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Anarchism as a Tool of Development: Lessons from the Endsars Protests

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Abstract

Anarchism, when viewed from a positive angle, can be a tool for development in a progressive democratic society, and a veritable instrument in positively altering obsolete laws and institutions, when the proper lessons are drawn from the demands of the anarchists, and positive steps set up to address the issues brought to fore by the anarchy. Over the years, the Nigerian security architecture, especially the Nigeria Police, has witnessed constant decline with harassment, derogation of the human rights of members of society, extra-judicial killings and all manner of corruption becoming rife. Several demands on the government to nip the rising menace in the bud, and to positively position these agencies have not yielded the desired results. The EndSARS protest presented another opportunity to address the growing malaise.

The essence of this article is to examine the importance of anarchy to a progressive democratic society, highlight the role anarchy plays in altering obsolete laws and positively position state institutions. This article examines the adequacy of the government's approach in addressing the issues that came to the fore during the protests and points out the need to effectively address those issues. This article recommends efficient reforms that must be adopted, in properly addressing the prevailing mischief the EndSARS protest brought to the fore.

Keywords: *Anarchism, Anarchy, Jurisprudence, Governance, Fundamental Human rights, Socio-economic rights, Constitution, EndSARS protest*

A. Introduction

Laws are made to make human coexistence more peaceful and enjoyable. Institutions and systems are established through the laws to provide the right platform for the expression of these rules, and to ensure that these rules are adhered to, guaranteeing that there is order in the society. Acquiescing to rules and submitting to these institutions set up to ensure order becomes easier when those rules help promote an environment that allows members of society to flourish, and the institutions assist in the attainment of successes and achievement of individual aspirations, in tandem with the laws. Unfortunately, society evolves faster than the law, sometimes leaving some rules obsolete and a clog to the ambitions of members of society, while these institutions sometimes operate and embark on activities that are inimical to the aspirations they were created to help attain.

Consequently, members of society, sometimes in drawing attention to the retrogressive laws and institutional attitudes that toxify the environment that it is meant to lead to prosperity, call the attention of the government functionaries about the toxicity introduced by the obsolete laws, the pains the institution metes on the members of society and the impending institutional decay, while demanding positive proactive change. The demands are expressed in varying levels of anarchy

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and revolt against the existing system. The mischief the anarchy seeks to highlight and demand its change, when addressed properly by the Government, produces more peace and when ignored leads to more dire consequences.

This paper tries to highlight the importance of anarchy to any progressive society, with particular reference to the recent EndSARS protest in Nigeria, points to the need for the elite and government to learn from the anarchy, queries if the lessons meant to be learnt from the anarchy have been learnt and makes a case for the proper repositioning of the law enforcement agencies to engender a more democratic society that lives up to the yearnings of its populace.

B. Law as an instrument of social engineering and development

Laws govern every society, regulate human interactions within society and stipulate acceptable and unacceptable conduct. In its regulation of every facet of human conduct, the growth and progress of society are determined by the laws that govern society. The quality of the laws and adherence to those laws, therefore play a major role in the development of society. Law and development are intertwined. For example, a study on the apathy of developing countries in addressing cybercrime showed that while developed and highly-industrialized countries led the fight against cybercrime through robust legislative interventions and law enforcement mechanisms, the legislative interventions and commitment to addressing the menace keep reducing depending on the level of the development of each country analyzed.[1] Accordingly, a government interested in propelling economic growth must ensure adherence to the rule of law, guarantee the protection of the rights of its residents and ensure that these laws are clear, public, fair, enforced, and equally applicable to all members of society.[2] As Katz et.al observed, "modern societies rely upon law as the primary mechanism to control their development and manage their conflicts. Through carefully designed rights and responsibilities, institutions and procedures, law can enable humans to engage in increasingly complex social and economic activities. Therefore, law plays an important role in understanding how societies change".[3]As a consequence, as society evolves, the law ought to evolve with society so that the law does not become obsolete, a clog, a tool of repression by the law enforcement agencies or subject to justifiable disobedience by members of society.

Conversely, the efficacy of any law is tied to its enforcement mechanism and the existing legal/judicial system saddled with the responsibility of ensuring the rule of law is upheld. Accordingly, where a society has efficient laws, but has weakened the legal/judicial system, rendering those laws, their enforcement mechanism and their attendant procedural guidelines inefficient, the growth and progress of the society become farfetched.

C. Anarchism as a tool in developing the law and enduring policies

Anarchism as a political philosophy that is skeptical of authority and rejects all involuntary, coercive forms of hierarchy,[4] ordinarily depicts a system of chaos and a call for the emergence of the Hobbesian state of nature. Anarchism calls for the abolition of the state, power and authority,

[1] RE Nduka Cybercrime in a Cyber-dependent world: Enlisting the developing world in addressing the growing problem of cybercrime, LL.D Theses, University of South Africa, Pretoria, South Africa, 2019, p.117.

[2] DM Katz, C Coupette, JB and D Hartung 'Complex societies and the growth of the law' <Complex societies and the growth of the law | Scientific Reports (nature.com)> accessed 15 January 2023.

[3] *Ibid.*

[4] A Fiala 'Anarchism' <Anarchism (Stanford Encyclopedia of Philosophy)> accessed 15 January 2023.

which it holds to be undesirable, unnecessary, and harmful.[5] Anarchists further contend that democratic regimes are based on deceit, reinforced by the threat of violence.[6] Howard Zinn stated that "The word anarchy unsettles most people in the Western world; it suggests disorder, violence, uncertainty. We have good reason for fearing those conditions, because we have been living with them for a long time, not in anarchist societies (there have never been any) but in exactly those societies most fearful of anarchy—the powerful nation-states of modern times".[7]

However, anarchism can lead to the emergence of more humane laws and government policies while fighting unjust laws and policies. It provides a voice and is mostly an expression of the yearnings, collective aspirations or demand for positive change that has eluded the common members of society. A foremost Anarchist – Emma Goldman postulated that anarchism leads to the perfection of laws, and propels man to think, investigate, analyze and challenge man-made laws.[8] She further postulated that "the history of human growth and development is at the same time the history of the terrible struggle of every new idea heralding the approach of a brighter dawn. In its tenacious hold on tradition, the Old has never hesitated to make use of the foulest and cruelest means to stay the advent of the New, in whatever form or period the latter may have asserted itself".[9] Thus, anarchism propels new positive change; well suited to address contemporary concerns.

According to Nieburg "the threat of violence and the occasional outbreak of real violence-which gives the threat credibility – are essential elements in peaceful social change not only in international, but also in national communities".[10] He further pointed out that "the actual outbreak or demonstration of violence must occur from time to time in order to give plausibility to its threatened outbreak, and thereby gain efficacy for the threat as an instrument of social and political change,"[11] the goal of the threat of violence being the accommodation of interests and not the provocation of actual violence.[12]

The reality is that where the government ensures fairness and equality, providing the right environment for the citizens to pursue their individual and collective aspirations while ensuring equitable distribution of scarce resources, the need for actual or threatened violence will be minimal and mostly non-existent. The continuing neglect of the protective role of government mostly triggers skepticism over authority and government and fuels the desire and clamor for the abolition of government, or its institutions. Gbogborosi pointed out that the essence of politics and governance is to ensure proper resource mobilization, engender equitable distribution of those resources and to pursue the maximization of happiness for the citizens.[13] Unfortunately, even

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[5] W Price 'The abolition of the State' <The Abolition of the State/The Anarchist Library> accessed 15 January 2023.
[6] *Ibid.*
[7] See AP DeLeon 'Oh No, Not the "A" word! Proposing an "Anarchism" for education' <Oh No, Not the "A" word! Proposing an "Anarchism" for Education/The Anarchist Library> accessed 15 January 2023.
[8] E Goldman 'Anarchism: What it really stands for' <The Project Gutenberg E-text of Anarchism and Other Essays, by Emma Goldman> accessed 15 January 2023.
[9] *Ibid.*
[10] HL Nieburg 'The threat of violence and social change' *The American Political Science Review* Vol. 56, No. 4, 1962, 865 – 873. <https://doi.org/10.2307/1952789> accessed 15 January 2023.
[11] *Ibid.*
[12] *Ibid.*
[13] L Gbogborosi 'The essence of politics and governance' <The Essence of Politics and Governance - Vanguard News (vanguardngr.com)> accessed 2 February 2023.

though the Social Contract theory[14] posits that individuals in search of protection and comfort give up their individual natural rights in the hope that the government will provide the enabling environment for their meaningful existence, successive governments fail in their responsibility, hence the need to keep the governing class on their toes through anarchism.

In sum, given that society is dynamic and any regulation or policy that compels peaceful cohesion must also be adaptable, anarchism plays a vital role in the development of contemporary laws and the constant evolution of enduring policies well suited for society at any given time.

D. The EndSARS protest and the mischief it sought to cure

In most societies, the government sets up institutions to protect the fundamental human rights of the members of the society on one part, and in understanding the essence of State formation, move a step further to promote and provide the right environment for the flourishing of the socio-economic right of the citizens. This is because, as Nduka et.al pointed out, "the purpose of Government revolves around serving the interest of the people, making policies that will protect and provide a sustainable livelihood for members of the society, providing security and a safe environment for its citizens, promoting the rule of law, ensuring proper delivery of essential services, creating employment and the enabling environment for businesses to thrive, building infrastructures that will assist in the general welfare of citizens, and protecting the individual rights of its citizen".[15] Consequently, in line with the social contract theory, "the essence of state formation and the emergence of government structures set up in lieu of individual natural rights, is to protect the individual rights of members of the society and to provide an enabling environment for the members to succeed and achieve their aims while living a life of dignity, making the reliance on individual dexterity that could give rise to a state of nature and/or survival of the fittest, less attractive".[16]

In Nigeria, the government, in seeking to protect members of the society have codified the Fundamental Human Rights, which seek to protect the right to life, right to dignity of human persons, right to personal liberty, right to fair hearing, right to private and family life, right to freedom of thought, conscience and religion, right to freedom of expression and the press, right to peaceful assembly and association, right to freedom of movement, right to freedom from discrimination, right to acquire and own immovable property, freedom from compulsory acquisition of property.[17]

The government in seemingly identifying its primary obligation to the governed has also moved a step further in codifying socio-economic rights. These socio-economic rights, places sovereignty on the people of Nigeria; makes the security and welfare of the people the primary purpose of government, mandates the State to ensure the participation of the citizenry in government, demands that the composition of government should reflect federal character while promoting

[14] "According to the theory of social contract, individuals come together to form a society, live peacefully, respect each other's rights, conform to the laws of the state or community and in turn agree to give up some of their rights in order to enjoy the protection, comforts, and developments the society offers". See RE Nduka, CB Nwankwo, CV Nduka and VC Arinze 'Justiciability of Chapter II of the Nigerian Constitution: A need for Judicial activism in its interpretation' 9 (2023) *NAU.JCPL* 133-144. See also C Friend 'Social Contract Theory' <Social Contract Theory | Internet Encyclopedia of Philosophy (utm.edu)> accessed 2 February 2023.

[15] RE Nduka, CB Nwankwo, CV Nduka and VC Arinze 'Justiciability of Chapter II of the Nigerian Constitution: A need for Judicial activism in its interpretation' 9 (2023) *NAU.JCPL* 133-144.

[16] *Ibid.*

[17] Sections 33 – 44 Constitution of the Federal Republic of Nigeria (1999) as amended.

national unity and commanding national loyalty; mandates the government to encourage national integration, through the provision of adequate mobility of people, goods/services, inter-marriage, and formation of association; provides for the abolition of corrupt practices and abuse of power; mandates the government and its agencies to harness the resources of the nation, promote national prosperity and engender a self-reliant economy, and control the national economy in a manner that engenders maximum welfare, freedom and happiness for the citizenry through social justice and equality; obligates the State to ensure that a planned and balanced economic system that harnesses and distributes the Nation's material resources for the common good, is operated in a manner that ensures that the system is not concentrated in the hands of a few, and providing suitable and adequate shelter, food, a reasonable national minimum living wage, old age care/pension, employment, sick benefits, and welfare of the disabled; is put in place; mandates the State to ensure that a social order built on freedom, equality and justice, ensuring that equality of rights and opportunities before the law, recognition and maintenance of the sanctity of the human person, humane government activities, exploitation of human or natural resources for the common good, independence and impartiality/integrity of the courts of law, are attained; mandates the State to direct its policies towards ensuring that all citizens have the same opportunity for means of livelihood and suitable employment with just and humane conditions of work, providing the right environment that safeguards the citizens' health safety and welfare in employment, with equal pay for equal work; mandates the States to provide adequate medical and health facilities for all, adequate protection for children, young or aged from moral and material neglect, and the promotion of family life; mandates the government, to ensure equal and adequate education and opportunities at all levels; take steps to eradicate illiteracy and as is practicable provide free compulsory universal primary education, free secondary education, free university, and adult literacy programs.[18] Unfortunately, these socio-economic rights which sum up the core of government's responsibility to the people is made unjusticiable by the same constitution that provided for those rights.[19]

The security agencies especially the Nigerian Police, are major drivers in the protection of the fundamental human rights and socio-economic rights of the members of the Nigerian society. Over the years, the discretionary powers given to the police to perform their roles in the protection of fundamental human rights and socio-economic rights are normally abused by security agencies. The Police, in their prevention and investigation of crime, further misuse their powers in exasperating proportions.

All over the world, abuse of coercive power by security agents rears its head intermittently. For example, the Council on Foreign Relations reported that police brutality, though arising in varying degrees, is still a reoccurring problem in many advanced democracies.[20] The United Kingdom, though with lower incidences of police brutality unlike their counterparts in the United States, still

[18] Section 14 – 18 of Constitution of the Federal Republic of Nigeria (1999) as amended. See also RE Nduka, CB Nwankwo, CV Nduka and VC Arinze 'Justiciability of Chapter II of the Nigerian Constitution: A need for Judicial activism in its interpretation' 9 (2023) *NAU.JCPL* 133-144.

[19] Section 6(6)(c) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).

[20] A Cheatham and L Maizland 'How police compare in different democracies' <What Are Police Like in Other Countries? (cfr.org)> accessed 7 March 2023.

points to factors like the "warrior culture"[21] in policing as a major driver that "sees police officers default to violence and aggression when conflicts arise".[22]

These deleterious police actions, normally draw the ire of the members of the society who bear the brunt of the brutality, pushing these members to take both legal and extra-judicial means in demanding that the government reins in their agents. Unfortunately, the manifestation of these extra-judicial actions varies depending on how each governing system within each society respects the rule of law. This is simply because the rule of law compels possessors of coercive powers to substantially play by the books, holding derogators accountable for breaching established protocols. Regrettably, government institutions governing most developing countries constantly downplay respect for the rule of law since the human drivers of these institutions thrive in illegality that benefits personal avaricious aspirations. The system simply benefits the political class.

The return of independence in Nigeria saw a gradual decline in the various institutions in Nigeria. Government agencies and institutions gradually orchestrated a decline in ensuring that the quest for justice guides their activities. Unfortunately, Security agencies were not left out of the gradual decline. The various blights in the Nation's history, ranging from the Civil war,[23] military interventions in governance,[24] enthroned mediocrity which further exacerbated the sloppy decline that led to a complete distrust of the Nigerian security agencies to perform their statutory duties, optimally. Unfortunately, these deviant inclinations are prevalent within societies with weak legal and judicial systems that condone police lawlessness, like in Nigeria.

Researchers pointed out that a culture of police corruption arises from failures in four key areas which include "(a) recruitment, training and promotion; (b) resource, such as pay and equipment; (c) systems of accountability within departments, courts and the law; and (d) cultural traditions that inhibit the development of professional police standards".[25] The police culture encourages and protects offending officers, even when they commit the most heinous of crimes.[26]

A Human Rights Watch report pointed out that "the Nigeria Police Force, established in 1930, has a long history of engaging in unprofessional, corrupt, and criminal conduct. Over the years, this unwieldy force—Africa's largest—has proved difficult to effectively manage and control and has become largely unaccountable to the citizens it is meant to serve".[27] The Report further stated that eighty years after the birth of the Nigerian Police, "members of the force are viewed more as

[21] The warrior culture is "the idea that police officers should approach their duties with a mentality of being constantly ready for conflict and using force as necessary to protect themselves and others" which increases the likely use of inappropriate force in dealing with issues. D Crews 'Warrior v. Guardian Mindset - We are the ones who created it' <(26) Warrior v. Guardian Mindset - We are the ones who created it. | LinkedIn> accessed 7 March 2023.

[22] TL Quinlan 'Police 'warrior culture' makes US-style police brutality a UK problem too' <Police 'warrior culture' makes US-style police brutality a UK problem too - University of Birmingham> accessed 7 March 2023.

[23] The Nigerian Civil war took place from 1967 – 1970. The Nigerian civil war amongst other negative consequences brought about a colossal waste of resources and a collapse of all government system in Nigeria.

[24] A Simwa 'Disadvantages of military rule in Nigeria and democratic values' <Disadvantages of military rule in Nigeria and democratic values - Legit.ng> accessed 7 March 2023.

[25] H Williams 'Core factors of Police corruption across the world' <Forum on Crime and Society, Core factors of police corruption across the world (unodc.org)> accessed 7 March 2023.

[26] F Busari 'How Nigeria Police shield lawless officers from wrath of law' <How Nigeria Police Shield Lawless Officers From Wrath Of Law – Independent Newspaper Nigeria> accessed 7 March 2023.

[27] J Emmerson 'Everyone's in on the game: Corruption and Human Rights Abuses by the Nigeria Police Force' <"Everyone's in on the Game": Corruption and Human Rights Abuses by the Nigeria Police Force | HRW> accessed 7 March 2023.

predators than protectors, and the Nigeria Police Force has become a symbol in Nigeria of unfettered corruption, mismanagement, and abuse".[28]

The creation of the special unit – Special Anti-Robbery Squad (SARS) with the mandate to combat armed robbery, arrest, investigate and prosecute suspected armed robbers, murderers, kidnappers, hired assassins and other suspected violent criminals, became imperative given the decline in the ability of the regular police force in Nigeria to deal with the growing menace. The SARS unit, upon its creation, operated undercover and in plain clothes and plain vehicles, successfully facilitating the arrest of criminals and armed robbers.[29] Over time, their unconventional methods gave rise to a team of brutes.

According to Aljazeera, the Special Anti-Robbery Squad (SARS), which at its inception carried several covert operations, moved away from its main function and began setting roadblocks while carrying arms and in plain clothes, were implicated in widespread human rights abuses, torture, illegal detentions, extortions, detaining young men for cybercrime for just owning a laptop or smartphone.[30] According to Amnesty International, disappearances of suspects at the behest of the police became frequent.[31] For example, a report by the International Society for Civil liberties and the Rule of Law indicted the SARS Unit at Awkuzu, Anambra State, for being responsible for the killing and dumping of about 35 corpses inside the Ezu River, Amansea in 2013.[32] Several victims of police brutality pointed at SARS operatives as being behind their extreme torture, extortion and maiming. The Police hierarchy seemed or pretended to be helpless and unable to rein in the excesses of this unit and unfortunately appeared incapable of bringing them to book despite overwhelming evidence against these operatives.[33] For example, several SARS units were called "abattoirs" for their reputation as a human slaughterhouse, while its operatives towered above the law, in constant proud disrespect of the Courts and utter disdain for its orders.[34] The various levels of the Nigerian government also seemed helpless, proffering short-term ineffective methods in addressing the festering menace of police brutality. These "efforts" over time became insulting to the average Nigerian who is at the receiving end. Culpable police officers were never brought to justice and no one was made to answer for these nefarious activities, while the operative carried on knowing that consequences for their crimes were simply far-fetched. As the International viewpoint put it, "the special anti-robbery squad personified the bestiality of the police".[35]

In early October 2020, social media campaign in Nigeria ignited the ENDSARS protest. The hashtag #ENDSARS was used on Twitter and other social media platforms to draw attention to the issue of police brutality and call for the disbandment of the Special Anti-Robbery Squad

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[28] *Ibid.*

[29] S Malumfashi 'Nigeria's SARS: A brief history of the Special Anti-Robbery Squad' <Nigeria's SARS: A brief history of the Special Anti-Robbery Squad | Protests | Al Jazeera> accessed 9 February 2023.

[30] *Ibid.*

[31] A Sotunde 'EndSARS movement: From Twitter to Nigerian Streets' <#EndSARS movement: from Twitter to Nigerian Streets - Amnesty International> accessed 9 February 2023.

[32] A Oluwagbemi and T Okafor 'Ezu River dead bodies: Report indicts police four years after' <Ezu River dead bodies: Report indicts police four years after - Punch Newspapers (punchng.com)> accessed 7 March 2023.

[33] O Nwanguma '#EndSARS: My experience confronting SARS Atrocities' <#EndSARS: My Experience Confronting SARS Atrocities (premiumtimesng.com)> accessed 10 March 2023.

[34] <Breaking News | Breaking News How SARS Detention Centres In Nigeria Became 'Abattoirs' - LawCareNigeria> accessed 10 March 2023.

[35] '#EndSARS rebellion, repression & resistance in Nigeria' <#EndSARS rebellion, repression & resistance in Nigeria (internationalviewpoint.org)> accessed 10 March 2023.

(SARS).[36] The campaign gained momentum as more and more Nigerians shared their stories of police brutality and harassment in the hands of SARS officers.[37] The viral video of a man killed by SARS operatives tipped over the anger of the citizenry, especially the youth, to physically protest the continuous menace by SARS and its operatives in particular and the Nigerian Police brutality in general.[38] The protesters blocked major highways and intersections, and as the protests continued to grow in size and intensity, the Nigerian government initially responded with a heavy-handed approach, including the use of force, to disperse protesters and the arrest of some prominent activists. This, however served to fuel further protests, with many Nigerians joining the movement in solidarity.

The protests called for an end to police brutality and the disbandment of SARS, justice for victims of police brutality, demanding that the Police officers responsible for the acts of police brutality be held accountable and brought to justice, respect for human rights by security operatives, comprehensive reform and overhaul of the police force including better training, equipment and accountability measures.[39] As the protests lingered, the demands widened to issues of good governance demanding an end to corruption, the emergence of better governance and increased economic opportunity in Nigeria.[40]

E. Governments' response to the EndSARS demands

The various levels of government, in response to the escalating tension, initially appeared to be taking the protesters' demands seriously and even disbanded the SARS unit. The government also set up panels to investigate the various reports of police brutality.[41] The Nigerian Vice President, Yemi Osinbajo SAN, lent his voice, condemning police brutality and describing same as annoying and unacceptable, while several key government officials deprecated police brutality in the country and even joined some of the protesters in their march.[42] The Nigerian Governor's forum also resolved to activate judicial panels of inquiry within their respective states.[43] The Nigerian President claimed to have instructed the Inspector General of Police to address the concerns of the citizenry regarding the SARS Unit, while the Presidential Panel on Police Reform claimed to have endorsed the demands of the protesters.[44] The Inspector General of Police disbanded the SARS Unit and in its place set up the Special Weapons and Tactics Team (SWAT).[45]

Unfortunately, it was difficult for the average Nigerian to believe that promised responses of the various levels of government were in good faith and will be implemented, especially when the

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[36] C Ozulumba 'What led to #EndSARS Protests?' <What Led to #EndSARS Protests? – THISDAYLIVE> accessed 10 March 2023.
[37] *Ibid.*
[38] P Brisibe 'Police re-arrest man behind Ughelli viral video that sparked #EndSars protest' <Police re-arrest man behind Ughelli viral video that sparked #EndSARS protest (vanguardngr.com)> accessed 10 March 2023.
[39] C Ozulumba 'What led to #EndSARS Protests?' <What Led to #EndSARS Protests? – THISDAYLIVE> accessed 10 March 2023.
[40] N Banka 'Explained: Why have the #EndSARS protests rocked Nigeria' <Explained: Why have the #EndSARS protests rocked Nigeria? | Explained News,The Indian Express> accessed 10 March 2023.
[41] M Jones 'Nigeria's #EndSars protests: What happened next' <Nigeria's #EndSars protests: What happened next - BBC News> accessed 13 March 2023.
[42] P Adeyeye 'Government's response to #EndSars protest, mere tokenism?'<Government's response to #ENDSARS protests, mere tokenism? | Dataphyte> accessed 13 March 2023.
[43] *Ibid.*
[44] *Ibid.*
[45] *Ibid.*

same SARS unit had been "disbanded" several times before the 2020 Endsars protest.[46] In fact, while there were various display of solidarity by members of the political class, security operatives continued to assault and brutalize protesters, the climax being the Lekki Tollgate massacre which resulted in the death of scores of protesters, despite Government's efforts to deny the killings.[47]

The major demands of the protesters revolved around the release of protesters, psychological evaluation and retraining of SARS operatives, compensation for victims of police brutality, investigation and prosecution of culpable SARS officials and increase in police salary,[48] before the demands for good governance, end to corruption and increased economic opportunity in Nigeria started gaining some prominence in the demands. Sadly, even though a number of protesters were released, many arrested protesters still languish in detention[49] because as pointed out by Uwazurike, "prolonged detention without trial continues to be a dominant feature of the Nigerian justice system".[50]

No retraining or psychological evaluation was carried out on any SARS official, as they were merely absorbed into the police structure.[51] The salary of the police was not increased and neither were culpable officers in the various malaise indicted or prosecuted.[52] Apart from Lagos State that financially compensated a few victims of the SARS operations, most States did not eventually set up an investigative panel and those who set up surreptitiously wound up the panels claiming financial restraints, while most States have failed to implement the panel report or compensate any of the victims.[53] Sadly, the response of the Nigerian government at all levels, regarding the demands of the protesters, is abysmal.

F. An appraisal of the impact of the EndSARS protest on the actions of law enforcement agencies

As earlier stated, the positive aspect of an outbreak of anarchy is the emergence of more humane laws and government policies which is the resultant effect of the expression of the yearnings, collective aspirations or demand for positive change. A major factor that determine the growth of

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[46] The government in 2014, 2015 and again in 2017 claimed to have disbanded the SARS Unit, yet they were still in operation. See O Ayandele 'Lessons from the #EndSARS movement in Nigeria' <Lessons From the #EndSARS Movement in Nigeria (acleddata.com)> accessed 13 March 2023.

[47] S Busari, N Elbagir, G Mezzofiore, K Polglase and B Arvanitidis 'Nigerian judicial panel condemns 2020 Lekki toll gate shooting as 'a massacre' <2020 Lekki toll gate shooting: Nigerian judicial panel condemns shooting as 'a massacre' | CNN> accessed 13 March 2023.

[48] A Uwazurike '#EndSARS: An evaluation of successes and failures one year later' (2021) Georgetown Journal of International Affairs (GJIA) <#EndSARS: An Evaluation of Successes and Failures One Year Later - Georgetown Journal of International Affairs> accessed 13 March 2023.

[49] For example, it was reported that on 10th January 2023, three years after the protests, nine protesters were just released from prison. See T Obiezu 'Nigerian Activists Welcome Release of Nine #EndSARS Protesters' <Nigerian Activists Welcome Release of Nine #EndSARS Protesters (voanews.com)> accessed 23 April 2023.

.[50] A Uwazurike '#EndSARS: An evaluation of successes and failures one year later' (2021) Georgetown Journal of International Affairs (GJIA) <#EndSARS: An Evaluation of Successes and Failures One Year Later - Georgetown Journal of International Affairs> accessed 13 March 2023.

[51] *Ibid.*

[52] *Ibid.*

[53] For example, the Anambra State EndSARS panel recommended the payment of N699.5 Million to victims of the SARS activities, and the prosecution of the perpetrators. See 'Anambra #EndSARS panel recommends N699.5million compensation for 170 Petitioners, families of dead victims' <Anambra #EndSARS Panel Recommends N699.5million Compensation For 170 Petitioners, Families Of Dead Victims | Sahara Reporters> accessed 23 April 2023.

a nation are the steps taken by the authorities in correcting errors found in the system and addressing the ills identified by members of society. Growth and development are guaranteed when errors within the system are identified, fixed and the attendant lessons derived, are further improved upon.

Nations that refuse to correct errors found in its system will retrogress. Errors, whether they are economic, political, social, or environmental, accumulate over time and culminate into larger problems, hindering a country's progress and development. Nations that ignore or refuse to correct errors, enable the errors to become entrenched and embedded in the system, making it difficult to implement reforms and address them effectively. Addressing citizens' demands is essential for creating a democratic society that promotes the well-being and aspirations of its citizens. Governments that prioritize citizens' needs and engage in meaningful dialogue and consultation with them are more likely to achieve progress and development that is sustainable, inclusive, and equitable.

The pertinent question, therefore, is whether the lessons from the Endsars protest were learnt and whether the mischief which led to the protests has been cured by the Nigerian Government, Police and other security agencies. Unfortunately, the government pretended to be taking decisive steps in addressing the demands of the protesting citizens, the lessons from the protests seem to have been thrown out and the grievances jettisoned. A foundation in reacting to the government's attitude towards addressing the issues that gave rise to the protest observed that "Aggrieved youths are being made scapegoats of the protest. The government side is being given soft landing. With these developments, nothing has been learnt from the protest. The inequity, injustice, nepotism, economic hardships, unemployment, and others are glaring causes. If not checked, then nothing has been learnt".[54] A report by Aljazeera showed that nothing has changed after the protests.[55] The demands have been swept under the carpet. Only the name SARS was changed. The operatives under that unit have carried on within the Nigeria police structure.[56] Some of the panels set up did some work while a majority of the panels were created but never carried out their mandate.[57] Some panels wound up without any identifiable achievement in addressing the complaints of the members of the society[58] while the Police and other security agencies refused to appear before most of the panels.[59] SARS operatives who were specifically identified, either disappeared or carried on their Police work without any consequences for their actions,[60] while most government

[54] G Ewepu '#EndSARS: Foundation laments failure of govt to address demands' <#EndSARS: Foundation laments failure of govt to address demands (vanguardngr.com)> accessed 13 March 2023.

[55] O Adetayo 'One year after #EndSARS protests, have Nigerian police changed?' <One year after #EndSARS protests, have Nigerian police changed? | News | Al Jazeera> accessed 13 March 2023.

[56] *Ibid.*

[57] A Haruna 'Why #ENDSARS panels are not sitting in some states – NHRC boss' <Why #ENDSARS panels are not sitting in some states - NHRC boss (premiumtimesng.com)> accessed 24 April 2023.

[58] P Moses '#ENDSARS: Victims groans as Ogun fails to implement report one year after' <#ENDSARS: Victims groan as Ogun fails to implement report one year after (dailytrust.com)> accessed 24 April 2023.

[59] E Uti 'Police Harassment, Brutality continue in Abuja amid #EndSARS panel sittings' <Police Harassment, Brutality Continue in Abuja Amid #EndSARS Panel Sittings (fij.ng)> accessed 24 April 2023.

[60] C Eleke 'Whistleblower: studied silence over alleged killings by Anambra Police officers' <Whistleblower: Studied Silence over Alleged Killings by Anambra Police Officers – THISDAYLIVE> accessed 24 April 2023.

officials kept disparaging the efforts of the panels.[61] The police are back on the roads extorting, harassing and brutalizing citizens.[62]

Ignoring the demands of protesters comes with several negative consequences. Generally, the consequences of not addressing demands made at a protest can vary depending on the specific demands, the size and intensity of the protest, and the response of the authorities. Ignoring these demands of protesters can lead to further unrest, social unrest, and a loss of trust in government and other institutions**.** Citizens may take laws into their hands in a bid to address the ills that would have been legitimately done by the government and its institutions and view these institutions with utter disdain, deferring to them when they have no option and not because it is the right thing to do. It does society no good, rather it engineers a retrogression, tearing apart the fabrics that would have made civilization more pleasant.When these demands are not addressed, it creates a sense of frustration, anger, and hopelessness among protesters, who feel that their voices are being ignored or dismissed and were only constrained to protest because of oppression, marginalization, abuses and social injustices they had faced. In the longer term, public trust in government and its institutions is eroded, making it more difficult to address social and political issues in the future, increasing the polarization and divisiveness within society, as people on both sides of these issues become more entrenched in their positions.

G. Conclusion

"The essence of state formation and the emergence of government structures set up in lieu of individual natural rights, is to protect the individual rights of members of the society and to provide an enabling environment for the members to succeed and achieve their aims while living a life of dignity, making the reliance on individual dexterity that could give rise to a state of nature and/or survival of the fittest, less attractive".[63]In promoting the well-being of the people and ensuring a peaceful and prosperous society, the leaders must be accountable, transparent, and responsive to the needs and desires of the people they serve, striving to create a society that is inclusive, just, and sustainable, prioritizing the needs of the people over personal interests, and acting with integrity and accountability, to provide an environment where members of the society have the opportunity to live a fulfilling and prosperous life. This is the positive progressive aspect of anarchism when the issues that led to the anarchy are properly addressed. Unfortunately, the political class either pretend not to appreciate the pains and attendant agitations of the common man or are immune to these quandaries, thus failing to appreciate that the goal of the threat of violence is to engender the accommodation of interests and not the provocation of actual violence.

H. Recommendations

It is submitted that the political class must first appreciate that the agitations of the masses, regarding increasing police brutality, are borne of a genuine desire to make obedience and

[61] For example the Minister of State for Labour – Mr. Festus Keyamo SAN, called the Lagos judicial panel on police brutality, illegal and a waste of time. See A Oluwafemi 'Keyamo: Lagos #EndSARS panel was illegal… states can't probe military, police' <Keyamo: Lagos #EndSARS panel was illegal... states can't probe military, police (thecable.ng)> accessed 24 April 2023.

[62] B Abe and J Olaoluwa '[SPECIAL REPORT] Despite EndSARS protest, Police harassments persist, use POS for extortion' <[SPECIAL REPORT] Despite EndSARS protest, Police harassments persist, use POS for extortion | The ICIR- Latest News, Politics, Governance, Elections, Investigation, Factcheck, Covid-19 (icirnigeria.org)> accessed 24 April 2023.

[63] RE Nduka, CB Nwankwo, CV Nduka and VC Arinze 'Justiciability of Chapter II of the Nigerian Constitution: A need for Judicial activism in its interpretation' 9 (2023) *NAU.JCPL* 133-144.

obeisance to extant laws and state institutions more pleasurable. The political class must come to the understanding that creators of faulty systems, including faulty policing, may subsequently be at the receiving end of the consequences of those vicious systems that once benefitted them. A nation's institution retrogresses where issues that led to an uprising are simply ignored. It destroys any further trust in government and the effect may lead to a disorganized takeover or breed a generation that cares less about their country while readily taking laws into their hands to address these issues that the government deliberately fails to address. As Ewang A pointed out "Failure to pursue justice will strengthen the culture of impunity and reinforce the perceptions that brought protesters to the streets in the first place".[64]

With regards to the Endsars agitations, and in creating an efficient police system, the ills that led to the Endsars protest must be addressed. The major demands of the Endsars protesters which include "the immediate release of all arrested protesters, psychological evaluation and retraining of all disbanded SARS officers prior to their redeployment, compensation for all victims of police brutality, investigation and prosecution of errant police officers, and increased police salary;"[65] must be sincerely addressed. Evidently, the issue of police brutality in Nigeria is rooted in broader issues of corruption, impunity, and weak institutions, and addressing it will require a comprehensive approach that includes police reform, the strengthening of the rule of law, and the promotion of human rights and accountability.

The Nigerian government and its security agencies must also take steps to rebuild by showing sincerity in addressing the flaws in governance, policing and all security agencies. The creation of a more independent body saddled with the responsibility of consistently investigating and meting appropriate penalties on erring security agencies should be put in place.[66] Additionally, the Courts must be proactive in punishing errant security agents, by holding them personally responsible for their nefarious activities. For example, the Courts hardly give reasonable costs against erring security agencies to be borne personally by the errant agent, and when they give any costs, enforcing such orders is so daunting and impossible, emboldening the agents to increase the frequency of their impunity.[67]

Also, a holistic reform must be put in place starting from the recruitment of security agents, ensuring constant training and re-training and constant periodic mental evaluation that promote emphasis on citizen protection, human rights, and humane relations with citizens; while restructuring the pitiable conditions of service of these security agencies.[68]Efforts to combat police brutality in Nigeria will require a sustained commitment to reforming the police force, increasing

[64] A Adepegba 'Prosecute those responsible for #EndSARS protesters' abuse, HRW urges FG' <Prosecute those responsible for #EndSARS protesters' abuse, HRW tells FG (punchng.com)> accessed 24 April 2023.

[65] A Uwazurike '#EndSARS: An evaluation of successes and failures one year later' (2021) Georgetown Journal of International Affairs (GJIA) <#EndSARS: An Evaluation of Successes and Failures One Year Later - Georgetown Journal of International Affairs> accessed 13 March 2023.

[66] S Wapmuk '#EndSARS demands Nigerian Police reform' <#EndSARS Demands Nigerian Police Reform – Africa Center> accessed 24 April 2023.

[67]See, O Ramon 'How AGF, CBN shield police, military from paying damages to victims of rights abuses' <How AGF, CBN shield police, military from paying damages to victims of rights abuses - Punch Newspapers (punchng.com)> accessed 24 April 2023.

[68] S Wapmuk '#EndSARS demands Nigerian Police reform' <#EndSARS Demands Nigerian Police Reform – Africa Center> accessed 24 April 2023.

accountability for officers who commit abuses, and addressing the underlying social and economic factors that contribute to police violence.

Anarchy produces progress when the grievances that led to the anarchy are addressed and the right systems are put into place to curb the reoccurrence of the issues complained about. Growth cannot be achieved by repeating past mistakes. Correcting errors is essential for a country's development. By identifying and addressing errors in various aspects of society, nations can unlock their potential and create a more prosperous and sustainable future for their citizens. Addressing citizens' demands is essential for creating a democratic society that promotes the well-being and aspirations of its citizens. Governments that prioritize citizens' needs and engage in meaningful dialogue and consultation with them are more likely to achieve progress and development that is sustainable, inclusive, and equitable.