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# **Beyond Decentralising the Nigerian Police: How Lagos State Circumvented Debates on Police Reforms**

## **Abstract**

Opinions are divided on the root causes of the ineptitude of the Nigerian Police Force which has been faced with both domestic and international backlashes. While certain scholars argue that the force is victim to historical subjugation, others raise questions about its centralised structure and the impact of political interference on its performance. This research examines subnational variations and differential outcomes, particularly exploring how Lagos pragmatically bypassed the lingering debates to implement a successful police reform. Through the use of qualitative secondary data from media reports, extant academic papers and reports from government watchdogs, it however discovers that though commendable, the Lagos model can hardly be replicated in other states in Nigeria based on Lagos' peculiar economic and political characteristics.

## **Introduction**

While Nigeria practises the federal system of government where public services are constitutionally divided among the federal, state and local governments, the police remains under the exclusive purview of the federal government (FG). On the decentralisation of public services, Rondinelli et al<sup>1</sup> observe that it is often challenging for developing countries to decide which services to decentralise considering political, economic and social factors.

However, amid the rising rate of insecurity in the country, the present centralised system of policing has come under intense criticism. The Boko Haram insurgency and the

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<sup>1</sup> Rondinelli, D. A., McCullough, J. S., & Johnson, R. W., "Analysing decentralization policies in developing countries: a political-economy framework", *Development and Change*, 20(1) (1989), 57-87.

Fulani herdsmen/farmers clashes, have increased clamours for the overhauling of security agencies in Nigeria.<sup>2</sup> Moreover, the abysmal performance of the Nigerian Police Force (NPF) has warranted both local and international backlashes. The World Internal Security & Police Index (WISPI) rated the NPF as the worst police force in the world among the 127 countries assessed.<sup>3</sup> Similarly, Transparency International's (TI) survey in 2015 revealed that most Nigerians believe that the NPF is the most corrupt government agency in the country.<sup>4</sup>

Against this backdrop, analysts have proposed different approaches to tackling the inefficiency of the NPF. While many scholars agree with Owen<sup>5</sup> that the problem is not simply with individual police officers but the risk and motivation factors of the Nigerian police system, opinions differ on strategies of tackling the problem. While some analysts advocate for state police and criticise the present centralised structure as slow to respond to particular regional security needs, others argue that decentralising the force might worsen the problem.

Nonetheless, most observers have failed to notice the subnational disparities regarding police performance in different states/regions in Nigeria. It is therefore important to scrutinise what accounts for these different outcomes. This research will elucidate particularly how Lagos state circumvented the lingering debates between the centralised versus the decentralised models of policing to implement a successful police reform. It seeks to examine the factors that prompted Lagos' unique police intervention, exploring the role of political contestation and federalism in Lagos police reforms. The research seeks to achieve this by using Marshfield's<sup>6</sup>

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<sup>2</sup> Eme, O. I., & Anyadike, N., "Security Challenges and the Imperatives of State Police", *Review of Public Administration & Management*, 1(2) (2012).

<sup>3</sup> World Internal Security & Police Index (WISPI), World Police Report, Institute for Economics and Peace (IEP), (2016).

<sup>4</sup> Transparency International (TI), "Afro Barometer: Let the People Have a Say", Global Surveys Transparency International, (2015).

<sup>5</sup> Owen, O. "Risk and Motivation in Police Work in Nigeria", In *Police in Africa*, Hurst Publishers, London., (2017).

<sup>6</sup> Marshfield, J. L. "Federalism and Political Competition in Emerging Democracies". *Wash. U. Global Stud. L. Rev.*, 10, 297, (2011).

concept of federalism and political competition to analyse the impact of the friction between Lagos and the FG on the former's police intervention.

This paper will proceed to examine the difficulties in replicating the Lagos model in other states in Nigeria based on Lagos' peculiar political and economic characteristics. It seeks to provide insights into the following questions:

- (1) How did political contestations between the FG and Lagos, especially since 1999 when democratic rule was restored in Nigeria, influence police reforms in the state?
- (2) And how replicable is the Lagos model of police reforms in other states in Nigeria?

### **Polemics of Police Reforms in Nigeria: The Three Narratives**

The issue of police reforms in Nigeria has received appreciable attention in various academic and socio-political circles. This research draws from articles in scholarly journals on security and police reforms, media reports, reports of both local and international researchers and analysts both from within and outside Nigeria. While there seems to be a consensus among analysts that the NPF is beleaguered by poor funding, corruption, inadequate training and insufficient welfare packages, there are divided opinions on the root causes of these problems and particular strategies for implementing reforms. These existing debates will be classified into three narratives, namely: the historical, structural and political narratives, in an attempt to stratify them for better analysis.

#### **The Historical Narrative**

Certain scholars have argued how colonialism led to the emergence of poor institutions in Africa as a result of the exploitative apparatus set up by the colonialists. Kohli<sup>7</sup> argues that the

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<sup>7</sup> Kohli, A. *State-directed development: political power and industrialization in the global periphery*. Cambridge University Press, (2004).

British colonial government in Nigeria unlike Japan in South Korea, failed to introduce developmental institutions and incited the emergence of self-seeking indigenous elites. In the bid to run Nigeria “on the cheap”, Kohli avers, Britain left the legacy of a weak civil bureaucracy including a poorly trained and fragmented police force.

Though precolonial territories had their different forms of policing, the British in 1861 established the first indigenous form of modern police in the colony later designated as Nigeria with the formation of the consular guard to protect the crown colony of Lagos.<sup>8</sup> The force metamorphosed and grew over the years to cater for the growing colonial territory. Scholars observe that the major duties of the force were suppressing riots, oppressing natives and maintaining the colonial apparatus often with the use of force and violence.<sup>9</sup> Similarly, little attention was paid to police recruitment and training with only a handful of officers able to sufficiently carry out the primary task of preventing, detecting and prosecuting crime.<sup>10</sup> Jimam contends that the police in Nigeria was not instituted to protect the ordinary people “but support the economic and political agenda of rulers”<sup>11</sup>.

Furthermore, the Native Authority Ordinance (No. 4 of 1916) gave the Native Authorities powers to maintain order in their respective communities. In other words, local chiefs who ruled regions as conduits of the colonial government in line with the British indirect

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<sup>8</sup> Adedeji, O. A. “State police in Nigeria: Issues and Challenges”. International Islamic University, Malaysia (IIUM), (2012).; Alemika, E. E. “Human resource management in the Nigeria police force: Challenges and imperatives”. Police Service Commission Retreat on Understanding the Mandate and Operations of the Police Service Commission. Ada, Nigeria, (2008).;

<sup>9</sup> Onoge, O. F. “Social Conflicts and Crime Control in Colonial Nigeria” in T. N. Tamuno, et al eds. Policing Nigeria: Past, Present and Future, Lagos: Nigerian Police Force and Malthouse Press Ltd, (1993); Onyeozili, E. C. Obstacles to effective policing in Nigeria. African Journal of Criminology and Justice Studies: AJCJS, 1(1), 32, (2005).

<sup>10</sup> *ibid*

<sup>11</sup> Jimam, L. “Historicising Vigilante Policing in Plateau State, Nigeria” in *Police in Africa*, Hurst Publishers, London (2017):87

rule were conferred with the authority to form their own police force and judicial system.<sup>12</sup> This ordinance gave rise to two police forces; the constabulary force which was directly managed by the colonial government and the native police which was at the behest of local chiefs.<sup>13</sup> The ordinance equally gave arbitrary executive, legislative and judicial powers to native authorities within their territory without adequate supervision, leading to what Mamdani terms “decentralised despotism”.<sup>14</sup> Similarly, Dudley puts forward that this encouraged local chiefs to act arbitrarily, intervening in political matters, mobilising support, coercing and oppressing opposition within their jurisdictions.<sup>15</sup>

Additionally, Onyeozili sustains that after Nigeria gained independence in 1960, nationalists who vehemently condemned the brutality of the colonial police ironically “cushioned themselves into employing the same police brutality and terror against their opponents in post-independence political power struggles”.<sup>16</sup> This notion portrays the "re-colonisation" of the police force, a situation where not Britain but Nigerian political elites recapture the police for their benefits.

Scholars have equally pointed out how the long spell of military regimes in Nigeria, spanning over thirty years, escalated the denigration of the NPF. Ebonugwo et al<sup>17</sup> asserts that in their bid to monopolise power, successive military regimes relegated the police force and prevented it from rendering services to the masses. Alemika equally observes that the recruitment and promotions of police officers were largely suspended by the military

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<sup>12</sup> Adedeji, O. A. (2012); Mamdani, M. *Citizen and subject*. Princeton University Press 41 William Street, Princeton, (1996).

<sup>13</sup> Kohli (2004); Tamuno, T. N. “*The Police in Modern Nigeria: 1861-1965*”. Ibadan: Ibadan University Press, (1970).

<sup>14</sup> Mamdani, M. “*Citizen and Subject*”. Princeton University Press 41 William Street, Princeton, (1996).

<sup>15</sup> Dudley B. J. “*Parties and Politics in Nigeria*”, Frank Cass, London, (1968).

<sup>16</sup> Onyeozili, E. C. “Obstacles to effective policing in Nigeria”. *African Journal of Criminology and Justice Studies: AJCS*, 1(1), 32, (2005): 36

<sup>17</sup> Ebonugwo, M., Adelaja, B. “How military under-developed the Police”, Vanguard Newspaper, (2015). <https://www.vanguardngr.com/2015/11/how-military-under-developed-the-police/>

government.<sup>18</sup> "Military rule did a lot of damage to the police", Owen asserts in agreement, "and its legacy is still here, but the organisation has re-consolidated."<sup>19</sup>

The police force has neither fared better after democracy was restored in 1999, as it continues to suffer from neglect. Scholars have decried the tepid pace of police reforms by successive democratic governments since 1999.<sup>20</sup> Instead of empowering the police, some analysts have condemned the Nigerian government for depleting the functions of the force by establishing duplicating agencies such as the Economic and Financial Crimes Commission (EFCC), the National Drug Law Enforcement Agency (NDLEA), and the Independent corrupt Practices Commission (ICPC).<sup>21</sup> To this, scholars call for "an inter-agency committee for the harmonization of the functions of all agencies performing policing and internal security functions in Nigeria".<sup>22</sup>

### **The Structural Narrative**

With the advent of the "good governance agenda" promulgated by international donor agencies in the late 1990s for the establishment of democratic institutions in developing countries, decentralisation has become one of the major tenets promoted by this agenda.<sup>23</sup> Faguet<sup>24</sup> notes that in the last fifty years, no policy has been received with more enthusiasm for the

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<sup>18</sup> Alemika (2008)

<sup>19</sup> Owen, O. "The Nigeria Police Force: Predicaments and Possibilities". London: Nigeria Research Network (2014):11

<sup>20</sup> Ibid

<sup>21</sup> Civil Society Panel. "On Police Reform in Nigeria", Final Report (2012); Odeh A., & Nanji, U. "State policing and national security in Nigeria". *Mediterranean Journal of Social Sciences*, 6(1 S1), 412, (2015).

<sup>22</sup> Civil Society Panel (2012): 10

<sup>23</sup> Manor, J. "The Political Economy of Democratic Decentralization". Washington, D.C.: The World Bank, (1999).

<sup>24</sup> Faguet, Jean-Paul. "Decentralization and Governance", Economic Organization and Public Policy Program, Suntory and Toyota International Centres for Economics and Related Disciplines, London School of Economics and Political Science, (2011).

restructuring of governments than decentralisation. Proponents of decentralisation argue that it challenges the hegemony of authoritarian governments, improves public service delivery, brings the government closer to the people and promotes accountability.<sup>25</sup> The outcomes of decentralisation have also been discussed in the areas of health care, governance and corruption. However, decentralisation is not without criticism. Scholars such as Crook and Sverrisson<sup>26</sup>, and Treisman<sup>27</sup> have contested the purported relationship between decentralisation, government efficiency and accountability, arguing that localization of power could precipitate inefficiency and corruption. Similarly, Shah et al<sup>28</sup> assert that results are mixed and sometimes inconclusive with decentralisation improving the situation of some governments and creating more problems in others.

Drawing from these global discussions and debates on the impact of decentralisation on public service delivery, some scholars have severely criticised the centralised structure of the NPF. They contest that "the single, one size fit all police structure" is unsuitable for a country as enormous and diverse as Nigeria.<sup>29</sup> "Nigeria is a multicultural, multi-ethnic, and multilinguistic nation", Otu observes, "and therefore an appropriate policing model is needed to replace the current, ineffective, centralised policing model."<sup>30</sup> Other analysts condemn the

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<sup>25</sup> Manor (1999); Faguet (2011), Winkler and Ian Gershberg. "Education Decentralization in Latin America: The Effects on the Quality of Schooling", Annual World Bank Conference on Development in Latin America and the Caribbean, (2000).

<sup>26</sup> Crook, R. C. and Sverrisson A. "To What Extent Can Decentralized Forms of Government Enhance the Development of Pro-Poor Policies and Improve Poverty-Alleviation Outcomes?", (1999)

<sup>27</sup> Treisman, D. "What Have We Learned About the Causes of Corruption from Ten Years of Cross-National Empirical Research?" *Annual Review of Political Science*, 10, (2007): 211–44

<sup>28</sup> Shah, A., Thompson, T., & Zou, H. F. "The impact of decentralization on service delivery, corruption, fiscal management and growth in developing and emerging market economies: A synthesis of empirical evidence". CESifo DICE Report, 1(2004), 10-14.

<sup>29</sup> Adedeji, O. A. (2012); Civil Society Panel (2012); Odeh A., & Nanji, U. "State policing and national security in Nigeria". *Mediterranean Journal of Social Sciences*, 6(1 S1), (2015).

<sup>30</sup> Otu, N. "Balanced policing model in the Republic of Nigeria". *The Police Journal*, 85(3) (2012): 237

administrative bottlenecks and delays in decision-making that have beleaguered the overburdened centralised police force, suggesting devolution of police duties to the states.

Making a case for decentralising the police, some scholars have pointed out that security and crime-fighting are local matters, arguing that state police would be better at gathering local intelligence because they will be more familiar with the terrain and culture in which they work.<sup>31</sup> On the contrary, the present centralised force often assigns officers to regions that they know little about. Besides, some analysts have observed that a number of local unofficial security agencies already exist in the states to make up for the lapses of the NPF.<sup>32</sup> "The efficacy of local militias like the Oodua People's Congress, Bakassi Boys and the Egbesu boys, has led credence to the belief by many that security is a local problem and only those who understand the terrain can manage it," Adedeji asserts.<sup>33</sup>

In addition, another group of scholars assert that a centralised police force is inconsistent with the practice of federalism in Nigeria. "As a federal state", Adedeji points out, "the power of the federal republic of Nigeria is divided between the central government called the FG and the 36 states of the federation."<sup>34</sup> Adedeji equally observes that "while there are federal courts with powers and jurisdiction as spelt out in the constitution, state courts are allowed to exist side by side with them, their own jurisdiction clearly spelt out."<sup>35</sup> He argues that it is therefore pointless to leave the police in the exclusive purview of the FG when other activities of government are decentralised.

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<sup>31</sup> Okey, O. D. "Centralized Police Force: An Outdated Relic", *African Political and Economic Strategic Centre*, (2012). <http://www.afripol.org/afripol/item/483-centralized-police-force-an-outdated-relic.html?tmpl=component&print=1;>

<sup>32</sup> Adedeji (2012); Aleyomi (2013); Owen (2014);

<sup>33</sup> Adedeji (2012):11

<sup>34</sup> Adedeji (2012): 9

<sup>35</sup> Ibid

Conversely, the decentralised model of policing has also been criticised. Winkle<sup>36</sup> argues that the fragmented criminal justice system in the United States has often led to poor coordination, administrative duplicity and clashes over jurisdiction. He further claimed that the information gaps among various decentralised security units have proven to be dangerous. Rather, a centralised force promotes the flow of information along with standardisation, holistic planning and coordinated training of security personnel.<sup>37</sup>

Debunking the argument that a centralised police force is consistent with totalitarian regimes, Berkley<sup>38</sup> argues that countries such as Denmark, Belgium, and Sweden have centralised forces and are yet among the most democratic countries in the world. "If police centralization is inconsistent with democracy", Berkley rebuffs, "then many democracies do not seem to have received the message".<sup>39</sup> While Germany with its decentralised police succumbed to totalitarianism, France with a centralised police force did not, Berkley further asserts.

In Nigeria, though proponents of the present centralised model agree on the need to revamp the NPF, nevertheless, they argue that decentralisation is not the silver bullet. Ehindero<sup>40</sup> asserts that most of the security challenges besieging Nigeria such as terrorism, human/drug trafficking, armed robbery, and herdsmen/farmers' clashes, are trans-regional and sometimes transnational. Consequently, a centralised force is better at handling these trans-regional challenges than local fragmented forces.

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<sup>36</sup>Winkle, I. "Intergovernmental relations in criminal justice". *Policy Studies Journal*, 3(1), (1974): 25-29.

<sup>37</sup> Kurtz, H. A. "Criminal justice centralization versus decentralization in the Republic of China". *Journal of the Oklahoma Criminal Justice Research Consortium*, 2(7), (1995).

<sup>38</sup> Berkley, G.E. "Centralization, Democracy and the Police' *Journal of Criminal Law*", *Criminology and Police Science* 61(2), (1970): 309–312.

<sup>39</sup> Berkley, G.E. (1970): 309

<sup>40</sup> Ehindero, S. "Wither Nigeria: National or State Police?" Vanguard News. (2018). <https://www.vanguardngr.com/2018/02/wither-nigeria-national-state-police/>

Okezie<sup>41</sup> argues that there is no proof that decentralisation will improve the performance of the NPF. Rather, he points out that history has proven the contrary. Going down memory lane, during the colonial and early independence periods, local elites were accused of using the decentralised native police to oppress their opponents and rig elections. Police officers also worked as janitors, messengers and chauffeurs for them.<sup>42</sup> Meanwhile, Okezie further suggests that a fragmented police force can work against national unity. Berkeley has made a similar argument that a centralised force serves as a bulwark and unifying factor for governments.

Another issue of serious concern is the financial capacity of the states to manage their own police forces.<sup>43</sup> The President of the Trade Union Congress (TUC) Mr. Bobboi Kaigama, recently revealed that 35 out of 36 states in Nigeria are struggling to pay salaries of civil servants, with some states owing salaries for as long as six months.<sup>44</sup> Similarly, no less than 23 states have received bailout funds from the FG to keep them solvent.<sup>45</sup> In addition, Lagos and Ogun are the only states in the country that generate most of their revenue internally other than relying on monthly federal allocation. Consequently, Adetumbi argues that adding policing responsibilities which requires lots of financial commitments to the bankrupt states is undeniably an overkill.<sup>46</sup>

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<sup>41</sup>Okezie, C. "The Case Against Decentralizing the Police Force", *Nigeria World*, (2005).  
<https://nigeriaworld.com/feature/publication/chukwumerije/030505.html>

<sup>42</sup> Ehindero, S. (2018); Okezie, C (2005)

<sup>43</sup> Adetumbi, O. If we have Courts at State Levels... Why not State Police? *Nigerian Compass* (August 19. 2012);  
Ehindero, S. (2018); Owen, (2014)

<sup>44</sup> Sahara Reporters. "35 Out Of 36 Nigerian States Owing Workers' Salaries - Trade Union President", (2018).  
<http://saharareporters.com/2018/03/01/35-out-36-nigerian-states-owing-workers-salaries-trade-union-president>

<sup>45</sup>Budgit, *State of States*, 2017 Edition, Lagos. Supported by Gates Foundation, (2017).

<sup>46</sup> Adetumbi, O. (2012)

## **The Political Narrative**

In their paper on state fragility and political settlement, Putzel and Di John<sup>47</sup> underscore the need to consider the political underlying factors which can either promote or hinder institutional reforms. In other words, they argue that the success or failure of any public reform is often based on the incentive of political elites to facilitate or push against it, thus highlighting the role of elite bargaining in institutional change.

Based on this standpoint and building on the structural narrative on police reforms in Nigeria, certain scholars have observed that the debate between the centralised and decentralised models is not simply a structural issue but also a form of contestation among political elites.<sup>48</sup> As Adedeji asserts, “it is not unlikely that the position taken by the protagonists and antagonists (of Nigerian police reforms) is largely influenced by politics”.<sup>49</sup> In this narrative, the contestation between the centralised and decentralised models is presented as a battle for power between the ruling and opposition parties as well as between the federal and state governments.

Owen<sup>50</sup> asserts that the centralised and hierarchical structure of the NPF makes it vulnerable to political interference especially during elections, as officers are often willing to do the biddings of the ruling party/FG to gain favours and promotion. Abati<sup>51</sup> asserts that the NPF has often been used by the ruling party to rig elections and intimidate political opponents, pointing out the 2009 gubernatorial election in Ekiti State as a case-in-point. The Rivers State Governor, Nyesom Wike, a prominent member of the major opposition party, has also

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<sup>47</sup>Putzel, J., & Di John, J. “Meeting the challenges of crisis states”. The London School of Economics and Political Science. (2012).

<sup>48</sup> Adedeji (2012); Otu (2012); Owen (2014)

<sup>49</sup> Adedeji (2012:8)

<sup>50</sup> Owen (2014)

<sup>51</sup> Abati, E. “Condition not yet Right for State Police in Nigeria- President Jonathan”, Nigerian Village Square, (2012). <http://www.nigeriavillagesquare.com/newsflash/conditions-not-yet-right-for-state-police-in-nigeriapresident-jonathan.html>

criticised the NPF on several occasions, denouncing the force as partisan.<sup>52</sup> His counterpart in Ekiti State, Governor Ayodele Fayose, has similarly expressed concern over the hostility of the NPF towards members of the opposition.<sup>53</sup> It is therefore not a coincidence that opposition parties and the Nigerian Governors' Forum are vehemently in support of a decentralised police force. Analysts see this clamour as a bid to reduce the interference of the FG and ruling party in local affairs. A decentralised force as earlier discussed will give state governors more power over their jurisdiction, making them fulfil their constitutional title of "Chief Security Officer" of their respective states.

Nonetheless, it has been argued that decentralising the police will make it susceptible to abuse by local elites. The dilemma is similar to what Kurtz<sup>54</sup> presented while analysing the Taiwanese police, that is, choosing between federal or state political interference in the police force. As a way out, Owen suggests an independent police commission in charge of recruiting, promoting, posting, discipline and retirement, with the aim of wrestling the force from both local and federal political elites.<sup>55</sup>

### **Summary of the Narratives**

While certain academics and social analysts assert that the NPF has been suffering from historical subjugation by the ruling class, others argue about which model of policing is better at improving its performance. While proponents of the decentralised model cite the need for a customised force tailored to the peculiar security needs of the different states, the other camp points out the impracticality of state police in Nigeria, citing financial and political constraints

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<sup>52</sup> Akasike, C. You're partisan, Wike accuses police, Punch Newspaper, (2016). <https://punchng.com/youre-partisan-wike-accuses-police/>

<sup>53</sup> Ogunje, V. "I was beaten by Policemen", Says Fayose, This Day Newspaper, (2018). <https://www.thisdaylive.com/index.php/2018/07/11/fayose-deputy-allegedly-beaten-by-police/>

<sup>54</sup> Kurtz, H. A. "Criminal justice centralization versus decentralization in the Republic of China". *Journal of the Oklahoma Criminal Justice Research Consortium*, 2(7), (1995).

<sup>55</sup> Owen (2014)

among other reasons. Nevertheless, while the debates linger with both sides offering compelling arguments but little action, millions of Nigerians remain vulnerable to violent crimes with the rate of insecurity worsening by the day. In 2018, a bill for the creation of state police passed first reading in the Nigerian Senate<sup>56</sup>, however, little is known of how long it will take for the bill to become an act of parliament and whether or not it will be assented by the president. Taking all these into cognisance, this research proceeds to examine how Lagos State pragmatically bypassed the unending debates. By using Marshfield's concept of federalism and political competition in emerging democracies as an analytical lens, the research will examine the political and economic factors which propelled Lagos into establishing a security trust fund and whether the Lagos model is replicable in other states in Nigeria.

### **Marshfield's Concept of Federalism and Political Competition in Emerging Democracies**

Marshfield<sup>57</sup> points out that top among the problems of emerging democracies is the suppression of useful opposition. In the bid to fulfil the growing expectations of the masses, what he terms "social and economic exigencies", Marshfield states that emerging democracies often clamp down on any perceived obstacle to state-building, including political opposition. Young<sup>58</sup> and Herbst<sup>59</sup> have similarly discussed how developing countries often slide into illiberal or one-party regimes in the bid to consolidate power over territories fragmented by colonialism, multi-ethnicity or both. Emerging democracies are often intolerant to prolonged

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<sup>56</sup>Jimoh, A. M. "Bill on creation of state, community police passes first reading in Senate", The Guardian Nigeria, (2018). <https://guardian.ng/news/bill-on-creation-of-state-community-police-passes-first-reading-in-senate-2/>

<sup>57</sup>Marshfield, J. L. "Federalism and Political Competition in Emerging Democracies". *Wash. U. Global Stud. L. Rev.*, 10, (2011).

<sup>58</sup>Young, C. "*The politics of cultural pluralism*". University of Wisconsin Press, (1979).

<sup>59</sup>Herbst, J. "*States and power in Africa: Comparative lessons in authority and control*", (Vol. 149). Princeton University Press, (2014).

political struggles/stalemates, sensing them as threat to governance. Without strong opposition, Marshfield notes, policies are hardly thoroughly scrutinised and alternatives are not presented.

Stressing the importance of political opposition, Marshfield argues that it also reduces the chances of social conflict by providing political avenues for voicing disagreements with the ruling party. The existence of opposition parties reflects the spectrum of opinions and disagreements in a society, albeit in an organised and civil manner. Additionally, political opposition creates incentive for governments to make sound policies or risk losing votes to the opposition. “An organized political opposition presents the public with alternative government policies, which can incite public debate and criticism regarding the incumbent’s ineffective practices and policies,” Marshfield asserts.<sup>60</sup>

However, he states that it is difficult to achieve meaningful opposition in the unitary governments where all power is wielded by a central government, leaving subregions/states with little or no autonomy. He notes that the situation is exacerbated in emerging democracies where governments often tend to suppress opposition ostensibly for state-building. In other words, the unitary system could facilitate one-party dominance and suppression of useful competition. On the other hand, federalism which promotes the autonomy of subregions, provides several political arenas and avenues for political competition, allowing the flourishing of multiparty politicking even in emerging democracies. Marshfield eloquently puts it thus:

...federalism, by definition, creates separate legal spheres of governance. This creates the possibility that opposition leaders can develop their own independent policies and track records without coming into direct conflict with the majority leadership. This creates a comfortable scenario for both opposition and majority leadership because they are able to exert influence and develop independent records

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<sup>60</sup> Marshfield (2011):309

without the appearance of direct confrontation, thus diffusing any concerns regarding loyalty to democratic processes.<sup>61</sup>

As it is often difficult for the ruling party to win elections in all states of the country, opposition parties have the opportunity to win at least one federating unit. With this, Marshfield asserts that opposition is able to setup their own government, deliver services to the masses and compete with the ruling party without direct confrontation. Also, the opposition could use their performance in their federating unit to lure voters in the next elections and win more units, including the central government. Marshfield sustains that the autonomy enjoyed in the federating units allows local politicians to showcase their competence, provide alternatives to the masses and compete for higher offices.

In sum, Marshfield argues that federalism facilitates the flourishing of political opposition even in emerging democracies by creating a competitive environment, enabling opposition parties to constitute their own government when they win at least one federating unit, and provide alternatives for the masses and training for the “government-in-waiting”.

### **The Nigerian Situation: Lagos State versus FG**

Lagos occupies a pivotal position not just in Nigeria where it generates 25% of the country’s GDP, but in Africa at large. According to the World Population Review<sup>62</sup>, Lagos' population estimated at 21 million, makes it the largest city in Africa. However, the relationship between Lagos located in the western coast of Nigeria and the FG over the years has been antagonistic. As Fourchard observes, there is "a long history of opposition between Lagos State leaders and

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<sup>61</sup> Ibid: 323

<sup>62</sup>World Population Review, Nigeria Population, (2017), <http://worldpopulationreview.com/countries/nigeria-population/>

the federal government".<sup>63</sup> In fact, right from the late colonial and early independence era, there have been intense power struggles over the control of Lagos, with the city torn between two or more contending forces.

From the colonial era, Lagos has been controlled by outsiders to the dismay of its local Yoruba politicians. Lagos was among the first regions annexed by the British in 1861 and made the capital of the Nigeria colony in 1914. Kohli observes that "a fairly sophisticated local colonial government was already functioning in the Lagos Consulate"<sup>64</sup> many years before other parts of Nigeria were colonised. At the wake of independence in 1960, Lagos was retained as the capital of Nigeria but was controlled by a political coalition from the Northern and Eastern part of the country, as Fourchard observes, pushing indigenous politicians to form an opposition government in their own land. The trend continued during the long spell of military rule when Lagos was the seat of power for various military head of states predominantly from the North.

It was in 1991 that the capital of Nigeria was moved to Abuja which was literally at the middle of the country, a politically neutral ground, a move aimed at curtailing the claim of Lagos politicians on the country's capital. However, Lagos had already gathered sufficient socioeconomic status over the years making it the most developed state in the country.<sup>65</sup> With the return of democratic rule in 1999, though Lagos eventually elected an indigenous politician as the state governor, it was one of the few states won by the Alliance for Democracy (AD). The People's Democratic Party (PDP) won the presidential election and 21 states, the All

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<sup>63</sup> Fourchard, L. "Lagos, Koolhaas and partisan politics in Nigeria". *International Journal of Urban and Regional Research*, 35(1), 40-56, (2011): 40

<sup>64</sup> Kohli, A. "State-directed development: political power and industrialization in the global periphery". Cambridge University Press, (2004).

<sup>65</sup> The Partnership to Engage, Reform and Learn (PERL), "Learning and adaptation in governance reform in Nigeria: Lessons from the experience of the Lagos State Security Trust Fund." Sponsored by DFID, (2017).

People's Party (APP) won 9 states and AD won gubernatorial elections in 6 states.<sup>66</sup> Again, Lagos politicians found themselves at odds with the ruling party/FG.

One of the major clashes between leaders in Lagos State and the FG was on the issue of local government revenue allocation in 2004. The creation of additional 37 local governments on the existing 20 councils in Lagos and the request for more federal allocation to the new councils was criticised by the federal government. Lagos State argued in its defence that the population of the city could no longer be managed by only 20 local councils. Lagos was also compared with Kano, the second most populated state in Nigeria with 44 local councils. In a drastic response, the FG withheld allocations to all local governments in Lagos for over five years even in defiance of a supreme court judgement.<sup>67</sup>

Apart from the financial constraints faced by Lagos as a result of the withheld funds, AD which later metamorphosed to ACN (Action Congress of Nigeria) and eventually APC (All Progressive Congress), was also faced with serious political threats. In 2007, the PDP won 28 of the 36 states in the country, leaving Lagos as the only state in southwestern Nigeria in the hands of the opposition.<sup>68</sup> These factors constituted the systemic vulnerability<sup>69</sup> which propelled Lagos politicians to strategize in order to save their party by making Lagos less dependent on federal allocation and constituting a strong opposition. Comparing the Lagos experience with the developmental states in Asia, Cheeseman and de Gramont, assert that "the decision of ruling elites to prioritize long-term economic growth owed much to the presence

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<sup>66</sup> The Carter Center, "Observing The 1998-99 Nigeria Elections", in collaboration with the National Democratic Institute for International Affairs, Atlanta, (1999).

<sup>67</sup> Fourchard (2011); Bodea, C., & LeBas, A. "The origins of voluntary compliance: attitudes toward taxation in urban Nigeria". *British Journal of Political Science*, 46(1), (2016): 215-238.; Cheeseman, N., & de Gramont, D. "Managing a mega-city: learning the lessons from Lagos". *Oxford Review of Economic Policy*, 33(3) (2017):457-477.

<sup>68</sup> Fourchard (2011):40

<sup>69</sup> Onis, Z. (1991). "The logic of the developmental state". *Comparative Politics*, 24(1), 109-126.; Doner, R. F., Ritchie, B. K., & Slater, D. (2005). "Systemic vulnerability and the origins of developmental states: Northeast and Southeast Asia in comparative perspective". *International Organization*, 59(2), 327-361.

of pressing existential threats...[as] in South Korea, the threat took the form of the rival regime in North Korea, while in Taiwan it came from the fear of domination by the People's Republic of China".<sup>70</sup> They argue that similar political threats from the FG compelled Lagos into action.

### **Federalism, Political Competition and Tax Reforms in Lagos**

Reiterating the assertions of Marshfield, the federal system of government practised in Nigeria made it possible for Lagos, a state governed by an opposition party, to generate its own revenue internally and steer the course of governance. In agreement, Cheeseman and de Gramont sustain that "state building in Lagos was facilitated by Nigeria's federal political system, which empowered the Lagos State Government to make important decisions on issues such as how tax should be collected and enabled it to reap the benefits of rising tax receipts".<sup>71</sup> And this was what the state resorted to after its monthly allocations were withheld by the federal government.

Taking advantage of the rapid economic growth in the city, the Lagos state government extended its taxation net to harness its large informal economy. It was equally in the political interest of the government in Lagos under Governor Tinubu to improve the state's revenue base and infrastructure in order to use Lagos' success as a point of reference for campaigns in order to win more states for his political party amid threats from the PDP. To achieve this, the Lagos state government, aware of the inefficiency that often beleaguered the civil service, hired a private firm to manage the collection of taxes in the state. The firm developed a software which monitored payments and issued receipts to taxpayers, making the system more transparent.<sup>72</sup> The Lagos State government took it further in 2005, when the state revenue board was disbanded and technocrats employed to take up the task of monitoring the revenue of the

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<sup>70</sup>Cheeseman, N., & de Gramont, D. "Managing a mega-city: learning the lessons from Lagos". *Oxford Review of Economic Policy*, 33(3), 457-477 (2017):466

<sup>71</sup> Cheeseman and de Gramont (2017):459

<sup>72</sup>de Gramont, D., "Governing Lagos: Unlocking the Politics of Reform", (Vol. 12). Carnegie Endowment for International Peace, (2015).

state. Governor Tinubu employed former bank executive and economist, Babatude Fowler, as the head of the Lagos State Internal Revenue Service (LIRS). The governor also detached the LIRS from the bureaucracy of the ordinary civil service, giving it autonomy and flexibility to hire its own staff.

Between 2004 to 2011, the internally generated revenue (IGR) of Lagos ballooned from around \$130 million to \$1.3 billion.<sup>73</sup> Tinubu's successor in 2007, Governor Babatunde Fashola, continued to pursue the expansion of Lagos revenue base with aggressive media campaigns on the importance of tax payment. As at 2016, Lagos generated about 80% of its revenue internally, making it the most self-sufficient state in Nigeria.<sup>74</sup>

This made Lagos a point of reference during the 2015 general elections, with the opposition party, APC, promising to replicate in other states what it was doing in Lagos. APC eventually won the presidential election in 2015 as well as 14 states, toppling an incumbent president for the first time in Nigeria's history. Former Lagos governor, Tinubu, who began the reforms in Lagos became a stalwart in the ruling party. And his successor, Babatunde Fashola, after completing two terms as governor, was appointed a federal minister in 2016. Babatunde Fowler, the technocrat who led the Lagos State Board of Internal Revenue was promoted to the position of Executive Chairman of the Federal Inland Revenue Service (FIRS), to coordinate the tax system of the federal government. All these affirm Marshfield's position of how federalism and political competition enable local politicians from the opposition to showcase their competence, provide alternatives to the masses and compete for higher offices.

### **The Lagos Security Trust Fund: Bypassing Debates on Police Reforms**

Having discussed how federalism and political competition facilitated revenue generation in Lagos, the security of the state was another cause for concern. "Being the commercial nerve

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<sup>73</sup> de Gramont, D. (2015); PERL, 2017

<sup>74</sup> Budget (2017)

centre of Nigeria”, as Ogunbiyi rightly asserts, “Lagos has its peculiar security challenges. Its sheer human density driven by an increasing population due to endless survival and economic driven immigration, makes it naturally attractive to criminal activities”.<sup>75</sup> In addition, Lagos needed adequate security to protect its booming economy and attract more investors. This goes without mentioning the political ambition of Lagos politicians and the APC of creating a megacity which would be used as a point of reference and a political tool to win more support across the country.<sup>76</sup> However, the NPF was fraught with inefficiency, corruption, poor training and funding, making it unable to respond adequately to the security needs of Lagos. More so, the Nigerian 1999 Constitution gave the FG the exclusive right over the police. In other words, Lagos had no choice but to rely on the widely criticised federal police because the constitution made no provision for states to establish their own police force. Amid heated debates among analysts and politicians on the need to decentralise the police, Lagos needed an urgent solution to stem the rising tide of crime.

In 2007, the Lagos State government took the pragmatic step of establishing the Lagos State Security Trust Fund (LSSTF), aimed at augmenting the funding of the federal police command in the state.<sup>77</sup> The fund provides the police and other security agencies operating within Lagos with equipment such as "bulletproof vests, ballistic helmets, armoured personnel carrier and helicopters and communication equipment: walkie talkies and radios, patrol vehicles, and new police stations".<sup>78</sup> The LSSTF also caters for retraining officers and providing financial support in form of allowances and rewards for exceptional performance. The LSSTF is a partnership between the Lagos State government and the private sector in the

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<sup>75</sup>Ogunbuyi, T., “Appraising the Lagos State Security Trust Fund Model”, Official Website of the Lagos State Government, (2017). <https://lagosstate.gov.ng/blog/2017/12/14/appraising-the-lagos-state-security-trust-fund-model/>

<sup>76</sup> PERL (2017)

<sup>77</sup> Ogunbiyi (2017), PERL (2017)

<sup>78</sup> PERL (2017):8

state, where both parties make financial contributions towards maintaining the fund. The private sector in Lagos was incentivised to contribute firstly because of the negative impact of insecurity on their businesses. Secondly, donations to the LSSTF is treated as a corporate social responsibility under LSSTF law, therefore, it is treated as an expenditure and not subject to tax.<sup>79</sup> And like the LIRS, the supervision of the fund is undertaken by a committee not from the civil service but the private sector in order to limit political interference and promote transparency.

Analysts have asserted that the LSSTF has been a huge success citing the improved performance of the police in Lagos State in form of better crime prevention, crime detection and improvement in the overall security of the state.<sup>80</sup> The LSSTF also gained international recognition in 2010, when the UN Congress on Crime Prevention and Criminal Justice applauded the initiative and requested the Lagos State government to present a paper in a conference organised by the International Centre for the Prevention of Crime.<sup>81</sup> The CLEEN Foundation, a respected NGO in Nigeria, during its assessment of the LSSTF found that there was a reduction in the number of stolen vehicle in Lagos from 1,600 in 2007 to 800 in 2010. It also discovered a decrease in murder cases from about 250 in 2007 to 150 in 2010, and a drastic drop in armed robbery incidents from over 200 to less than 100.<sup>82</sup>

Also, the LSSTF has continued to enjoy constant donations from the private sector. In 2015, the Lagos State Government revealed that since its establishment, the private sector had donated a total of ₦4 billion while the state government had contributed ₦8 billion, with

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<sup>79</sup> PERL (2017)

<sup>80</sup> Ogunbiyi (2017), PERL (2017)

<sup>81</sup> Arthur-Worrey, F. and Chukwuma I., "Lagos State Crime & Safety Survey, Challenges & Outcomes," in Practical Approaches to Urban Crime Prevention (12th UN Congress on Crime Prevention and Criminal Justice, Salvador, Brazil: United Nations Office on Drugs and Crime (UNODC), (2010).

<sup>82</sup> Ibid

donations from the private sector increasing steadily.<sup>83</sup> The LSSTF, as at 2018, had about 400 official regular donors and millions of anonymous and unofficial donors.<sup>84</sup>

### **Replicating the Lagos Model in other States in Nigeria**

After being applauded by both local and international observers, it is then necessary to examine how the Lagos model of police intervention could be replicated in other states. Some other states such as Ogun, Kogi, Anambra and Ekiti have emulated Lagos by establishing a security trust fund, however, with mixed outcomes.<sup>85</sup> Ogun State launched a State Security Trust Fund (SSTF) in 2011 and fashioned it closely after the Lagos model with donations from banks and industries in the state.<sup>86</sup> Kogi State SSTF was established in 2014 with a handful of donors supporting the scheme. Analysts have however observed the mixed outcomes among states. In Ekiti State, when the governor who established the fund was voted out of office, his successor politicised the fund by making himself the chairman of the management committee and doled out key positions to his political clients rather than technocrats.<sup>87</sup> This is in stark contrast with the Lagos model where the fund was depoliticised for the sake of transparency. Similarly, the change of government in Anambra State affected the consistency of the SSTF established in the state in 2011.

While analysts assert that the politicisation of the SSTF and the lack of independent management have prevented some states from achieving better policing compared to Lagos, this paper proposes that the peculiar economic and political characteristics of Lagos also account for the differential outcomes. These two factors which facilitated the reforms in Lagos

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<sup>83</sup> Ugbodaga, K., “Corporate bodies donate N1b to Lagos Security Trust Fund”, PM News, (2015).  
<http://www.pmnewsnigeria.com/2015/08/07/corporate-bodies-donate-n1b-to-lagos-security-trust-fund/>

<sup>84</sup> Lagos State, Official website news, (2018). <https://lagosstate.gov.ng/>

<sup>85</sup> PERL (2017)

<sup>86</sup> Kehinde Akinyemi, “Bank Donates N75 Million to Ogun Security Fund,” All Africa, March 23(2012).

<sup>87</sup> PERL (2017)

are unfortunately absent in some other states. This research proceeds to compare the economic and political factors that account for these different outcomes.

### **State Economy and Security Spending**

In its 2017 budget, Lagos allocated ₦39.72 billion for public order and security, an amount which was upgraded to 46.612 billion in the 2018 budget.<sup>88</sup> The vibrant Lagos economy, with an average IGR of ₦34 billion per month, certainly influences the state's heavy investment on security. It could equally be argued that the improved security of the state has boosted investors' confidence, leading to more investments. However, comparing Lagos to some other states shows a stark difference. Only Lagos and Ogun generate a larger part of their revenue internally. In other states, the IGR accounts for less than 50% of their total revenue.<sup>89</sup> In fact, Lagos' ₦302 billion IGR in 2016 was greater than that of 30 other states combined. Ogun State, which shares boundaries with Lagos, has also enjoyed the spillover effects and has strived to emulate the latter economically and politically.<sup>90</sup> It is then no surprise that these two states have the most functional security trust funds according to recent assessments.<sup>91</sup>

Conversely, state such as Borno (generates only 6% of its total revenue internally), Jigawa (7.7%), Kebbi (7.8%), Yobe (8%) and Nassarawa (9.5%), that coincidentally have been mostly affected by the recent Boko Haram surgency and farmers/herdsmen clashes, have low revenue base.<sup>92</sup> These states and many others are heavily reliant on the monthly allocation from

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<sup>88</sup> Budgit (2017); Lagos (2018)

<sup>89</sup> Budgit (2017)

<sup>90</sup> Ketebu, S., "The States Internally Generated Revenue Stats For The Year 2016", (2017).  
<https://understandingmydata.wordpress.com/2017/07/03/the-states-internally-generated-revenue-stats-for-the-year-2016/>

<sup>91</sup> PERL (2017)

<sup>92</sup> Budgit (2017); Nigerian Bureau of Statistics (NBS), Nigeria States Revenue Report, Abuja, (2017).

the FG. The Oxford Poverty and Human Development Initiative (OPHI)<sup>93</sup> has equally revealed the subnational economic disparities that exist in Nigeria, with Lagos having a poverty rate of 8.5% and states such as Sokoto, Jigawa, Kebbi, and Zamfara having shockingly over 85%. The point here is similar to the financial constraint's argument put forward by opponents of state police.

All these demonstrate that while the SSTF is a commendable initiative, the different economic status of states can influence their ability to support the police. Most of the poorer states have resorted to local vigilante groups, most of whom lack adequate training and susceptible to abuse.<sup>94</sup> Meagher observes how the Bakassi Boys, a vigilante group in Eastern Nigeria, was infiltrated and politicised after it became popular and thereafter disbanded.<sup>95</sup> Vigilante groups in Nigeria have been accused of extra-judicial killings, proliferating arms and working as thugs for local politicians.

### **Systemic Vulnerability and Security Spending**

A subtler factor that accounts for the success in Lagos but yet difficult to transfer to other states, is systemic vulnerability, that is, the economic and political threats experienced by Lagos. It has been earlier discussed how during the period of political friction, the FG withheld Lagos' monthly allocations, pushing the latter to look inwards for revenue. Also, Lagos' heavy spending on security is evidently aimed at protecting its hard-earned investments as it has become more reliant on internal revenue other than federal allocations.

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<sup>93</sup> Oxford Poverty and Human Development Initiative (OPHI), Country Briefing 2017: Nigeria, Oxford Department of International Development, Queen Elizabeth House, University of Oxford, (2017).

<sup>94</sup> Meagher, K., "Hijacking civil society: the inside story of the Bakassi Boys vigilante group of south-eastern Nigeria". *The Journal of Modern African Studies*, 45(1), (2007): 89-115; Cooper-Knock, S. J., & Owen, O. "Between vigilantism and bureaucracy: Improving our understanding of police work in Nigeria and South Africa". *Theoretical Criminology*, 19(3) (2015):355-375.

<sup>95</sup> Meagher, K. (2007)

Contrasting Lagos with Rivers State, the second wealthiest state in Nigeria, shows the important role of systemic vulnerability. Rivers unlike Lagos has enjoyed cordial relationship with the FG until 2015 when APC won the general election. Since then, the State Governor, Nyesom Wike from PDP, has been critical of the ruling APC government and the NPF. In 2016, the governor led a protest against the NPF, denouncing the force as partisan and inefficient.<sup>96</sup> The governor also vowed never to use the state's resources to support the police, putting Rivers in sharp contrast with Lagos.

This paper proposes that one major factor that accounts for these different approaches towards the police amid political opposition is the presence or absence of systemic vulnerability. While the unamicable relationship between Lagos and the FG led to the withholding of allocations from Lagos, Rivers State has continued to receive its allocations in spite of its disagreement with the federal government.

Also, Rivers receives extra 13% revenue allocation for being an oil-producing state. This indicates that the political and economic threats faced by Lagos are absent in Rivers. More so, the latter generates only 34% of its total revenue internally,<sup>97</sup> implying that unlike Lagos it does not need the police as much to protect its major source of income. Kano, the second most populous state in Nigeria, often referred to as the commercial centre of northern Nigerian, has similarly been criticised for its low IGR (33.6%) in spite of the enormous population and economic activities in the state.<sup>98</sup> Their different revenue structures influenced by the presence or absence of systemic vulnerability could account for why Lagos is more willing to support the NFP than Rivers and Kano.

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<sup>96</sup> Chinwo, E., "Wike Leads Protest against Police Brutality, Killings", This Day News, (2016).  
<https://www.thisdaylive.com/index.php/2016/12/15/wike-leads-protest-against-police-brutality-killings/>

<sup>97</sup> Budget (2017)

<sup>98</sup> Ibid

## **Conclusion**

This paper has demonstrated that the economic and political threats faced by Lagos during the period of friction with the FG necessitated Lagos IGR initiative and the establishment of the LSSTF to protect the Lagos economy. It suggests that LSSTF is part of the APC political survival strategy aimed at developing Lagos, utilising the state as a tool to win other states and ensuring the party's political survival amid threats from the PDP. Nonetheless, this research reveals that the Lagos model of police reforms is hardly transferrable to other states because:

- (1) the buoyant economy which facilitates Lagos robust security spending is absent in most states with poor and dependent economies.
- (2) the peculiar systemic vulnerability which propelled Lagos into reforms is lacking in better-off states such as Rivers and Kano.

Nevertheless, even if other states cannot establish a SSTF as robust as that of Lagos, the latter challenges them to look inwards for revenue generation instead of relying on federal allocations. The overreliance of regional governments on allocations and bailouts from the central government is an aberration of the tenets of federalism. State governments are challenged to initiate innovative ways of increasing their income, as increased revenue base will provide them with more funding for crucial projects including improving internal security, the foremost responsibility of protecting lives and properties.