



POLICY BRIEF

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A Constitutional and Policy Analysis of the State Police Bill and Its Implications for Security Governance, Federal Balance, and the 2027 Electoral Cycle

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Executive Summary

Nigeria faces a deepening policing paradox: state governors are constitutionally designated Chief Security Officers of their states, yet they command no police officers. The 1999 Constitution vests all policing powers in the Federal Government under Section 215, creating a structural mismatch between accountability and authority that has fueled insecurity, delayed emergency responses, and left over 230 million citizens under-policed. With fewer than 400,000 officers in the Nigeria Police Force, far below the UN-recommended ratio of one officer per 400 citizens, the case for decentralised, state-level policing has reached a national consensus. President Bola Ahmed Tinubu reaffirmed his administration's commitment to state police reform as recently as February 23, 2026, while State Houses of Assembly across the country have signalled readiness to fast-track constitutional amendments. Yet the reform carries a grave risk: in the wrong hands, a state police force becomes a political instrument. This policy brief analyses the constitutional framework, the competing arguments, and the legislative pathway, and provides actionable safeguards for the National Assembly as it considers the Constitution of the Federal Republic of Nigeria (Sixth Alteration) Bill.

This brief advises the National Assembly to:

1. Pass the State Police Constitution Alteration Bill with robust, non-negotiable safeguards against political abuse.
2. Establish an Independent State Police Service Commission (ISPSC) insulated from gubernatorial control, budgeted for, under the federation account.
3. Create a Federal Oversight and Standards Bureau to enforce national training, human rights, and operational standards under the Police Service Commission.
4. Ring-fence a dedicated State Security Trust Fund to prevent underfunding of state police by fiscally weak states.
5. Embed a sunset review clause requiring a mandatory National Assembly assessment of state police performance five years after commencement.

1.0 Introduction

The debate over state police in Nigeria is not new. It has been proposed in the 8th Assembly and rejected. Proposed again in the 9th Assembly, deferred. Now in the 10th Assembly, and with insecurity at unprecedented levels across all six geopolitical zones, the reform has

arrived at what analysts describe as a constitutional moment of genuine urgency.

The Nigeria Police Force, commanding from distant Abuja, is structurally incapable of community-level policing. Officers frequently do not speak local languages, lack knowledge of local terrain, and are perceived — in many communities — not as protectors but as an alien occupying force. When kidnappers abduct villagers from forests in Kaduna or bandits raid



farming communities in Katsina, the bureaucratic chain of command stretching to an Inspector-General in Abuja translates directly into delayed response and loss of lives.

President Tinubu, at an Iftar dinner with governors and senior officials on February 23, 2026, dismissed concerns of delay, declaring: "This is not about politics. It is about practicality. It is about empowering states with the tools to protect their people while strengthening our national framework." The Nigeria Governors Forum, the Southern Governors Forum, and, in a historically significant shift, the Northern States Governors Forum have all endorsed the reform. The constitutional amendment bills are among 44 harmonised bills now before the National Assembly for consideration.

What remains unresolved is not whether Nigeria needs state police. The consensus on necessity is now near-universal. What remains is the harder question: how to design a state police architecture that serves citizens rather than governors.

2.0 Constitutional and Legislative Context

2.1 The Current Constitutional Architecture

Section 214(1) of the 1999 Constitution (as amended) establishes the Nigeria Police Force as the sole police institution for the entire Federation, placing it exclusively on the Exclusive Legislative List. Section 215 places command authority in the Inspector-General of Police, who answers to the President of the Federal Republic. Governors may issue "lawful directions" to state police commissioners, but enforcement of those directions is subject entirely to federal discretion — a contradiction that renders the governor's constitutional designation as "Chief Security Officer" functionally hollow.

The constitutional consequence of this arrangement is what legal scholars call the "Accountability Without Authority" paradox: governors bear political responsibility for insecurity in their states but possess no operational control over the security forces tasked with addressing it.

2.2 The Proposed Sixth Alteration Bill

The Constitution of the Federal Republic of Nigeria (Sixth Alteration) Bill 2025, currently before the National Assembly, proposes a fundamental restructuring of Nigeria's policing architecture through five key provisions that collectively warrant careful practical scrutiny: first, the replacement of the unified Nigeria Police Force with a dual Federal Police Services structure raises immediate questions of operational coordination, jurisdictional overlap, and the risk of institutional rivalry between federal and state policing authorities in a country where inter-agency cooperation has historically been weak and politically complicated; second, the proposed amendments to Sections 34, 84, 89, 129, and 153 to reflect the new architecture — while constitutionally necessary — open a wide range of interpretive and implementation challenges, particularly regarding the right to dignity under Section 34, where the expansion of policing powers across two parallel structures without a corresponding strengthening of accountability and oversight mechanisms could expose citizens to compounded risks of abuse rather than enhanced protection; third, the creation of a State Security Council chaired by the governor and comprising the deputy governor, speaker of the State Assembly, state commissioners, and traditional rulers, while designed to democratize security governance, raises serious concerns about the politicization of state-level policing, the potential for governors to direct police action against political opponents, and the practical tension between the inclusion of traditional rulers, who carry significant cultural authority but lack democratic accountability, and the constitutional principles of separation of powers and rule of law; fourth, the establishment of a Federal Police Service Commission and National Police Council at the federal level, while structurally sound in theory, will only be as effective as the political will to insulate these bodies from executive interference allows, given Nigeria's well-documented pattern of rendering oversight commissions toothless through underfunding, political appointments, and administrative neglect; and fifth, the creation of a dedicated special account under Section 162 for the Federal Police Service, though fiscally logical, raises legitimate questions about revenue



allocation fairness, the financial capacity of states to fund their own parallel security structures without federal supplementation, and whether this fiscal architecture will entrench rather than resolve the chronic underfunding that has long undermined policing effectiveness across Nigeria, making the Bill, taken as a whole, an ambitious constitutional intervention whose practicability will ultimately depend less on the elegance of its provisions and more on the strength of the implementing institutions, the integrity of the political actors who will operationalize it, and the degree to which civil society and the legislature can hold the new architecture accountable from its first day of operation. The bill's explanatory memorandum states its objective as creating "a more responsive security system by devolving policing powers to states, while retaining federal oversight to prevent abuse and ensure adherence to democratic standards."

2.3 Previous Legislative Attempts

The proposed reform to bring about state police has failed to become law in two consecutive assemblies, the 8th and 9th, and now faces its most critical test in the 10th. In each previous attempt, the reform foundered on two recurring fears: the risk of gubernatorial abuse, and the fiscal unviability of policing in Nigeria's many revenue-poor states. Both concerns remain valid and require direct legislative responses in the current bill.

3.0 The Case for Devolution: Evidence and Arguments

3.1 The Scale of the Security Deficit

Nigeria has fewer than 400,000 police officers for a population exceeding 230 million, a ratio of approximately 1:575, far below the UN-recommended standard of 1:400. Most of these officers are concentrated in urban centres, state capitals, and Abuja, leaving rural communities, where 80 percent of security incidents occur, with minimal or no effective policing presence. From Boko Haram terrorism in the North-East, to banditry and mass abductions in the North-West and North-Central zones, farmer-herder conflicts in the Middle Belt, IPOB militancy in the South-East, cultism in the South-South, and kidnapping syndicates terrorising the South-

West, Nigeria simultaneously faces multiple, complex, geographically specific security challenges that a single, centrally commanded force is structurally ill-equipped to address.

3.2 The De Facto State Police Reality

Nigeria already operates informal decentralised policing under different names. Amotekun in the South-West and Ebube Agu in the South-East were established by state governments to perform police-like functions, precisely because federal policing was insufficient. The Neighbourhood Watch in Kano, the Community Guard Corps in Plateau, and various other vigilante formations operate across every state. The legal contradiction, where de facto state policing exists without constitutional backing, cannot be sustained indefinitely. Formalising and regulating this reality is safer than allowing it to develop unchecked.

3.3 The Constitutional Contradiction

Nigeria's constitution creates a governing fiction: it designates governors as Chief Security Officers while stripping them of operational authority over the very officers tasked with providing security. "The constitutional imbalance fosters irresponsibility at the centre and helplessness at the periphery" (Guardian, December 2025). State police would align authority with accountability, a foundational principle of constitutional governance that the current arrangement violates daily.

3.4 Comparative Lessons

The experience of federations globally is instructive. The United States operates 18,000 separate law enforcement agencies across federal, state, county, and municipal levels, with federal oversight ensuring minimum standards. India's state police system, operating under constitutional guidance from the Police Acts, provides localised law enforcement while federal agencies handle cross-border threats. South Africa's dual system — the South African Police Service at the national level alongside metropolitan police departments — offers a closer model for Nigeria's administrative context.



Closer to home, the Nyumba Kumi initiative in Kenya demonstrated how hyper-local, community-embedded policing generates intelligence that centralised forces cannot replicate, leading to measurable reductions in Al-Shabaab cell activity in border regions.

4.0 Risks and Counterarguments

4.1 The Gubernatorial Abuse Threat

This is the strongest and most frequently cited objection to state police reform — and it is not unfounded. Nigeria's First Republic provides a cautionary precedent: regional police forces were weaponised by political leaders against opponents, ethnic minorities, and perceived enemies, contributing to the political instability that preceded the military coup of 1966. Critics rightly warn that in the contemporary context, where governors already exhibit tendencies to use state resources for political harassment, granting them command over armed, uniformed state police without adequate safeguards would formalise existing patterns of political thuggery.

4.2 Fiscal Viability

Nigeria's 36 states vary enormously in fiscal capacity. Many states depend on federal allocations for more than 80 percent of their revenues. Creating, equipping, training, and sustaining a professional police force requires enormous and recurrent investment. Without mandatory, ring-fenced funding mechanisms, state police forces in revenue-poor states will be chronically under-resourced, ineffective at best, and susceptible to exploitation and extortion at worst.

4.3 National Cohesion and Fragmentation

A related concern is whether 36 state police forces, each potentially with different standards, training, ethnicities, and operational doctrines, would fragment Nigeria's law enforcement architecture in ways that undermine national security. Interstate crime, terrorism, and banditry are inherently cross-boundary phenomena. Effective responses require coordinated intelligence and operational cooperation that 36 autonomous forces may be structurally disinclined to provide.

5.0 POLICY RECOMMENDATIONS FOR THE NATIONAL ASSEMBLY

The National Assembly must not pass state police legislation that merely transfers power without conditioning it. The following five recommendations represent the irreducible minimum of safeguards that must be embedded in the Sixth Alteration Bill before passage:

1 Establish Independent State Police Service Commissions (ISPSC)

Each state's police force must be governed by an Independent State Police Service Commission, not by the governor's office, and funded under the federation account.

2 Mandate Federal Oversight Standards Through a National Police Standards Bureau

To prevent fragmentation, the National Assembly must establish a Federal Police Standards Bureau with powers to conduct biannual certification reviews of all state police services, assessing training standards, human rights compliance, use-of-force protocols, and modern policing practices.

3 Create a Mandatory, Non-Discretionary State Security Trust Fund

To address the fiscal viability crisis, the National Economic Council must legislate a minimum, non-discretionary funding threshold for each state's police, tied either to a defined percentage of Internally Generated Revenue or a dedicated federal-state security matching fund.

4 Embed a Strict Anti-Politicisation Charter in the Enabling Legislation

The State Police Act must include an explicit Anti-Politicisation Charter that criminalises the use of state police for partisan purposes, voter intimidation, targeting of political opponents, or the suppression of lawful protest or assembly.

5 Insert a Mandatory Five-Year Sunset Review Clause



Given the unprecedented nature of this reform and the genuine risks it carries, the enabling legislation must include a mandatory Sunset Review Clause requiring the National Assembly to conduct a formal assessment of the state police system, including an audit of abuse incidents, fiscal performance, and security outcomes, five years after commencement.

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