 2002, it had spread to all 36 states of the federation as well as the Federal Capital Territory Abuja. It was counted as one of the 14 units under the Nigerian Police Force Criminal Investigation Intelligence Department. Its mandate includes arrest, investigation, and prosecution of suspected armed robbers, murderers, Kidnappers, hired assassins and other suspected violent criminals.

THE PARADOX OF SARS

In the words of Owoyemi Emmanuel, “the spate of violent and unlawful killings by officers of the Special Anti-Robbery Squad (SARS) unit of Nigerian Police in South West region of Nigeria has not only queried the efficiency required by the police in discharging their duties but has greatly undermined human security”. (49). to further corroborate the fact that the Nigerian Police is encapsulated in paradox, Owoyemi posits that, it is a common saying that the police are your friend. But in a country like Nigeria, the opposite is the case. It is evident that ordinary citizen thinks the police man is anything negative, and not a friend (50). Registering their bitterness against SARS Samantha Ruppel and Olu Arowobusoye posits thus;

SARS became more visible in daily life, with men in plain clothes carrying sophisticated weapons in public, mounting road blocks, stopping public and private vehicles for stop and search; then the extortion began. SARS men, yes almost exclusively men began to stop young people, both men and women,

particularly those inexpensive cars, dressed in trendy clothes, or those who have body tattoos or fashionable hairstyles, carrying laptops or expensive phones. (blog.Prif.org).

They explain further that, the justification of SARS for harassing and extorting seemingly well-heeled Nigerian youths is because cybercrime is very prevalent in Nigeria. Eventually the SARS men became more violent and dangerous than armed robbers and have been known to brutally beat and detain innocent citizens and many times allegedly shot several innocent people to death;

The Police all over the World are State security apparatus or agency vested with the responsibility on law enforcement and maintenance of order in the society. In carrying their responsibilities, when the need arises, the constitution of the Federal Republic of Nigeria, the police Act, International Conventions, professional ethics and other statutes regulates as well as constrain the use of force by police in discharging their statutory functions. Despite these unequivocal regulations, the police in most Countries of the World Nigeria inclusive still swim in the pool of paradox as they resort to using extreme force beyond limits as allowed by law in carrying its responsibilities and in the process grossly disregard the rule of law and resorted to killings extra-judicially (unlawfully) torture and subject civilians or citizens to all manner of inhuman and ill-treatment against the citizens they have earlier sworn to protect.

On the heels of the above, Maurice remarks, Typical of the NPF, which is pejoratively referred to by some as a “No permanent friend” SARS became notorious for alleged links to extra-judicial killings, extortion torture, and acts of intimidation. In 2016, an online media organisation described SARS as a “Police Unit with licence to kill” (kuensa-amani.sscr.org)

One could never but asked is SARS behavior a human right abuse? This is serious human right issue. Katherine Singh affirms this in her article titled “What to know about the ~~NE~~EndSARS Protest Movement in Nigeria” thus;

We consider torture a human right violation and they do torture people. They also confiscate property from suspects we also consider that as an egregious human rights issue. And the fact that SARS is supposed to be dealing with armed robbery and other high caliber crimes like kidnapping, but instead of doing that they have concentrated their attention on arresting young people; these are all violations of human rights (www.flare.com/news/end-sars-nigeria).

It is highly paradoxical that how a police unit established to combat armed robbery and other high caliber crimes became synonymous with unlawful killings, torture and extortions. Sada Malumfashi narrates Ugly episode of Kofi Bartels, a 34 year old radio journalist in Nigeria’s River State who was filming three police officers from the Anti-Robbery Squad (SARS) beating another man when they and three of their colleagues turned their attention to him. In a series of tweets, he described being beaten and arrested “they took turns to slap, punch and kick me while I was struggling with a swollen knee. At least six officers one at a time” (www.adjazeera.com) Philomena Celestine, 25, has also seen SARS brutality up close. In 2018, she was travelling home from her University graduation ceremony with her family in Edo State, when their car was pulled over by SARS and her two brothers taken out. Philomena recalled thus: “My four year old niece was in the vehicle but they cocked their guns at our car and drove my brothers into the bush where they harassed them for over 30 minutes, and accused them of being cybercriminals. They could see my graduation gown but that did not deter them. My sister was crying and trembling in fear”. (www.adjazeera.com). these accounts are just two of many that sparked protests against the unit across Nigeria

The outcry against SARS became even more vociferous as the usage of social media increased in Nigeria, championed by young people who documented and shared the alleged atrocities of SARS documented on social media platforms. In early October this year, particularly graphics images appeared on social media of SARS brutalizing young people in various parts of Nigeria. Nigerian youths became fed up and moved their certainly peaceful offline protests to the streets of major cities in Nigeria, particularly Lagos, Abuja and Several other states across the Nigerian federation.

The EndSARS protest launched a #5 or 5 demands asking for 1. Immediate release of all arrested protesters; 2. Justice for all deceased victims of police brutality and appropriate compensation for their families; 3. Setting up and independent body to oversee the investigation and prosecution of all reports of police misconduct within 10days; 4. In line with the new police Act, Psychological evaluation and retraining (to be confirmed by independent body) of all disbanded SARS officers before they can be redeployed; 5. Increased police salary so that they are adequately compensated for protecting lives and property of citizens.

Come to think of it, state actors in Nigeria have shown lack of political will to creatively respond to demands and expectations of the citizens. The protests have become a metaphor for broader resentment against a dysfunctional system that has frustrated any organic development in the country. It has opened the path for the people to vent bottled-up frustrations against a system that has held so much promised but delivered so little. #EndSARS is protest against ruling elite that has exploited and appropriated the collective patrimony to itself. Therein lays the legality of the EndSARS protest to curb the excesses of SARS which is not unconnected with leadership deficit in Nigeria.

THE INTERVAL HUMAN RIGHTS FRAMEWORK ON THE RIGHT OF PEACEFUL ASSEMBLY

Nigeria is a state party to the 1966 International Covenant on Civil and Political Rights (ICCPR). Article 21 governs the right of peaceful assembly, providing that:

The right of peaceful assembly shall be recognized. No restrictions may be place on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interest of national security or public safety, public order (order public) the protection of public health or morals or the protection of the rights and freedom of others.

Nigeria is not a state party to the first optional protocol to the ICCPR, which allows individuals to petition the Human Rights Committee if they believe the state has violated their human rights as protected under the covenant. At regional level, Nigeria is a state party to the 1981 African Charter on Human and Peoples Rights. Article II provides as follows:

Every individual shall have the right to assemble freely with others. The exercise of this right shall be subject only to necessary restrictions provided for by law in particular those enacted in the interest of national security, the safety, health, ethics and rights and freedoms of others. Nigeria is a party to the 1988 protocol on the African Court on Human and Peoples Rights but has not allowed the right of petition to the court by individual and non-governmental organizations.

THE DOMESTIC LEGAL FRAMEWORK ON THE RIGHT OF PEACEFUL ASSEMBLY

Under Section 40 of the 1999 constitution of the Federal Republic of Nigeria (as amended) every person is entitled to assemble freely and associate with other persons. Section 45 permits these rights to be restricted in the interests of defence, public safety,

public order, public morality or public health, or to protect the rights or freedoms of others.

National Legislation

The 1979 public order Act is the primary legislation regulating assemblies in Nigeria. In 2007, the court of Appeal quashed several sections of the public order Act. The court decision, however, has not yet been reflected in legislative changes. Notification is no longer required unless the organizers wish to receive police protection. In its 2007 judgment in *All Nigeria Peoples Party Inspector General of Police*, Justice Adekeye held that;

The public order Act be promulgated to complement sections 39 and 40 of the constitution in context and not to stifle or cripple it. A rally or placard carrying demonstration has become a form of expression of views on current issues affecting government and the governed in a sovereign state. It is a trend recognized and deeply entrenched in the system of governance in civilized countries- it will not only be primitive but also retrogressive if Nigeria continues to require a pass to hold a rally. We must borrow leaf from those who have trekked the rugged path of democracy and are now reaping the dividend of their experience. (www.righttoassembly.info)

The surviving provisions in section 1 of the public order Act empower a state Governor to prescribe the route by which and the times at which any procession may pass. In addition while the use of uniforms is explicitly permitted by section 9 of the Act, the Commissioner of Police in the relevant state may nonetheless prohibit it if he or she is of the opinion that wearing it is offensive or is likely to provoke a breach of the peace.

The Legal Framework on Use of Force during Assemblies

International legal rules: under international law, the duty on the state and its law enforcement agencies is to facilitate the enjoyment of the right of peaceful assembly.

According to the 1990 United Nations basic principles on the use of force and firearms by law enforcement officials, in the dispersal of assemblies that are unlawful but non-violent. Law enforcement officials shall avoid the use of force or where that is not practicable, shall restrict such force to the minimum extent necessary. All force used by police and other law enforcement agencies must be necessary for a legitimate law enforcement purpose and proportionate to that purpose.

The Use of Firearms

International legal Rules: According to the 1990 United Nation Basic Principles in the dispersal of violent assemblies, a law enforcement official may only use firearm against a specific individual where this is necessary to confront an imminent threat of death or serious injury or a grave and proximate threat to life.

National Legislation

Police Force Order 237, titled Rules of Guidance in the use of firearm by the police; stipulates as follow: a police officer may use firearms when necessary to disperse rioters or to prevent them from committing serious offences against life and property. Further, 12 or more people must remain virtuously assembled beyond a reasonable time after the reading of the proclamation before the use of firearms can be justified.

Paragraph 6 of the order provides that: Fire should be directed at the knees of the rioters. Any ringleaders at the forefront of the mob should be singled out and fired on. Only the absolute minimum number of rounds necessary to suppress the riot should be fired. Never under any circumstances will warning shots be fired over the head of rioters. These provisions donot comply with the international law.

State Compliance with Its Legal Obligations

In its 2019 concluding observations on Nigeria Human Right Committee expressed its concern that the constitution allows for a broad use of lethal force (in section 1.10) including for the defense of property and that the provisions of the code of criminal procedure, the Administration of justice Act, and police order 237 authorize the use of force without adequately restricting the nature of the force and setting out the principles of necessity or proportionality, (1). The alleged killings of more than 150 members and supporters of the indigenous people of Biafra (IPOB) during operation Python Dance on the occasion of non-violent gathering in 2015 and the alleged killings of 350 supporters of the Islamic movement (Shhite) in Nigeria in response to their barricading of roads blocking the passage of military convoy in December 2015 is a gross violation of constitutional rights of citizen to peaceful assembly.

VIEWS OF CIVIL SOCIETY ON #END SARS PROTEST

Amnesty International on 21st October, 2020 said that at least 12 people had been killed at Alausa and Lekki Toll Gate in Lagos and hundreds of others injured when police and soldiers opened fire with live ammunition at unarmed protesters. Amnesty said that CCTV cameras had been removed to prevent the collection of evidence.

From the foregoing, it is abundantly clear that the right to peaceful assembly is internationally and constitutionally guaranteed. However, federal and state governments frequently ban public events perceived as threats to national security, including those that could incite political, ethnic or religious tension. Rights groups have criticized federal and state government for prohibiting or dispersing protests that are critical of authorities. The right of peaceful assembly is not fully respected in Nigeria, particularly in the case protests against the government. Nigeria should restrict use of firearms in accordance with international law as x-rayed above.

RATIONALITY FOR ENDSARS PROTEST

The #EndSARS protest is more than a call for security sector reform in Nigeria as the protest came amidst economic crisis occasioned by fall in global oil demand and prices, institutionalized corruption, and state profligacy.

Existing social inequalities have been exacerbated by the outbreak of the Covid-19 Pandemic. The cumulative effect of the pandemic on the society in the absence of safety nets have coincided with months of closure of educational institutions leaving many young people alienated and angry. This has been complicated by worsening economic conditions and bleak projections for the future.

Unfortunately as Maurice rightly observes, the state actors in Nigeria have shown a lack of political will to creatively respond to the demands and expectations of the citizens. Consequently, the protests have become a metaphor for broader resentment against a dysfunctional system that has frustrated any organic development in the Country. Maurice further remarks that the EndSARS moment/protest has opened the path for the people to vent bottled up frustrations against a system that has held so much promise but delivered so little. EndSARS is a protest against ruling elite that has exploited and appropriated the collective patrimony to itself. This is of course is suggestive of leadership deficit and or lack of good governance (Eyo 54; Eyo and Ojong; Eyo, and Udofia, 53).

No wonder, Mike Opeyemi, in his article titled *interrogating Nigeria's Governance Failure through the Prism of Insecurity Posits* and rightly so that the minimum requirements of social contract are supposed to be delivered by the state, especially one in which democracy and good governance hold sway. Nigeria has never had this, and certain social, political and economic indicators predispose scholars and observers to speculate that Nigeria is destined for classification as a failed state (1). Without mincing words, the modern state has become among other things, a provider of goods and services, social

insurer, wealth distributor, moral guardian, entrepreneur, keeper of currency banker and economic planner. But Nigeria has been abject failure in each of these roles due to leadership deficit and the gap in good governance.

The aforementioned sad narrative must have prompted Anazodo et al, in their write up "Leadership, Corruption and Governance in Nigeria: Issues and Categorical Imperatives, assert that Nigeria is inundated with rich human and material resources begging to be harvested by purposeful, creative and innovative leadership. Leadership that is based on the cultural values of the people and takes a Bottom-up approach holds key to unlocking the development quagmire Nigeria has found itself, however, this not working due to leadership failure (42).

One can never be far from the truth, to assert the abortion of the Nigerian possibility has been long signposted by the total institutional collapse, festering corruption, barefaced fraud, incandescent ethnic and religious violence and ineptitude, total collapse of value system and entrenchment of official roguery, Nigeria has remained a clay-footed giant, stuttering from one fall to another despite her enormous endowments. Nigeria is indeed experiencing a fundamental crisis in governance.

The sustained leadership deficit experiences in the Country since her return to democratic governance in Nigeria must have ignited Bishop Kukah rhetorical question as captured by Opeyemi thus; How do we explain the fact that after over 50 years, we are unable to generate and distribute electricity, supply water to our people, reverse the ugly and avoidably high infant mortality, set up and run effective educational system, agree on rules of engagement of getting into power, reverse the circle of violence that that attends our elections, contain corruption, instill national discipline and create a more humane and caring society?(cited in Opeyemi 45). It would seem, all boils down to corruption occasioned by leadership deficit and bad governance in the Country. There is lack of

critical mass of men and women of integrity willing to harness and unleash the various resources in the Country for the common good or public interest.

There is no gain saying the fact that, the large number of young unemployed or under-employed graduates in Nigeria constitutes a risk to the security of the Country. This situation portends a bleak future for the country because Nigeria is now creating an array of potentially restless, miserable, frustrated and violent young people with reasonable amount of education. This group can easily be mobilized to demand for their social and economic rights which we have seen in the #EndSARS protests birthed via the instrumentality of the social media. As said earlier, #EndSARS protest is predicated on the fact that state actors in Nigeria have shown a lack of political will to creatively respond to the demands and expectation of the citizens. The protests have become a portent metaphor for broader resentment against a dysfunctional system that has frustrated any organic development in the Country. It has opened the path for the people to vent bottled up frustrations against a system that has held so much promise but delivered so little. To crown it all, #End-SARS is birthed against a ruling elite that has exploited and appropriated the collective patrimony to itself.

The EndSARS Protest/Movement demands were simple and straight forward; it unequivocally called for 1. That justice be provided to the victims of police brutality and reform the police. But the demands have snowball and have grown to include a clarion call to end insecurity and corruption, revival of the educational and health systems, reduction in the cost of governance, and creation of jobs and income opportunities for the youth. It is a protest against human rights violations by state actors and agencies. It reflect a deep-seated resentment against an oppressive political order. It also reflects long standing yearning for peaceful and positive change.

Senyi, Oyetunbe avers that it may have started to be a fight against police brutality. We must appreciate the honest truth, considering how dysfunctional they have rendered

Nigeria, the agitation of EndSARS must extend to capture the fight against poverty, unemployment, fuel like, electricity instability poor health care system, incessant ASUU strike, pension delay/denial, mortifying minimum wage, corruption injustice and but not limited to fat salaries for public office occupants.

On the heels of the above, and as justification for the rationality of EndSARS Protest, the principal consultant at Sam Adeyemi GLC Inc. pastor Sam Adeyemi said "Rarely does a generation have the opportunity to lead change as the one handed the youths of Nigeria right now through #SARSMUSTEND. It cut across the fault lines that divide Nigeria (t.guardian.ng), the cleric admonishes "My dear young citizens you must use this rare opportunity to secure deep changes that will lead to Nigeria's development. He further admonished the protesters thus; "Speak forcefully, but peacefully. Don't be provoked to violence. Don't act somebody else's script. Lightning has enough power to light a city, but it destroys because it has no structure. Shift gear into participation in the political process when the time comes soon". Adeyemi who is the Senior Pastor of Daystar Christian Centre, Lagos continued "the Police Officer causing you trauma is also dehumanized by the system. He is paid peanuts and forced to extort money to make his uniform, maintain operational vehicles, and retire some to bosses. Fight for him and his children (t.guardian.ng/Saturday-magazine).

This behooves that the degradation in the quality and unresponsiveness to the real needs of people seem to be accelerating and must be reversed in order to avoid disaster. It can be said that Nigeria is at cross-roads; it is tottering between integration and disintegration. The EndSARS Protest is a panacea to the wobbling posture of the Nigeria's polity.

Eno-Abasi Sunday writes "For far for long, the Country's political leaders have been taking a perceived docile nation for a ceaseless ride, which is cynical in nature. But alas, it appears the present generations of youths are not in any way ready to entertain

leaders who behave as if they (Youths) donot matter, or as if they (Leaders) operate in another planet. Indeed, for the first time as an independent nation, the youths through EndSARS campaign have suddenly come to terms with the fact that they can move against a government, get their demands on platter and even bring the government to its knees all via peaceful protest on the streets. (t.guardian.ng/saturday –magazine).

From the foregoing the nationality of the EndSARS Protest is justified. After all, in section 14(2b) of Nigeria (as Amended) states clearly that the security and welfare of people shall be the primary purpose of government.

ENDSARS A LESSON FOR THE FUTURE

Maurice Ogonnaya, a Senior fellow at the National Institute for Policy and Strategic Studies (NIPSS) asserts that while the experiences of Egypt, Libya and Tunisia in the Arab spring provide lessons for Nigeria, how the government manages the EndSARS Protests will ultimately define the future of democratic governance in Nigeria. He upholds that the protests offer an opportunity for genuine governance reform in Nigeria. Unfortunately, the dilemma, however is that government is resolute to preserve its hold on power is employing different strategies to force an end to the protests including the deployment of the military.

As a matter of urgency, the Federal Government should indeed be worried by the growing loss of public confidence and trust in its sincerity to address genuine demands of the EndSARS Protests. Though the governments at federal and state level have set up judicial panel of inquiry to deliver justice, peace and reconciliation, activities of overzealous institutions like the Central Bank of Nigeria (CBN) are abusing instruments of the state to victimize victims. The self contradiction and sheer hypocrisy in government's disposition to the matter as a whole are exercises in dishonesty and bad faith, which are antithetical to the noble cause of a better society that youths are seeking.

Following the EndSARS Protests and the misfortune of its hijack by political thugs and hoodlums, President Muhammadu Buhari addressed the nation saying Nigerians youths had spoken and he had heard them loud and clear. He pledged to address the five demands bothering on justice and accountability to bring an end to protests and agitations. But it is worrisome that state agencies have begun to act on the contrary to deliberately discredit the peaceful protests, rubbish the grounds for panel of inquiry and scuttle reconciliation of public confidence in the state and security forces. To deepen the gulf of mistrust, and hypocrisy of government, the Inspector General of Police who by act of commission or omission, incited armed police officers to defend themselves against the Nigerian public contrary to the constitutional provision for civil protests in a democracy, the police hierarchy has unilaterally proscribed all forms of protests.

Caught in the web of gross hypocrisy too is the Minister of information and culture and his cohort Rauf Aregbeshola, Minister of Interior have begun a subtle campaign to gag the freedom of speech by invoking the controversial Anti-social media bill under the guise /pretence of regulating fake news. Worse still, the Nigeria Immigration Service (NIS) without establishing any threat to national security ceased the travel passports of some protesters and infringed on their fundamental right to free movement.

Most disturbing too, is the new found roles now adopted by the CBN in freezing accounts of young peaceful protesters. The apex bank strangely had approached to the court to get ex parte order to investigate accounts of some of the protesters, to find if there are misdemeanours in their transactions. An in abuse of the granted order, the CBN literally went gung-ho at young Nigerians, freezing accounts and disconnecting them economically even before any investigation or illegalities of transactions were established. For clarity, the state reserves the right to flag and prosecute financial impropriety and abuses. But the provisions of the law primarily mandated the CBN to ensure monetary and price stability. The Nigerian Financial Intelligence Unit (UFIU) that is domiciled in

CBN is responsible for the receipt of disclosures from reporting organizations, the analysis of these disclosures and the production of intelligence for dissemination to competent authorities which are the police. The CBN, acting on mere suspicion without investigation or recourse to the police is freezing accounts. According to the letter of law, the CBN has erred and shown to be biased against the Nigerian public.

The Federal Government is already setting a dangerous precedent that will foreclose the basis for peaceful negotiation with the government in the future. It is a well known fact that the government's credibility rating has always been dwindling with the EndSARS aftermath, it has tumbled. Representatives of the youth in Lagos panel of inquiry have rescued themselves in protest against government insincerity. Government ingenious reactions at seeking scapegoat for EndSARS fallout. However, it is not in the interest of prosperous Nigeria to keep eroding public confidence in the ruling class.

Government should see the EndSARS Protests as an opportunity for peaceful reform. It does indicate that a generational shift in the paradigm of power and governance has forced its way on to the national agenda to galvanize citizenship, leadership and good governance in Nigeria.

CONCLUSION

It can arguably be said that no other time since the civil war era has the Nigerian state been seriously engulfed in perennial security challenges that threaten the very foundation of the country than now. The current trend of violence is imprinting on the psyche of Nigerians is that the government security apparatus is incapable of guaranteeing the safety and security of people. The paradox of Nigeria's security is that instead of the state being a framework of lawful order and the highest source of authority, it now constitutes the greatest threat to itself. Against this backdrop, this essay establishes the legality of #EndSARS Protest necessitated by the improprieties of the unit of Nigerian Police Force.

Special Anti-Robbery Squad (SARS). The essay submits that the protests are the result of pent up frustrations following years of human rights violations, extortion, torture, brutality and extrajudicial killings by SARS. Worse still, it is a protest against the ruling elite that has exploited and appropriated the collective patrimony to itself, due to sustained years of inept leadership. The protest has sufficient legal back up by international law and domestic legislation through hijacked by hoodlums is a wakeup call for articulation of good leadership and governance in Nigeria.

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