

THE LAW OF THE JUNGLE AND THE NIGERIA POLICE FORCE: EXTRA-JUDICIAL KILLING IN CHIMAMANDA NGOZI ADICHIE'S "CELL ONE" IN *THE THING AROUND YOUR NECK*

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Abstract

The constitution is purportedly the highest and the supreme law in Nigeria from which other laws derive their validity. It establishes the three arms of government – executive, legislative and judicial – and their organs and agencies and vests them with their powers and limitations. *Constitution of the Federal Republic of Nigeria 1999*, like other constitutions before it, establishes the Nigeria Police Force and provides its constitutional duties for the maintenance and security of public safety and public order. It further guarantees the fundamental rights and freedoms of the citizens, and establishes the superior courts of record and vests them with judicial powers. It further sets up within itself the procedure for the arrest, detention and prosecution of any person suspected to have committed or about to commit an offence. It is, therefore, within the legal framework of this **grund norm** and other statutes that this critical discourse examines Chimamanda Ngozi Adichie's "Cell One" in *The Thing Around Your Neck* to unmask a police force in the world of the short fiction that carries out extra-judicial killings and other forms of jungle justice, despite the constitutionally guaranteed rights. In this short story, Adichie portrays Nigeria as a country that is a metaphor for murder of all sorts, a country where powers of organs of government are exercised unchecked, a country where human lives counts for nothing. Moreover, the reader discovers that Adichie exposes the reality of extra-judicial killing by Nigeria Police Force, a situation which has drawn the criticisms of legal jurists. She presents not only a corruption-ridden, disorderly and inept killer-squad of unabashed police force, but also indicts the silences and complicity of the citizenry in accommodating such horror.

Introduction

Political liberty is to be found only in moderate government, but even in this, it is not always found; it is there only when there is no abuse of power. But constant experience shows us that every man invested with power is apt to abuse it, and to carry his authority as far as it will go To prevent this abuse, it is necessary from the nature of things that power should be a check to power (Montesquieu *The Spirit of the Law* 150).

It is a truism that for any democratic system of governance to avoid the descent into the Hobbesian state of anarchy, there must be a written constitution that distributes powers within the three arms of government – executive, legislative and

judicial. And for the persons and offers that must exercise the powers which the constitution confers on him or her, there must be a check and balancing act in order that the citizens are not trampled upon by power-drunken agents of the government. Nigeria, for example, which operates a constitutional democracy, the constitution provides in its section I that "This Constitution is supreme and its provision shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria". By this provision, therefore, every arm of the government and its various agencies and departments and persons are bound by the constitutional provisions in the exercise of any of the powers conferred on them.

However, terrible and bitter experiences have shown that this is not the case, since human beings have the tendency to over-reach their powers to the detriment of others. For instance, the Nigeria Police Force, which is an organ of the executive arm of government, has frequently come under the limelight for very bad reasons – the operation of jungle justice – in the course of their duties. It has attracted screeching media, headlines, press conferences and interviews by NGOs, court litigations by aggrieved victims of their actions or omissions, comments and condemnations from legal jurists and social critics. The creative writers, however, have also focused their literary searchlight on the **modus operandi** of the Nigeria Police Force. Its centrality as an organ of government in the administration of criminal justice cannot be overstressed. Indeed, it is "the first organ that comes face to face with a suspected criminal" (Chukkol, 2000: 78). However, in the dispensation of criminal justice system, the Nigeria Police Force has, on most occasions, found wanting, as they operate outside the provisions of the constitution and other statutes. Therefore, it becomes the sacred duty of the writer to "take his position against the oppression of the people, all forms of brutalities and of unwarrantable violence against the masses" (Obiechina Okike 2). The writers with conscience must expose the violations of the rights and freedoms of the citizens, if they will avoid being "accused of a lack of vital relevance between their literary concerns and over-whelming reality of most of our modern states" (Ogwude, 2008: 83). The exposure of the reality of the modern African states by the writers is not enough, their main objective should be to "influence their readers and shape their societies" (Akwanya, 2011: vi). The writer who can fulfill this role must be a committed writer, who knows what is at stake, whose qualities have been enunciated thus:

... a committed artist is not necessarily a sycophant who sings the song the people would like to hear, but a quaintessence of truth who is aware of his responsibility as a guardian and promoter of progressive morality. A committed artist is not the coward who preaches the dictates of the oppressors, or scared of incurring the wrath of the exploiters. The committed artist combats all forms of oppression and exploitation and, in the process, suggests a solution to societal predicament (Ezeliora, 2004: 276-277).

It is in the fulfillment of this mandate of a committed artist that Adichie does not shy away in the presentation of a gory image of a population that has been humiliated, intimidated, degraded and subdued by its police force. She shows a portrait of an anarchical state whose police force operates the law of the jungle, a state where extra-judicial killings are rife; a state where the judiciary is non-existent and aggrieved victims of executive lawlessness have no remedy. The reader must see that the characters in Adichie's short-fiction, "Cell One", in her short stories collection, *The Thing Around Your Neck*, inhabit a bizarre fictive world, where the law of the jungle – bloodletting and dog-eat-dog attitude – takes precedence. Though "Cell One" is a short-fiction, which Adichie uses to reflect on "polyvalent socio-political issues affecting a people..." (Orie, 2010: 131). However, like other forms of literature, short-fiction is "the principal weapon of the priest, the magician, and the sage. It has also been the undeniably effective art of all the important religious and political reformers since before the days of Buddha" (Lomax quoted in Orie, 2010: 129). Surprisingly, the short story and the novel are two forms of fiction, which take their subjects from man's life and social experience. However, Okonkwo observes, "The need to achieve narrative and structural economy accounts for some of the characteristics of many short stories. For instance, many deal with only one incident, open point very near the climax, and are very sparse in details concerning the background and setting" (2006: 228). In Adichie's "Cell One", an unnamed narrator unfolds a disorderly, corruption-ridden and inept police force, whose mode of operation resembles the rampage of a beast, and outside the purview of the constitution.

It is not only Chimamanda Ngozi Adichie that has x-rayed the unconstitutionality of the actions and omissions of the Nigeria Police Force in her literary works. Almost every literary work that comes from Nigeria and other third world countries have painted horrible pictures of the consequences of abuse of power by those in authority, whether civilian or military. However, critics have failed to use legal parameters in their analysis of the works. This has been left in the domain of legal jurists. One of the people that draw attention to the unconstitutionality of the actions of the Nigeria Police Force is Andrian Osuagwu. He decries the attitude of the force, which is an "organ of the executive arm of the government in summarily executing alleged criminals through extra-judicial killings, which is an affront not only to the doctrine of separation of powers but also to democracy" (2010: 67-68). There is a legal review of the death sentence imposed on convicted criminals in Chukwunonso Okafo's "A Sensible and Compelling Substitute for Capital Punishment An Alternative Model; Salient Matters Arising in Nigeria and the USA". Okafo argues in his research that Life in Prison with Hard Labour and No Release Before Natural Death (LPHLNR) is now a preferred alternative to death sentence for capital offences in some other legal jurisdictions. He states that though death penalty is an extreme form of punishment for the extreme conduct of a criminal offender, but

the finality and irretrievability of death makes it an option to be overhauled. As he puts it pointedly, when convicts have been “sentenced to death and the sentences carried out, it would be impossible to restore their lives on being found Not Guilty” (2012:8).

In his contribution to the importance of fair hearing in the criminal justice system, G.A. Onuoha observes that some provisions of the *United Nations Declaration on Human Rights*, *African Charter on Human and Peoples’ Rights* and the fundamental rights and freedoms in the *Constitution of the Federal Republic of Nigeria, 1999* are similar in the presumption of innocence for the accused until his guilt is proven in court with competent jurisdiction to try his case. He argues that presumption of innocence is at the core of fair hearing and the rule of law in all civilized jurisdictions. According to him:

For if a man is to be condemned before he is brought to trial, there would certainly have been no need for the courts and the administration of justice. Indeed, there would have been no need for modern government and group existence (2012:42).

Besides, Ogbuabor hammers on the necessity of expanding the scope of juridical review, which is a supervisory function of superior courts of record, in Nigeria. This has become necessary in view of the fact that the traditional conception of juridical review has become grossly inadequate to forestall the abridgement of the rights of citizens by government officials and agencies. It is his considered opinion that Nigeria should follow the footsteps of activist courts in other jurisdictions that have reviewed theirs. However, he is hopeful that with new statutes like *Fundamental Rights Enforcement Rules, 2009*, *Freedom of Information Act, 2011*, and others that there is no way the old order of judicial review will not be swept away when courts break “down the barrier between legality and merits of a claim, by going into the factual situation to determine the reasonableness or otherwise of an administration’s decision in order to do justice” (2011-2012 : 21).

Still related to the reason why the police may kill a suspect outside the laid down procedure of the criminal justice system is the issue of starting cases *de novo* in Nigerian courts. In Ojeih’s argument, some of the circumstances that warrant a situation where a case which may have stayed in court for years being started anew includes the transfer of the magistrate or judge handling the case and the denial of fair hearing and other cogent circumstances. He suggests that despite the merits of starting cases afresh, it has some other setbacks – the frustration of litigants, wastage of huge resources, and at times, it may lead to the denial of justice. He believes that Nigerian courts should adopt the situation in continental Europe, where cases are not started *de novo*, but the cases continue where the last judge stopped.

In literary criticism, Ezenwa-Ohaeto examines the abuse of power as a result of the loopholes in the political structures of African societies. In his “Patriots and

Parasites: The Metaphor of Power in Achebe's *Anthills of the Savannah*", he dissects the fictive world of the novel, where fictional characters that inhabit it flatter the despotic military junta; yet, they are subjected to brutalities that even his best friends are murdered. He observes that in the world of the novel, it is not only the military rulers that destroy the populace, but also "the excesses of His Excellency are thus adopted by ordinary policemen and soldiers, including his favorite expression, 'Kabisa'. These pervasive acts of destruction are used by the author to make forceful the idea that power could be wielded by any member of the society towards negative purposes" (2011: 55).

It is obvious from the review of scholarship that none of the works have used the provisions of the law to apply them to the abuse of power, particularly, extra-judicial killing by the Nigeria Police Force in a literary text. This research, therefore, will use the methodology of library research and legal framework to analyze the indictment of the Nigeria Police Force in the world of "Cell One" in Chimamanda Ngozi Adichie's *The Thing Around Your Neck*. But before the textual analysis, there is the need to examine the provisions of the statutes, which form the backdrop of the violations of the rights of the fictive characters in the setting of the short-fiction.

Enabling Statutes on the Powers of the Nigeria Police Force

Since the setting of the short fiction is in Nigeria, though some of the events narrated can also happen in any nation with despotic leaders, the statutes which specify the powers of the three arms of government, particularly the police force, which is an organ of the executive, will be examined in detail. This is necessary as it is argued that in the world of "Cell One", the police operate outside the purview of the constitution to violate the rights and freedoms of fictive characters. Also Adichie presents a world that operates the law of the jungle, where there is no court of law that should check and balance the tyrannical powers exercised by the members of the police force.

Like it has been stated earlier, in a constitutional democracy, the constitution is the supreme law of the land from where other laws derive their validity. The same constitution, in its wisdom, specifies the three arms of government, their functions and places checks and balances on each of them in the exercise of the constitutional powers. For instance, chapter seven of the *Constitution of the Federal Republic of Nigeria, 1999* establishes the superior courts of record – Supreme Court, Court of Appeal, Federal High Courts, State High Courts, and the others. In its section 6 (1) and (2), the constitution vests the judicial powers at the federal and state levels solely on the courts. In sections 174 and 211, it confers on the attorney-general of the federation and the attorneys-general of the states respectively, the powers of public prosecution of criminal cases. In subsection 1(b) of each section, it states that the attorney-general may "take over and continue any such criminal proceedings that may have been instituted by any other authority or person". It is through this section that the police prosecute criminal cases in courts, particularly at the magistrate courts.

Apart from the creation of the courts and their powers, the Nigeria Police Force as an organ of the executive arm of government is also a creation of the same constitution in its section 214 (1). In subsection 2(a) of the same section, it further provides, "the Nigeria Police Force shall be organized and administered in accordance with such provisions as may be prescribed by an Act of the National Assembly". The National Assembly has made such acts and they include, the *Police Act*. Section 4 of this act provides the general duties of the police as:

... prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the due enforcement of laws and regulations with which they are directly charged.

Section 23 of the *Police Act*, deriving its validity from sections 174 (1) (b) and 211 (1) (b) of the constitution aforementioned states, "any police officer may conduct in person all prosecutions before any court, whether or not the information or complaint is laid in his name". Also section 24 (1) of the act, deriving its power from section 10 of the *Criminal Procedure Act*, provides the circumstances under which a police officer may arrest a suspected offender without a warrant of arrest, but of particular interest to this research is its subsection (a) where a police officer can arrest without a warrant "any person whom lie finds committing any felony, misdemeanor or simple offence, or whom he reasonably suspects of having committed or of being about to commit any felony, misdemeanor or breach of the peace". However, the act in section 27 provides for the bail of any suspected offender who is arrested without warrant, and this can be done "as soon as practicable after he is taken into custody".

Again, the **grund norm**, the constitution, which is the supreme law of the land, guarantees the basic rights and freedoms of the individuals. In it section 33 (1), it states, "Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria". It guarantees every person's right to dignity and in subsection (1)(b) states, "no person shall be subjected to torture or to inhuman or degrading treatment". Section 35 (1) of the constitution provides for the individual's right to personal liberty. And it itemizes the ways a person can lose his personal liberty, which includes among others, in subsection 1(c) "for the purpose of bringing him before a court in execution of the order of a court or upon reasonable suspicion of his having committed a criminal offence, or to such extent as may be reasonably necessary to prevent his committing a criminal offence". In order to check the excesses of the police and ensure that this power to detain a suspect does not violate his fundamental rights, the constitution in section 35 (4) provides a **caveat**: the arrested or detained suspect shall be brought before a court of law within a reasonable time, and if he is not tried within a period of (a) "two months from the date of his arrest or detention in the case of a person who is in custody or is not entitled to a bail". In order to ensure an improved and smooth criminal justice system,

the constitution in section 35 (5) (a) interpretes what it means to be “a reasonable time” in subsection (4). A reasonable time is “in the case of an arrest or detention in any place where there is a court of competent jurisdiction within a radius of forty kilometers, a period of one day”, and (b) “in any other case, a period of two days or such longer period as in the circumstances may be considered by the court to be reasonable”. And to ensure that the country operates a civilized criminal justice system, section 35 (6) provides for compensation and apology to the detained by appropriate authority or person.

Furthermore, in order to ensure that the rights of the suspected person is not jeopardized in criminal trial, particularly, the constitution in section 36 provides the right to fair hearing and in subsection (4) of the section states that the accused shall be tried by a court or tribunal in public within a reasonable time. And one of the strongest pillars of fair hearing in criminal trial is the presumption of innocence of the accused. Section 36 (5), “Every person who is charged with a criminal offence shall be presumed to be innocent until he is proved guilty”. Moreover, the right to freedom of thought, conscience and religion is guaranteed, but the constitution itself abridges this right in subsection 4 of the section because, “Nothing in this section shall entitle any person to form, take part in the activity or be a member of a secret society”. And finally, there is the special jurisdiction of the high courts to enforce the rights of the aggrieved citizens who apply to the high court for redress in section 46 (1) and its subsection (4) further provides for legal aid for indigent citizens whose rights have been violated to ensure that they apply to court for redress.

Having seen the laws and their provisions in the protection of the rights and freedoms of citizens, textual analysis of “Cell One” will unfold whether the police exercise its powers within the confines of the laws or appropriate the law of the jungle.

Textual Analysis of “Cell One”

In the world of this short fiction, Adichie paints an unedifying picture of a world that is in chaos, where there is no rule of law, and where the police force is the prosecutor, the judge and the executioner in the criminal justice system. The powers of the police are not checked by the third arm of the government – the judiciary – as Adichie presents a world that is a jungle, where there is no judiciary that ought to ensure fairness to the state, the victim and the accused in a criminal trial. For instance, the narrator whose name is not mentioned, but is simply described as a younger sister to Nnamabia, a student-suspect in the short fiction, narrates the story. Through her, Adichie presents the University of Nigeria, Nsukka campus which is one of the settings where some of the events unfold. The campus is inhabited by professors and their wives who are presented as weak-willed and pretentious parents. Because of their lax attitude in training their adolescent children and peer group influences, the young sons are criminals who burgle and break into the houses of their parents and neighbours to steal from them. At the age of seventeen years, Nnamabia breaks into

their family house and steals the mother's gold jewelry. Ironically, according to the narrator, "... I sat alone in my room upstairs and realized what the queasiness in my gut was: Nnamabia had done it, I knew. My father knew, too" (64). However, it is not only Nnamabia that steals from the residents of the campus, the narrator states that "it was our neighbour Osita who climbed in through the dinning room window and stole our TV, and VCR, and the *Purple Rain* and *Thriller* videotapes my father had brought back from America" (3). Interestingly, the parents of these young men who should have punished them or send to reformatories indulge in self-delusion that it is "riff-raff from town coming onto their sacred campus to steal" (5). The narrator continues with the indictment of these permissive parents because the thieving boys are the popular ones on campus as they "drove their parents' cars in the evening, their seats pushed back and their arms stretched out to reach the steering wheel" (5). Even Nnamabia's parents are not spared the indictment for their inability to train their son. Nnamabia's mother is obsessed with her son's handsomeness that when traders eulogized this, she "would chuckle, as though she took a mischievous and joyful responsibility for Nnamabia's good looks" (6). She also goes on to shield him whenever he commits any misdeed in his school. According to the narrator:

When, at eleven, Nnamabia broke the window of his classroom with a stone, my mother gave him the money to replace it and did not tell my father. When he lost some library books in class two, she told his form-mistress that our houseboy had stolen them. When, in class three, he left early every day to attend catechism and it turned out he never once went and so could not receive Holy Communion, she told the other parents that he had malaria on the examination day. When he took the key of my father's car and pressed it into a piece of soap that my father found before Nnamabia could take it to a locksmith, she made vague sounds about how he was just experimenting and it didn't mean a thing. When he stole the exam questions from the study and sold them to my father's students, she shouted at him but then told my father that Nnamabia was sixteen, after all, and really should be given more pocket money (6-7).

Nnamabia's father is not better than the wife in the training of his son; he is not interested in his discipline and after he has sold the trinkets, squandered the proceeds from the sale and stayed out for two weeks, the only thing he could do is to "ask Nnamabia to write a report: how he had sold the jewelry, what he had spent the money on, with whom he had spent it" (4-5). A police man insolently indicts him and other parents like him, "You cannot raise your children well, all of you people who feel important because you work in the university. When your children misbehave, you think they should not be punished" (20). His son's incarceration in police custody

and the new soberness in him compel him to comment, "This is what I should have done when he broke into the house. I should have had him locked up in a cell" (11).

Besides, the university authority is also presented as an irresponsible one that is not security-conscious. It is quite unconscionable that the university authority allows the type of criminal activities going on in the campus. Young students and lectures' children rob one another, and at a point, the narrator says, "It was the season of cults on our serene Nsukka campus" (7). Everybody, including the narrator, knows all the cults and the most important ones are The Black Axe, the Buccaneers, the Pirates, and the cult member are also not faceless, for Aboy who is later arrested by the police during the cult wars "drove a Lexus on campus and was said to be a Buccaneer" (17) and "Cult boys were popular" (8) on campus. Despite the prevalence of cult wars on campus, there is no serious security to check their activities as it is on a "humid Monday, four cult members waited at the campus gate and waylaid a professor driving a Mercedes" (9) and robbed her of her car with which they killed three boys. The preposterous decision of the university administration, which is not proactive in providing security on the campus, to cancel all evening classes and impose a curfew on the campus after 9.00p.m., is not lost on the university community. The narrator wonders, "This did not make much sense to me, since the shooting happened in sparkling daylight, and perhaps it did not make much sense to Nnamabia, either, because on the first day of the curfew, he was not home at 9p.m. and did not come home that night" (9).

Having seen the jungle world of the university campus, where jungle laws operate, where cult members undergo "secret and strange initiations that sometimes left one or two of them dead on Odim Hill" (7), a Buccaneer "would be stabbed in the thigh" (7), and in retaliation, Buccaneers will "shoot the nearest Black Axe boy in the shoulder, and then the next day, a Buccaneer member would be shot dead in the refectory..." (8). Unfortunately, the university authority that is presented to the reader lacks the semblance of serious internal security, except those ones that go on errands. Nnamabia's family is told of his arrest because "a security man came to tell my parents that Nnamabia had been arrested with some cult boys at a bar and had been taken away in a police van" (9). However, the police security which is empowered by relevant statutes for the security of lives and property and for the preservation of law and order also seen incompetent, disorderly, corruption-riddled, and lawless police officers. The reader is presented with an image of a run-down police force, which is invited to for security during the cult wars, "sped across campus in their rickety blue Peugeot 505, rusty guns poking out of the car windows, and glowered at the students" (8). Ironically, it is obvious that the police is ill-equipped to combat cultism and cultists as "everyone knew the cult boys had more modern guns" (8). In order to mask their incompetence, they "walk into a bar and arrest all the boys drinking there, as well as the barman". It is obvious that the bar is outside the curfew area and the site of the cult wars; yet, the police commissioner in Enugu is "giving gloating, preening

interviews on television about the arrested cultists” (14). The same image of disorderliness is seen at the police station at Nsukka, where “a constable chewing on a dirty pen cover” (10) informs the family that Nnamabia and the others have been taken to Enugu. At Enugu, which is the capital of the state and where there is the police headquarters, the same disorderliness and corrupt police force is presented. The narrator states that the commissioner of police works here, and despite the fact it is a walled compound, sprawling with buildings, “dusty, damaged cars were piled by the gate” (10), and the “mother bribed the two policemen at the desk with money and with **jollof** rice and meat, all tied up in a black waterproof bag” (10) for Nnamabia to be allowed to come out of his cell and sit with them. The same disorderliness is seen in the police execution ground as the unmarked “small compound looked neglected, with patches of overgrown grass, with old bottles and plastic bags and paper strewn everywhere” (19).

Apart from the disorderliness, incompetence and corruption of the police officers, the cells where the suspects are kept leave much to be desired. Nnamabia is detained in Cell One, which is infested with bugs that “lived inside the cracks and their bites were vicious” (12). It is overcrowded that “they all had to sleep on their sides, head to foot” (12), each of the detainees gets two mouthfuls of “**garri** and watery soup” (12). In order to prove that the criminal justice system in the world of the novel is not meant to reform the individual, but to further dehumanize him, Nnamabia tells the family of his personal experience, “I had to shit in a waterproof bag today, standing up. The toilet was too full. They flush only on Saturdays” (13). It is obvious then that a police force, operated by “illiterate and corrupt” (13) police men cannot do much in the dispensation of its constitutionally allotted duties and they must operate like robots outside their powers.

Like it has been hinted severally in this study, Adichie relentlessly explores a jungle world, where there is no adherence to constitutional procedure, and where power is exercised unchecked to the detriment of a cowered and brutalized citizenry. Because the short fiction, *Cell One*, is set in Nigeria, the provisions of the Nigerian constitution that guarantee the rights of every person forms the backdrop of this research in order to examine a world where there is no rule of law and extra-judicial killings are rampant. The university campus at Nsukka is a jungle where people commit all sorts of crime – house-breaking, burglary, cultism, stealing armed robbery and murder. The vice chancellor has to impose a curfew and invites the police, whose orgies of killing, overtakes the university’s cult wars. Relevant laws empower the police to keep law and order, to ensure the protection of lives and property and to assist in the criminal justice system of the state. The university which is no longer a place for the education of people with refined sensibilities has been turned into a jungle, where jungle law operates. The police are empowered by section 24(1) (a) of *Police Act* to arrest without warrant “any person whom he finds committing any felony, misdemeanor or simple offence, or whom he reasonably suspects of having

committed or of being about to commit any felony, misdemeanor or breach of the peace". With this provision of the law, the police rightfully "walk into a bar and arrested all the boys drinking there" (10) based on suspicion that they may be the ones that have been murdering students in the campus or that they have converged at the bar to plan to commit further offences. But it may be argued that instead of charging the suspects with murder, which is a more serious offence, that is not bailable, they charge them with cultism. The constitution guarantees the individual's right to freedom of thought, conscience and religion. However, its section 38 (4) has a proviso that "Nothing in this section shall entitle any person to form, take part in the activity or be a member of a secret society". The *Criminal Code Act* in section 62 (1) defines an unlawful society to include any combination of ten or more persons whether the society be known by any name or not with the purpose, among other purposes, of "killing or injuring or encouraging the killing or injuring of any person" in section 62 (2) (b). In the world of "Cell one", the cult groups include Black Axe, Buccaneers, Pirates and their members like Aboy are known and their activities include students of the opposing cults "would be hacked to death in his room in a lecturer's Boys' Quarters, his CD player spattered with blood" (8), or "a boy hacked another boy with an axe right in front of the music department building" (17). Therefore, the killings on the campus have provided enough grounds for the police officers to arrest a group of young boys whom they found drinking in a bar at night, but they also show that they operate without constitutional procedure. The police at Nsukka arrest Nnamabia and his group, and the following day, they are taken to the police headquarters in Enugu. The interest of the police is not in unraveling the criminals that commit all sorts of crime in the campus, but to give the impression that they are working and on top of the situation in the campus. As the narrator and her family travel to Enugu to see Nnamabia, the description of the various branches of the criminal justice system is given:

But Enugu was anonymous, the state capital with the Mechanized Division of the Nigerian Army and the police headquarters and the traffic wardens at busy intersections. It was where the police could do what they were famed for when under the pressure to produce results: kill people (10).

It is obvious that from this chilling description that one thing is left off deliberately by the narrator – the judiciary or the court – which is an essentiality in the dispensation of criminal justice. This third arm of government is left out, because Adichie wants to present a world that is a jungle, where there is no rule of law, and where human life is worthless. It is in this type of world, that cultism, which is a lesser offence, takes precedence over murder; yet, the suspects are neither taken to court to be tried nor bailed and Nnamabia stays for two weeks in an appalling police detention for an offence he never commits.

Interestingly, Adichie presents a world where there is anarchy and where the guaranteed rights of the citizens are violated by an important organ of the keepers of the rights – the police – with impunity. Where it a world where there is the rule of law, the procedure for the trial of a suspect are provided for in the constitution. Section 35 (1) guarantees the individual's right to personal liberty; however, one of the ways this right may be lost is seen in subsection (c) of this section, "for the purpose of bringing him before a court in execution of the order of a court or upon reasonable suspicion of his having committed a criminal offence, or to such extent as may be reasonably necessary to prevent his committing a criminal offence". In that case, the constitution empowers the police to arrest the bar man, Nnamabia and the others whom they suspect are the cult boys that hack one another to death in the campus, so as to prevent the further commission of murder. Ironically, their arrest and detention have not done so, because as the narrator reveals, "Two days later, there was another cult attack on campus; a boy hacked another boy with an axe right in front of the music department building" (17).

It is obvious that the world of the characters in "Cell One" is a jungle as one can be arrested for an offence committed by another. Nnamabia tells his family how a man in his "mid-seventies, white-haired, skin finely wrinkled, with the old-fashioned refinement of an incorruptible retired civil servant" (15) is brought into his cell because his son, whom the police suspects to be involved in armed robbery, runs away. His mother replies, "...it is wrong, but this is what the police do all the time. If they do not find the person they are looking for, they will lock up his father or mother or his relative" (15). There is no place in any of the statutes where the police is empowered to arrest the relative of a suspect, even if the suspect is a minor. Between Nnamabia and the old man, the first is lawfully arrested and detained, but the second is not.

But even if Nnamabia, the bar man and the other boys are detained in police custody, if the world of the short fiction is not a jungle, they should either be bailed because they are charged with a bailable offence – cultism – or they should be charged to court as provided in section 35(4) of the same constitution. However, Nnamabia has stayed in police detention without trial and the old man has also stayed for one week. Both and others like them are not brought to court but are kept to languish in police detention. And this is despite the constitutionally guaranteed right to dignity of human person in section 34 (1) (a) which states, "no person shall be subjected to torture or to inhuman or degrading treatment". There is no doubt that Adichie portrays a criminal justice system that is deficient and not meant to reform the individual but to dehumanize and break him. Not only that the cells are uninhabitable, infested with bugs and the food poor, other detainees also beat up others. The narrator tells the reader of her experience of the torture of one of the detainees, "Inside the sprawling station compound, two policemen were flogging somebody who was lying on the ground under the umbrella tree" (17). Nnamabia is

not spared the torture despite his parents' bribes, for "his left arm was covered in soft-looking welts. Dried blood was caked around his nose" (20). Old detainees are also tortured, for the old man who is arrested and detained for his son's offence is ordered by the police "to take all his clothes off and parade in the corridor outside the cell, and as he did they laughed louder and asked whether his son the thief knew that papa's penis was so shriveled" (16).

Moreover, the police have tagged the detainees criminals, who ought to stay in detention indefinitely, without trial by the court of competent jurisdiction. Despite the fact that section 36 (1) of the constitution guarantees an individual's right to fair hearing, particularly, to an accused in criminal trial. The police in the world of Adichie's fiction violate this freedom. Not only is the accused entitled to be tried by a court publicly, but one of the strongest pillars of fair hearing is the presumption of innocence until he is proven guilty of the offence he is charged with as provided in section 36(5) of the constitution. In the world of "Cell One", Nnamabia, the bar man and the other boys who are arrested at the bar have their guilt determined by the police. In other words, the police act as the prosecutor or complainant, the judge and the executioner. At the Nsukka police station, the police constable has determined the guilt of the suspects, when he tells Nnamabia's family categorically, "You mean those cult boys arrested yesterday night" (10)? Apart from this verdict of a junior police officer at Nsukka, the commissioner of Police in Enugu is also "giving gloating, preening interviews on television about the arrest cultists" (14). Therefore, since the policemen have already adjudged the suspects as guilty, they are the executioners of the death sentence they have passed on them. And this is despite the fact that most fundamental of the basic rights in the constitution is the right to life, which section 33 (1) guarantees thus:

Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.

Adichie presents a setting where extra-judicial killing is the order of the day. In the campus, students are murdered by cultists. If they escape them and the police arrest and detain them, they may be killed in detention by General Abacha and other inmates, who will surely batter the newcomers. The appalling situation and neglect in the cells, particularly in Cell One, where they keep those suspects that are already condemned to death, is unimaginable. Every detainee is afraid of this cell, where "Two policemen had carried a swollen dead man from Cell One and stopped by Nnamabia's cell to make sure that the corpse was seen by all" (12). It is the same cell, where Nnamabia is kept briefly for protesting the humiliation, degradation and torture of the old detainee. But Cell One is not the worst place, as the narrator tells the reader that the police in the world of the short fiction also operate like a secret cult. They

have an unmarked compound in Enugu where they keep those people, whether they are innocent or not, they have marked out for elimination. It is in this secret place that they take Nnamabia to, and this is a place of no return for its inmates. When Nnamabia's family comes to the police headquarters with his release order from the police station at Nsukka, when one of the cultist have confessed that he is not a member, Nnamabia has been transferred from Cell One to the undisclosed destination. The police man on duty is unable to answer their questions or explain Nnamabia's whereabouts; he simply tells them, "I will call my senior to explain to you" (18). The whole family members are filled with fear and nervous for "each of us suspected privately that Nnamabia had been killed by trigger-happy policemen and that this man's job was to find the best lie to tell us about how he died" (18). Even the senior officer that is brought is not sure of whether Nnamabia has been killed or not because, "There was something nervous about the policeman; his face remained blank but he did not meet my father's eyes" (19). Nnamabia is lucky to be alive and as the police man produces him, the narrator observes, "The man shrugged, a new insolence to his demeanor; it was as if he had been uncertain about Nnamabia's well-being but now he would let himself talk" (20). The family is relieved that Nnamabia has survived being extra-judicially killed by the police because of its promptness in bringing his release order. However, the narrator makes it clear that it is not only suspected offenders that are extra-judicially killed, other forms of jungle justice hangs like an albatross on the neck of every Nigerian citizen in the world of "Cell One". This is seen in this presentation of a jungle world outside the police station, where:

He opened the door and Nnamabia climbed in and we drove home. My father did not stop at any of the police check-points on the road; once, a policeman gestured threateningly with his gun as we sped past (20).

Furthermore, section 35 (6) of the constitution provides that any "person who is unlawfully arrested or detained shall be entitled to compensation and public apology from the appropriate authority or person". It is obvious that Nnamabia, the old man whose son is wanted for robbery and the bar man are persons who are wrongfully arrested and detained by the police authority in Enugu. For instance, while Nnamabia and the bar man are tagged as cultists and detained in police custody, there is another cult attack on the same campus and it becomes glaring that all the cultists have not been arrested. As a result, the narrator says, "Nnamabia and the barman were to be released immediately. One of the cult boys had become an informer, and he insisted that Nnamabia was not a member" (17). The superintendent of police at the Nsukka police station gives them a release order to present to the police in Enugu for the release of the two men. The bar man has been released but Nnamabia has been taken to the site, where the police kill those who have offended them, before the order comes. Luckily for him, his family comes before the officers can eliminate him; however, the police neither pay him compensation nor give him any apology, publicly

or privately, for wrongful arrest and detention. The police officer who takes them to the compound where he is kept simply tells the mother insolently, "You are lucky, madam, very lucky that they released him".

Apart from the compensation and apology, the constitution also has a remedy for aggrieved citizens whose fundamental rights and freedoms have been violated. Its section 46 (1) provides for the special jurisdiction of high courts to give redress to citizens who apply to them for the violations of their rights. And in its subsection (4), it further empowers the National Assembly to establish legal aid or the rendering of financial assistance to any indigent citizen whose rights and freedoms have been violated for him or her to seek the enforcement of his fundamental rights and freedom. Despite these provisions, the characters in the world of "Cell One" do not demand for compensation or apology or apply to the high court for redress. Though Nnamabia's father is a professor in a university and can afford to go to court for the enforcement of his son's basic rights and freedoms, he desists from doing so. He simply tells his family, "Lets go" (20). He must have felt that there is no need go court, since the world they inhabit is a jungle, and there is no way his son will get justice in a jungle, where there is absence of rule of law and the judiciary.

Conclusion

Chimamanda Ngozi Adichie's short fiction, "Cell One", presents a world that is riddled with extra-judicial killings. Her fictional characters inhabit a jungle, where the wisdom in Oba's statement that "The common law punishment for homicide is either death sentence or a term of imprisonment" (2000: 94) is not applicable to the real culprits – the police officers. Though the police force is entrusted with the duty of keeping law and order, and for helping in criminal justice system, Adichie presents them as the offenders, who abuse their powers to violate the citizens' constitutionally guaranteed rights and freedoms. Nnamabia narrowly escapes being killed extra-judicially by the police for defending the rights of an old detainee who is tortured. According to him:

I shouted at the policemen. I said the old man was innocent and ill and if they kept him they would never find his son because he did not even know where his son was. They said I should shut up immediately or they would take me to Cell One. I didn't care. I didn't shut up. So they pulled me out and beat me and took me to Cell One (20).

As if keeping him in Cell One, which even the "chief of his cell seemed afraid of " (12) is not enough, they take him to an unmarked compound, where they kill those they have decided to eliminate.

It is submitted that Adichie relentlessly and ceaselessly presents a corrupt, illiterate, incompetent and disorderly police officers, who in the final analysis, are criminals who ought to be arrested, tried, convicted and hanged for capital offences. Nnamabia, the detained suspected cultist, comes out as a hero who acts out the diction

of Aristotle that, "Courage is the virtue that disposes men to do noble deeds in situations of danger in accordance with the law and obedience to its commands; cowardice is the opposite" (*Rhetorics* 57). In the world of the jungle, Nnamabia checks the reckless exercise of the powers of the police, where the other arms of government do not. While his "cell mates were laughing" (20) at the torture and cruel and inhuman treatment of the old detainee because they are cowards, the policemen ought to be the real culprits who ought to be in detention.

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