Policing and the Federal Bargain: Nigeria's State Police Reform and Canada's Provincial Policing Model

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Abstract

Few policy areas highlight the importance of federal design as clearly as policing, because control over coercive force is a direct sign of governmental power. Nigeria has, since independence, maintained a single, centralized Nigeria Police Force under exclusive federal control - a model now being reconsidered with the 2026 Sixth Alteration constitutional amendment that will create state police services. Conversely, since its founding, Canada has mostly viewed policing as a matter for provincial and, through delegation, municipal jurisdiction, despite the partial centralization role of the Royal Canadian Mounted Police (RCMP) as a federal agency and, via contract policing, a de facto police force for many provinces and municipalities. This article compares these two approaches and explores Nigeria's ongoing reform in light of lessons-both promising and cautionary-from Canada's long experience balancing federal, provincial, and municipal policing authority.

Keywords: Policing, State Police, Federal Bargain, Police Reform, Policing Models

Introduction

Policing uniquely combines federalism and public safety, making its institutional structure highly consequential. A centralized police can ensure consistency, uphold professional standards, and remain shielded from local political influence. However, it might also serve as a tool for central political control, especially if local governments see it as unresponsive or as participating in political repression. Conversely, a decentralized approach can enhance local responsiveness and accountability but may lead to fragmentation, inconsistent standards, and the potential for governors or mayors to use the police for political gain. Nigeria and Canada, exemplifying these extremes respectively, provide valuable insights, especially amid current discussions on Nigerian reform.

The Nigerian Model: Centralization and Its 2026 Reform

Since the 1999 Constitution's enactment, "Police and other government security services" have been listed in the Exclusive Legislative List, with section 214 granting policing authority solely to the Nigeria Police Force. This force is operated under the Inspector-General of Police, who reports to the President via the Nigeria Police Council. Although state governors are constitutionally recognized as "Chief Security Officers" of their states, they lack formal command over policing in their territories. This disconnect has caused ongoing practical tensions when national policing priorities from Abuja differ from local security needs. Consequently, there has been consistent advocacy from state governors, civil society, and successive National Assembly constitutional-review committees for creating state police forces that can address localized law enforcement more effectively.That advocacy culminated in legislation in 2026 when both the Senate and House of Representatives passed the *Constitution of the Federal Republic of Nigeria (Alteration) (Sixth Alteration) (State Police)* Bill. President Bola Tinubu subsequently transmitted it for further review. Nigeria is now poised to shift policing responsibilities from the Exclusive List to a shared federal-state model. Amendments to sections 197, 214, and 215 would

create a dual police system comprising a Federal Police Service and State Police Services. Under this plan, governors would appoint state police commissioners from existing officers, based on recommendations from a reformed Nigeria Police Council and confirmed by the State House of Assembly. Governors could issue lawful directives concerning security, but if a state commissioner believed a gubernatorial directive was unlawful, they could refer it to the Nigeria Police Council for a final decision. Supporters argue that this reform is essential to address increasing banditry, kidnapping, and communal violence, which a centralized police force has struggled to contain given Nigeria's population of over 200 million. Critics, including the *Miyetti Allah Cattle Breeders Association* and other stakeholders, warn that without strong independent oversight, governors could exploit state police for political purposes, such as suppressing opposition or manipulating elections.

The Canadian Model: Provincial Primacy with Federal and Contract Overlay

Canada's constitutional foundation differs notably. Policing is not explicitly listed in either section 91 or 92 of the Constitution Act, 1867, but courts have generally placed it within provincial authority-under the "Administration of Justice in the Province" (section 92(14)) and, for municipal police, under "Municipal Institutions" (section 92(8)). Each province has the power to establish its own police force, as seen with Ontario, Quebec, and Newfoundland and Labrador-via the Ontario Provincial Police, the *Sûreté du Québec*, and the Royal Newfoundland Constabulary, respectively-or, more frequently, to contract with the federally operated Royal Canadian Mounted Police (RCMP). This arrangement, governed by formal Provincial and Municipal Police Service Agreements, allows the RCMP to serve as Canada's federal police force (enforcing federal laws, national security, and cross-border issues) and, outside Ontario and Quebec, as the primary provincial and municipal police, funded mostly by the contracting province or municipality rather than the federal government.

This arrangement means that even when the RCMP handles daily provincial policing, provincial and municipal governments still control policing priorities, oversight, and resources through contracts and provincial police laws, such as Ontario's Community Safety and Policing Act. Municipal police boards, usually made up of councillors, provincial appointees, and community members, add an extra layer of civilian oversight that largely remains independent of direct mayoral influence - a structural safeguard against politicization, addressing concerns raised by Nigerian critics about gubernatorial control.

Critical Comparison

Several lessons emerge from these comparisons. First, Canada's experience shows that decentralized policing does not have to mean no federal or cross-jurisdictional coordination. The RCMP's dual role-serving both federal and provincial contracts-serves as a model for how a national police force can coexist with, and support, sub-national policing rather than replace it.Nigeria's proposed Federal Police Service and State Police Services seem to aim for a similar dual structure, though they notably do not include an RCMP-style contractual arrangement where the federal force actively provides state-level policing services. Instead, Nigeria envisions separate forces that are staffed and funded independently.

Second, Canada's use of civilian police boards, which are independent of political influence, offers a solution to concerns about politicization, such as the Nigerian worry about gubernatorial control over state police. Creating an independent oversight body that acts between the governor and police operations-rather than giving governors direct appointment and control over police commissioners, as the current Nigeria Police Council proposal suggests-would better protect against the politicization of local policing, similar to Canada's safeguards.

Canada's experience shows that decentralization has costs: contract policing has led to controversies, including worries about the RCMP's ability and suitability for community policing, disagreements over cost-sharing for provincial and municipal contracts, and periodic provincial reviews, like Alberta and Surrey's

recent attempts to move away from RCMP contract policing to dedicated local forces. These reflect the real institutional trade-offs in a multi-tiered policing system. Nigeria's reformers should not assume that creating a state police will fix security issues without sustained investment in oversight, training, and funding stability.

Conclusion

Nigeria's move towards state policing marks a major federal reform, shifting a key coercive role from the federal government to a shared federal-state system. This approach aligns with standard federal practices seen in countries like Canada. Canada's decentralized model-where provinces and municipalities hold primary policing authority, supported by a federal police service for contracts and independent civilian oversight-provides Nigeria with both an example and a warning. Decentralization can enhance local responsiveness and accountability, but only if it includes strong, politically insulated oversight mechanisms to prevent state governments from dominating policing. Canada's civilian police oversight model addresses this concern more directly than Nigeria's current Sixth Alteration proposal, which mainly relies on the Nigeria Police Council for resolving disputes between governors and police commissioners.

Select References

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