

# ***Police commissioners, presidents and the governance of security***

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## ABSTRACT

Africa's police are usually assessed in terms of their adherence to democratic criteria. This results in inaccurate analysis because the police are actually governed according to presidential preference. This article uses the role of Africa's chief police officers to explore the relationship between presidents and their police, and the location of influence within the police. It identifies the significant variables shaping police governance in four countries with comparable institutional structures – Ghana, Kenya, Uganda and Zimbabwe – and confirms the negligible role played by public accountability.

## INTRODUCTION

In an ideal world, Africa's police would be governed according to the norms and processes promoted by donors such as the UK's Department for International Development (DfID) and the Organisation for Economic Co-operation and Development (OECD). They would be accountable to representative civilian authorities, and their operating practices would be developed between government departments and civil society (OECD 2005: 22). The reality is different. Africa's police are accountable to their presidents alone, and references to democratic forms of accountability are rarely more than tactical concessions or gestures to donors on the part of political elites.

In this paper I assess who governs Africa's police, and argue that the understanding currently promoted by most Western analysts and policy-makers is fundamentally flawed. In particular, analysis based on

\* An earlier version of this paper was presented to the American Society of Criminology, Los Angeles, November 2006.

adherence to democratic norms and procedures fails to contextualise police governance.<sup>1</sup> It is not ‘wrong’, but applying it to political settings other than those for which it was formulated ignores the elements of power that indigenous elites take for granted, obscures security’s parameters, and prevents an accurate assessment of the horizontal ties and transactions underpinning the African state. Further, it encourages donors to fund unrealistic reform programmes.

I argue that policing is a matter of presidential choice, and my discussion confirms the continuing validity of Potholm’s (1969: 142) observation that the police enforce decisions taken by political authorities. In reality, policing is shaped by the politics of political order and accumulation in ways that are at variance with the requirements of accountability.

There is, of course, nothing new about presidents using their police for political ends. However, the means by which presidential preference is operationalised have yet to be addressed, and programmes promoting security sector reform (SSR) say little about the location of power and influence in the police. In particular, the role played by the chief officers (hereafter commissioners or inspectors general, IG) as a link between presidents and the police as an institution is neglected. Africa’s English-language newspapers and internet sites may carry weekly stories about commissioners, yet, with a few notable exceptions (Sierra Leone in the late 1990s is a case in point), most Northern analyses focus on police governance at street, rather than policy level.

Remarkably little is known about the commissioners’ role. There is no equivalent to Reiner’s (1992) study of UK chief constables, or Hunt and Magenau’s (1993) analysis of US police chiefs, while the relevance of literature on the Big Man is not known (see Daloz 2003: 279).<sup>2</sup> As a result, we do not know if commissioners are bound to presidents or patrons by clientelistic networks worked by dependent brokers. The diversification practices they develop through wives, extended families and trustworthy followers or clients have yet to be systematically analysed. It is not clear what happens to the institution when (as in Kenya and Uganda) an army brigadier is appointed commissioner. Indeed, we do not know the extent to which commissioners are responsible for policing policy, or for detailed operational direction, let alone what variables affect their relationship with their middle-ranking officers or constables. Only when such questions are answered can the nature of African security networks – and the nature of the African state – be understood. Police governance must be contextualised.

I outline first the flawed nature of governance assessments based on liberal models and ideals, contrasting them with what is known about the

role of presidents and their commissioners. I consider the significance of a commissioner's appointment and role, before evaluating the implications of militarisation and politicisation for his relationship with his president.<sup>3</sup> This is done by reference to developments in Kenya, Uganda and Zimbabwe. To explore the possibilities for generalising from their experience, I compare the situation in Ghana. Finally, the article concludes that the police are content to be used. At best accountability forms part of the political calculations of Africa's political elite.

Although my examples share an anglophone legacy and cannot be considered as representative of all Africa, each exemplifies trends common to many countries. In particular, the francophone tradition of presidentialism (that is, of executive dominance) in security issues – and the consequent marginalisation of legislatures and civil society – is arguably similar in effect.

#### ANALYSING GOVERNANCE

International analysis of the governance of the police in developing countries is dominated by the goals, objectives and values associated with security sector reform (SSR) and its model of accountable and professional policing. Police governance is analysed in terms of institutional capacity and technical proficiency, and is assessed in the light of equitable recruitment, transparent management practices, adherence to human rights legislation and community service (OECD 2005: 36).

The police are commonly regarded as core security actors, but the part they play within Africa's shifting security coalitions rarely receives attention (Luckham 2003: 17). Indeed, most analysis is conducted in response to specific policy problems for the benefit of its authors, or as part of a donor's broader strategic goals; police governance has become an aspect of public sector reform, conflict prevention and development. Some of the best analyses have been written from a development or human rights perspective (Cawthra & Luckham 2003; CHRI 2006b), but too many reports and programmes are written and conducted in technocratic and non-specific terms at the expense of their political context (Peake *et al.* 2006: 250).

According to SSR orthodoxy, police governance should be guided by broad normative principles such as accountability, civilian oversight, public participation and, increasingly, development and poverty reduction (OECD 2005; Hutchful & Fayemi 2005). The international policy agenda associated with SSR and policing therefore seeks to transform security institutions so that they play an effective and democratically accountable role in providing internal security. However, this approach fails to

consider why presidents should accommodate such goals, all of which would reduce their personal power. Further, it fails to acknowledge the role of the security networks underpinning the African state, and the belief of most African politicians that they are above the law. In other words, SSR is predicated on an assessment of police governance that systematically underplays the political significance of the police.

### *Presidential role*

SSR is unrealistic primarily because presidents dominate their police by virtue of the nature of their regimes and the force of their personalities. Even though most of the countries referred to here incorporate accountability into their security governance, such accountability is meaningless. Compare Zimbabwe, for example, where President Mugabe legitimises his personal survival strategy in terms of a people's democracy, with Kenya, where President Kibaki has no constitutional obligation to consult officials or to disclose the nature of his instructions to the police. Even in Ghana, where governance is relatively transparent, President Kufuor chooses the members of the Police Council to which his commissioner is formally answerable.

In theory and in practice presidents have complete authority over their police. Legislative provisions usually mean they can direct police operations, for example. They also control the appointment and tenure of their commissioners. It is true that presidential nominees are occasionally rejected. For example, Malawi's parliament rejected President Mutharika's nominee in the summer of 2005, forcing him to appoint the deputy inspector general (DIG) as acting chief. Mutharika's nominee, Mary Nangwale (southern Africa's first woman commissioner) had been in post for seven months when a narrow majority of MPs voted against her in an open vote. However, the move was seen as a symbolic opposition show of force against the notoriously corrupt administration, rather than an indictment of Nangwale's capabilities. But this is rare.

Presidential attitudes to the police can only be guessed at, but most presidents probably regard the police as little more than technicians capable of dealing with crime. As a Nigerian Senate spokesman said in the aftermath of several political assassinations in Nigeria in the summer of 2006, the State Security Service (SSS) deal with 'issues bordering on security intelligence, but (tackling) crime is strictly the work of the police' (*Daily Trust* 2006).<sup>4</sup> Presidents use special units to deal with important matters, and never rely on police units for their personal security. Most have alternative policing resources. Kenya's Kibaki, for instance, has a

separate secretive police agency, the Administration Police, which answers to him by way of presidentially appointed district commissioners. Its sole purpose appears to be that of bolstering presidential resources.

The police's secondary status is reinforced by the fact that unlike the military, they rarely have access to resources they can control, or build power bases to rival military or civilian rulers. Unable to operate as independent political actors, they attach themselves to other groups, hoping to attract favours and resources. Despite this, the police remain a core security actor and presidents rarely ignore them. Presidents do not want an effective or efficient police answerable to parliamentary committees or judicial enquiries (some have committed so many crimes that they cannot afford to), but they value the police as a tool for enforcing political decisions, maintaining order, regulating activities and regime representation. Commissioners are a president's point of access to the police institution.

Commissioners are presidential agents of political domination, but they must still take their place in an environment in which security governance, like government more generally, is a family business; commissioners may be career officers, but a president's relatives usually hold the important posts of interior and justice minister. The traditional preference for strong leaders and Big Men who provide for their kin may help to explain this. Thus Mugabe promoted his close relatives to security posts in parliament after Zimbabwe's March 2005 election (*Independent Online* 2005; see also Chabal 1986: 37; Daloz 2003). Indeed, Mugabe's approach to governance, with its emphasis on loyalty and patronage, is more typical of police governance in Africa than anything promoted by donors. Compare the Democratic Republic of Congo (DRC) where governance also relies on clan manoeuvres and family members. In 2001, Joseph Kabila Snr appointed only those whose survival depended on him: the police chief and the general in charge of Kinshasa's forces were brothers-in-law, while the ministries of the interior and justice went to cousins. As ever, the police were not involved in protecting Kabila's presidential palace – that unit was recruited exclusively from his hometown. That a president should appoint and control a commissioner makes sense in such a world.<sup>5</sup>

#### *Commissioners' roles*

Little is known about the role, background, and political or administrative functions of commissioners. There are no systematic comparisons of their social origins, career paths, rewards, or philosophies of policing. There is no analysis of how they exert their agency even though 'the fundamental problem ... in Africa ... has been to project authority over inhospitable

territories that contain relatively low densities of people' (Herbst 2000: 11). Similarly, policing is concentrated in urban areas, yet we do not know how commissioners understand territorial policing in cities such as Lagos or slums such as Nairobi's Kibera. This matters because in many cities the struggle for public space is a defining feature of inter-ethnic relations (Adetula 2005: 208). The ways in which commissioners manoeuvre through ethnic-based politics are not known.

Commissioners' relations with their rank and file remain a matter of anecdotal assessment. Their allocation of resources and operational directives affect the working conditions of their officers, yet their influence appears to be limited. Take the case of the then Nigerian IG, Sunday Ehindero, whose 2005 annual report noted that 'It is disheartening to see Policemen live in a kennel ... The conditions in some barracks are, to say the least, nauseating' (Nigeria Police 2005: 26). The situation remains much the same two years on. He also changed the motto of the police. 'To Serve and Protect with Integrity' is now written on the side of many police vehicles, yet most of Nigeria's police remain brutal and dependent on 'community generosity' (i.e. the tolls of N20, or £0.08, collected at check points). Ehindero repeatedly states that the rank and file do not carry out his orders (*Vanguard* 2006).

Notwithstanding this, most commissioners have a high public profile. Their names appear frequently in newspapers such as Kenya's *Kenyan*, Nigeria's *Guardian*, Sierra Leone's *Awareness Times*, South Africa's *Mail & Guardian* and Uganda's *New Vision*, especially when they fail in some way. Others attract attention because of their international profile and involvement in domestic politics. Jackie Selebi, the civilian national commissioner of the South African Police Service since January 2000, and current president of INTERPOL falls into this category.

#### OPERATIONALISING CHOICE

How is presidential choice operationalised, and what part do commissioners play in the process? Ideally this should be explored in relation to command structures, reporting procedures, the placement of departments and units and crime control (all categories used by Reiner), but this information is rarely available. The discussion presented here is therefore based on two broad themes characterising Africa's security sector: militarisation and politicisation. Presidents employ both to intimidate, constrain and use the police for purposes in which public accountability plays no part. However, militarisation is arguably a subset of politicisation, so the emphasis here is on politicisation.

*Military men*

African policing has a tradition of paramilitarism. This is evident in the ranks, discipline, uniforms and drill training in use since independence. Thus Tanzania's Gen. Omar Mahita is a career policeman despite his rank, as is Lt.-Gen. Lukas Hangula of Namibia, while Nigeria's Mobile Police (Mopol) squadrons have access to helicopter gunships and armoured personnel carriers (APCs).

The deterioration in security in even relatively stable countries arguably requires such a response. Accurate crime statistics are not available, but most commentators believe there has been a marked increase in armed robbery and violent crime throughout the continent, and a corresponding decrease in public confidence in the police. Several presidents have acknowledged the extent of the problem by appointing senior military officers as commissioners – in Kenya and Uganda, civilian commissioners were replaced by one star military officers who were then promoted to two star rank. Two appointments may be data points, rather than a trend, yet they suggest the distrust with which presidents view police competence, and also the relative unimportance of the police *vis-à-vis* the military.

African militaries have traditionally had a strong internal security role, but today's involvement is different from what it was in 1971 when the Ghanaian parliament conferred policing powers (including crime detection) on all members of Ghana's armed forces above the rank of sergeant. Take the case of Uganda.

*Uganda*

The reasons for President Museveni's appointment as commissioner in 2001 of the then Maj.-Gen. Edward Katumba Wamala were widely debated in the Ugandan press. Wamala, the 45-year old former commander of Ugandan forces in Congo, became the 16th IG in the 15,000-strong 99-year old Uganda Police as the direct result of a commission of inquiry that found the police to be ineffective, underfunded, understaffed and corrupt. Whatever the reasons for his appointment, Katumba (who wore a senior police officer's uniform while IG, and whose deputy was a career police officer) reduced drunkenness and corruption during his four-year tenure, and was replaced by another military man, Brig. Kale Kayihura. Katumba was subsequently promoted to the rank of Lt.-Gen. and made commander of Uganda's Land Forces, while Kayihura was promoted to major-general. At the handover ceremony, Katumba wore full military uniform while Kayihura wore a senior police officer's uniform.

Kayihura's background was relevant in that he was a London-educated lawyer who had served as chief political commissar and head of a Special Revenue Police Service, as well as being a bush war veteran and Museveni's one-time military assistant. But his appointment had not been expected (Katumba's appointment was thought to be a one-off), so it was widely assumed that his appointment was either connected to the potentially explosive 2006 general election, or was an attempt to intimidate the police. One politician was reported as saying that Museveni had never 'been bedfellows with the police ... The only way for him to keep them in check is to appoint his person to oversee them' (*Sunday Monitor* 2005). Nevertheless, the police did not resist Kayihura.

### *Kenya*

A senior military officer also acts as commissioner in neighbouring Kenya. President Kibaki's situation – and personality – differ from Museveni's, and alternative calculations were at work when his administration came to power in 2001 on a platform to fight crime and improve standards of living. Admittedly clamping down on ordinary crime offered him an opportunity to gain political capital and crush troublemakers, yet the extent to which he is genuinely concerned by Kenya's crime rates and the incompetence of its police is debatable, not least because his own aloofness and tolerance of corruption is notorious. He is, for example, deeply involved in scandals such as the Anglo Leasing affair whereby millions of dollars of government money were (according to the exiled ex-permanent secretary for ethics, John Githongo) paid to businessmen close to the ruling elite, who then re-directed some of it back to the government for political campaigning.

In retrospect, it was probably the political implications of crime and his lack of faith in the police leadership, rather than political machinations or the threat of disorder, that prompted Kibaki to replace his civilian commissioner, Edwin Nyaseda, with Brig. Hussein Ali in 2005. The official line was that the change was 'aimed at injecting new blood' into the police, and addressing rising crime. This was a popular move, given Kenyans' concerns over the ineffectiveness of their police in the face of murder, manslaughter, rape, armed robbery, carjacking, drug trafficking, corruption and the proliferation of illegal small arms.<sup>6</sup> Indeed, in April 2005, the chairman of the Parliamentary Committee on Security described the country as being under siege from armed thugs, while another MP said it was as if the country was at war, insisting that the police should therefore be allowed to shoot to kill criminals (*Standard* 2005).



Kibaki was able to appoint Ali because the Kenyan system is one of presidential control. Under the constitution, Kibaki holds unlimited authority to appoint and remove commissioners. Not only does Kenyan law provide no criteria for presidents to follow, but also parliament has no legal role (consultative or otherwise) in a commissioner's appointment or removal. Constitutionally, Kenya's police answer to the president, whose intent is channelled through his commissioner.

Ali's own record as commissioner is mixed. Certain types of crime have fallen, but he has not gained public confidence – a series of scandals involving a corrupt recruitment campaign, and the unresolved killings of government opponents during the 2005 referendum campaign resulted in calls for his resignation or dismissal. Further, like his predecessors, he accepts the limits of his legal and operational authority. Not only is public policing a primarily urban phenomenon, but he also tolerates the fact that swathes of Nairobi operate outside the state. Thus the state does nothing for the 800,000 or so people living in the 600-acre slum of Kibera: 'it provides no water, no schools, no sanitation, no roads, no hospitals. Security comes from vigilante groups – who, for a price, will track down thieves and debtors. Usually, the Nairobi police are too scared to come here. But if they do, they're just looking for bribes' (BBC News 2002).

### *Politicisation*

Militarisation is important, but the major theme affecting police governance is politicisation. This affects every commissioner. It influences the intimidation to which he and his officers are subject, the length of his tenure, and the manner of his retirement or dismissal. Most politicisation is overt. Sierra Leone's IGP, Brima Acha Kamara, may have argued that his police's 'neutrality and operational independence' was evident in the 2006 elections, but blatant politicisation is more usual (*Awareness Times* 2006). In Nigeria, for example, Obasanjo has had three inspector-generals over the last eight years. The first, Musiliu Smith, was removed from office because he displeased the president, while his successor, Tafa Balogun, was forced to resign by Obasanjo on the basis that he had stolen US\$98m. In reality, Balogun (who had been IG for nearly three years, and in the police for more than 28 years) was probably sacrificed to appease donors.

The more usual pattern is for commissioners to be retained while useful, and dismissed after offending their presidents in some way. Thus Ehindero should have retired on reaching the mandatory age of 60, but Obasanjo

evidently found him useful and twice extended his tenure. In contrast, an angry President Mwanawasa of Zambia dismissed Zunga Siakalima in July 2005 for delaying the arrest of an opposition leader, and questioning the legitimacy of his verbal orders.

### *Zimbabwe*

Politicisation is most evident in Zimbabwe, where Commissioner Augustine Chihuri offers an exemplar of the explicitly political role commissioners can play in operationalising presidential survival strategies. Although the Zimbabwe Republic Police (ZRP) is officially under the authority of the Ministry of Home Affairs, in practice its important roles and missions are controlled by the President's Office. Mugabe has exercised his constitutionally sanctioned executive powers to their full extent since the late 1980s. He has turned the country into a *de facto* one-party state that is divided on ethnic, ideological and generational fault-lines, and Chihuri, a 53-year-old career policeman, educated at the UK's Brunel University and commissioner since 1994, reports directly to him.

Chihuri, who is Mugabe's conduit to the police, has been co-opted into Zimbabwe's security elite, and operates within their world. This matters because the security services now overshadow the cabinet as a policy-making body. Further, his co-option has been facilitated by his ethnicity, for he, like Mugabe, his vice presidents and most of Zimbabwe's political heavyweights, come from the same Zezuru ethno-linguistic group. Indeed, the Zezuru security elite includes not only Chihuri but also the powerful Gen. Rex Mujuru (to whom Chihuri may owe his position), as well as Mugabe's spymaster, the commanders/directors of the Defence Forces, Central Intelligence Office (CIO) and prisons, the chief justice of the Supreme Court, and the registrar general. This network reinforces Chihuri's membership of the influential Joint Operations Command (JOC).

The operational effects of Chihuri's relationship to Mugabe are evident in his overtly political role. Witness Operation Murambatsvina, in 2005, when more than 30,000 people were subjected to an intimidating arrest-detain-release cycle, and 200,000 lost their shanties to bulldozers and police armed with matches and kerosene (IWPR 2005). Kembo Mohadi, the hawkish minister of home affairs responsible for the police, avoided publicly commenting on the controversial operation, but Chihuri showed no reticence: 'We must clean the country of the crawling mass of maggots bent on destroying the economy' (*ZWNews* 2005). Five months later, he

undertook a campaign tour for the ruling ZANU-PF, in direct violation of the Police Act of 2000. Not only did he order his subordinates to vote for ZANU-PF in senate elections – ‘we will give you money and the ruling party will retain power’ – but his campaign also followed a statement by the commander of the Zimbabwe Defence Forces, Gen. Chiwenga, on behalf of the JOC that Zimbabwe’s uniformed forces would not respect election results if ZANU-PF lost (*ZimDaily* 2005).

Politicisation’s impact on Chihuri’s philosophy of policing is not straightforward. One factor complicating easy assessment is that Chihuri uses the language of international policing, claiming to act democratically on behalf of the community. In other words, he evidently sees the ZRP as a conventional force doing a conventional job. When, for example, in February 2005 seven Zimbabwean officers returned from a UN peace-keeping mission to Liberia he said that the ZRP ‘have always been a beacon of policing not only in Africa but also in the whole world’ (*Herald* 2005). The language of community policing is used too. As Chihuri told an international policing meeting in 2003, ‘the context of community relations in Zimbabwe [is best understood in terms of] the conventional practice of community policing’. Crime is tackled with the assistance of ‘the community’, and the police are, he said, ‘the first port of call in the delivery of justice’. If ‘clients’ are not satisfied by the response they receive from a police station they can pursue the matter up to the commissioner himself (Chihuri 2003: 1, 5).

Another factor potentially affecting Chihuri’s attitude to policing is INTERPOL, which he has used to enhance his professional credibility. He was first elected by delegates to its executive committee in 1996, and subsequently served a three-year term as the executive committee’s vice-president for Africa. In 2002 he exploited this position to attend an INTERPOL conference in France, even though he was by then subject to a travel ban imposed by the EU and USA as part of the sanctions against Mugabe and his senior officials. However, he was forced to give up his title as an honorary vice-president the following year, after a ZRP spokesman claimed that his position was an endorsement of ZRP actions (INTERPOL prides itself on being relatively apolitical).

Chihuri’s role must be affected by the secondary status of the police. Mugabe uses the police as technicians of public order, rather than as managers or administrators. Together with war veterans and youth militias they intimidate his opponents and suppress dissent, whereas military men play an increasingly important role in the economy. By the summer of 2006, for example, senior military officers headed public institutions

that included state-run companies, the central bank, the judiciary, the CIO and prisons. The military play a role at the local level too, especially in farming areas that are potentially opposition strongholds (IWPR 2006a).

There are no police in comparable positions. It is not clear whether this is because they have not sought comparable influence, or because Mugabe does not consider them capable. It does not necessarily mean that he distrusts their loyalty. When he travelled to Rome in October 2005, he evidently feared that Zimbabwe's economic crisis would trigger military, not police, action, so he directed the Ministry of Finance to put the needs of the military first (IWPR 2006b: 98). On the other hand, in April 2006 the government (evidently under pressure from the military) increased the monthly salary of both junior army and police officers from Z\$2 million (US\$20) to Z\$27 million (\$270). Regardless of this, the police's secondary status must be reinforced by their lack of resources. As Chihuri told a parliamentary committee in September 2006, the Z\$1.4 billion (\$5.6 million) budget allocated to the ZRP for the year ran out in a month (*Mail & Guardian Online* 2006).

This interpretation is reinforced by the intimidation to which the police are subjected by politicians and intelligence organisations. Needless to say, Chihuri does not always protect his officers. Admittedly he shares perks with senior officers. According to reports in the partisan *Zimbabwean* (2006), for example, he used police material and personnel to build houses for himself and his deputy, and gave cars and fuel to senior officers. But he has shown little interest in defending other ranks. In a notorious case in the summer of 2006, several senior officers sent an unsigned petition to Mugabe following the death of an officer during the patriotism training that is intended to ensure loyalty to ZANU-PF and Mugabe (officers face dismissal if they fail to attend). The casualty rates are infamous, but neither Chihuri, nor the home affairs minister under whose portfolio the police fall, would comment. *ZimOnline* (2006b), an independent online news service that is critical of the government, said that Chihuri initially ignored Mugabe's order to hold an inquiry and report back.

On other occasions, Chihuri has evidently been able to persuade Mugabe to protect certain officers, as in 2006 when the CIO was ordered to stop investigating five senior policemen (who included the head of the national CID) who allegedly protected criminals in return for money. *ZimOnline* (2006a) reported that 'the probe was abandoned on Monday on orders from State Security Minister Didymus Mutasa and his Home Affairs counterpart, Kembo Mohadi after ... Chihuri told

the ministers the probe was dividing and destabilising the police when the force should be united to thwart mass protests planned by the opposition’.

The government denies that politicians interfere with law enforcement and judicial processes, but political interference and patronage are undoubtedly problematic. Senior ZANU-PF and government members are repeatedly accused of blocking investigations against themselves or their relatives, and Mugabe is thought to have ordered the police to abandon corruption investigations against Mutasa (his confidant) and former parliamentary speaker Emmerson Mnangagwa.

Such incidents throw light on the internecine feuding in Zimbabwe’s security sector, and on Chihuri’s ability to protect his men from Mutasa’s bullying. They also illustrate the willingness of ordinary police to resist political intimidation as the following anecdote shows. In Harare in August 2006, a dozen uniformed police were badly beaten by CIO security men guarding secret radio jamming machinery when they went to investigate an assault by CIO officers on a local man. On arrival, the police were told that the premises belonged to the president’s office and they should therefore leave. An angry Chihuri was said to have raised the matter with the CIO’s director general (who dismissed it as the work of ‘overzealous’ young officers) before taking the matter to Mugabe. The result was a circular warning that the CIO were not to beat up people unnecessarily. The station was then placed under the control of the Presidential Guard (*Zimbabwejournalists.com* 2006).

Accountability to truly representative civilian authorities means nothing in such circumstances, not least because Mugabe and ZANU-PF have long manipulated accountability – and electoral – processes through legal and extra-legal means. Even so, factionalism has become worse with the succession struggle, and must affect Chihuri’s calculations. Significantly, ZANU-PF itself employs law enforcement tools, such as laws and regulations designed to ensure intimidation and control. These include the Public Order and Security Act (POSA), and the Criminal Procedure and Evidence Amendment Act (CPEAA), which limit freedom of speech, association, movement and assembly. Further, such measures require the police to play a major role in Mugabe’s preventive security measures, as can be seen from their enforcement of the Suppression of Foreign and International Terrorism Bill of August 2006, which effectively places Zimbabwe under martial law by categorising opposition groups as terrorists (IWPR 2006c).

Such developments must, however, be seen in their regional context. After his visit to Zimbabwe in 2005, Angola’s then Commissioner

Ekuikui described the ZRP as a 'well organised police ... with an updated management of its human and material resources' (*Angola Press* 2005).<sup>7</sup>

*A comparison: Ghana*

The relative importance of environmental and personality-based variables in police governance is as evident in Zimbabwe as it is in Kenya. So too is the gulf that exists between liberal ideals and African realities. Elsewhere the relationship between presidents and their commissioners is seemingly less politicised. Ghana is a case in point.

Ghana is widely seen as a model for political and economic reform.<sup>8</sup> It is well administered by regional standards, and has shifted from authoritarianism towards a more accountable system; the Ghanaian model is about the reinstatement of institutions, the rule of law and press freedom. Its police acknowledge democratic precepts: they are a service focused on forming strategic partnerships with the public in the fight against crime. In other words, the situation in Ghana suggests that reform in a relatively democratic policing environment can make a genuine difference to police standards and norms. Nonetheless, Ghana shares certain similarities with the examples discussed above. President John Kufuor may have succeeded Jerry Rawlings in a peaceful, democratic transfer of power in 2000, but he also inherited the results of Rawlings' heavy investment in a compliant security sector and parallel security organisations, with a concomitant increase in the role of security forces in politics. Ghana's military retain influence, while the country, like much of West Africa, is experiencing increased levels of violence; small arms, gangs and private security actors proliferate. The press enjoy a high level of freedom, but corruption and accumulation are evident in politics. The possibility that democratic styles of governance are used primarily as a strategy for gaining and maintaining political influence is strong. How, then, are Ghana's police governed? What is the role of the IG *vis-à-vis* Kufuor? To what extent are the police subject to political interference?

The appointment and role of Patrick Kwateng Acheampong, Kufuor's current IG, is informative, particularly with respect to the location of influence within the institution. Acheampong is a legally trained career policeman with international experience who personifies the 'professional' standing of senior officers advocated by liberal models. Born in 1951, he was regarded as outstanding cadet of the year 1976 at the Police College. Educated at the Universities of Ghana and Exeter (UK), he served as a public prosecutor and the commander of several districts and a

region before becoming a deputy commissioner at the National Police Headquarters in Accra. A member of a UN peacekeeping mission to Bosnia in 1997, he became commandant of the Police College in Accra, 1998–2001, and director of Ghana Police Service's Criminal Investigations Department, 2001–02 (*Ghanaweb* 2005).

The criteria for his appointment included the confidence of all the security agencies, ethnicity (this was to ensure that the IG's position did not become the property of any particular ethnic group), operational efficiency and effectiveness, and a commitment to deliver the Ghana Police Service's (GPS) constitutional mandate. Age and the number of years left before retirement played a part too; successful candidates are expected to have at least three years to serve. This is in line with the government's stated desire to ensure long-term planning and development of the service.

According to Accra newspapers, the appointments process was orderly but accompanied by intense lobbying as government and party functionaries promoted their favourites (*Daily Graphic* 2005). A short list of six candidates was drawn up in early March 2005, all of whom were senior career officers: two deputy IGs (DIG), one of whom was Acheampong; the commissioner in charge of operations; the CID director; the commissioner in charge of research and planning; and the deputy chief of police of the UN Mission in Liberia. On the other hand, at least one had achieved rank as the result of political gesturing. This was reputedly the case for Acheampong's fellow DIG, Mrs Mills-Robertson, a Fanti barrister, who was in charge of courts before her appointment.

In the event, Kufuor appointed Acheampong in consultation with the Council of State when IG Owusu-Nsiah retired at 60. Judging from his predecessors' record, Acheampong will serve out his tenure. Since the early 1990s, IG tenure has varied from J. Y. A. Kwofie's six years to Ernest Owusu-Poku's six months in early 2001. Kufuor inherited an IG, Peter Nanfuri, who had been in post since 1996, replacing him with first Owusu-Poku, and then Nana Owusu-Nsiah, a 57-year-old legally trained career policeman of some 25 years standing who was also a traditional ruler. All since Kwofie were serving commissioners, and none stayed beyond their allotted period of office.

Acheampong's working relationship with Kufuor is difficult to assess. The governing body of the GPS is the Police Council, which advises the president on matters relating to internal security, but Kufuor exerts considerable influence over this, for he personally appoints its chairman, its two GPS members, and two other members. Further, he appoints the Council's additional members, who comprise the minister of the interior,

the IG, the attorney general or his representative, a lawyer nominated by the Ghana Bar Association and a representative of the Retired Senior Police Officers Association (Aning 2002; Atuguba 2003).

How then is political influence exerted over the police? Relations between Kufuor (who won a second term in December 2004) and Acheampong appear relatively non-politicised, but this has more to do with Kufuor's personality and interests than institutional factors as such. Kufuor, a 68-year-old devout Roman Catholic and lawyer who previously held positions as deputy foreign minister and as secretary for local government, has made economic growth a priority, and has taken a leading role in mediating regional conflicts.

Regardless of this, there have been many instances of political interference, though most relate to the release of suspects by police headquarters and government officials, rather than to overt involvement by Kufuor. The issue of political interference in the police arose early on in his presidency, and has surfaced periodically ever since. For example, it dominated some sessions at a 2002 workshop discussing reform priorities for the police, prompting the then IG to insist that it was wrong to think that the IG must satisfy 'the whims and caprices of politicians' (Addo 2002: 16). He stated that the IG should act as the Police Council's implementing agent, with the government's role confined to funding (*ibid.*: 18). But presidential nominees effectively fill the Council. Significantly, the Ministry of the Interior, which should submit an annual report to parliament on police performance, last did so in 1970.

This is noteworthy because an IG's role as the link between presidents and the police as an institution means that influence and authority are concentrated in his office. Even so, the location of power within the institution is more nuanced than this suggests. Admittedly the GPS's command structure consists of a centralised and hierarchical placement of schedules, reporting procedures, departments and units that privilege the IG. Based at the police headquarters in Accra, he is responsible for the day-to-day administration and operation of the 17,000-strong service, and is assisted by two DIGs (responsible for administration and operational matters respectively, though neither have detailed job descriptions) and a headquarters management advisory board. Senior ranks curry favour with him. He in turn must operate in an environment that is riddled with corruption. Not only do officers pay bribes for transfers or places on well-paid UN peacekeeping operations, but also politicians and their friends expect favours. Inter-departmental and inter-sectoral corruption concerning, for instance, the adjutant general's department and the prison service is common. What is more, the over-concentration of power in



his office hinders decision-making, encourages inefficiency and limits his influence. In short, Ghanaian IGs, like their peers elsewhere, are confronted with bureaucracy, institutional inertia, institutional incapacity and inadequate resources. Many posts in the GPS lack clear lines of authority, let alone accountability.

The consequences of this for Acheampong were quickly apparent. Like his predecessors, he attempted to stamp his authority on the GPS; every IG develops his own guidelines for operational policing. But the obstacles to operationalising these are many. As soon as Acheampong assumed office, he initiated a countrywide transfer of officers (all ranks) who had been at a station for more than five years. According to the police public relations director, some officers had become too ‘friendly’ with locals, so the transfers were part of an attempt to instil discipline and professionalism (*Ghana Homepage* 2005). Unofficially, however, many attributed the exercise to Acheampong’s anger at the criticism levelled – in his presence – at senior ranks by middle-ranking officers (interview 2005). This would be consistent with comparable moves by commissioners elsewhere, for transfer powers are commonly used to punish or stifle criticism; Kenya’s Ali also uses relocation as a means to control indiscipline (*Kenya Times* 2006).

Estimating Acheampong’s influence on his underresourced rank and file is more problematic. He sets the GPS’s formal goals, which are (according to Deputy Commissioner George Asiamah) building ‘a Police Service that is efficient, effective, incorruptible, accountable, transparent and which above all has respect for human rights’ (*Ghanaian Chronicle* 2006). But most rank-and-file police, especially in rural areas, think that their senior officers neglect them. Morale is low, and intimidation is common. District commanders are subject to pressure from district chief executives and politicians – they must also respond to the needs of the particular police district that pays for them – while constables feel that discretion is discouraged. Ghanaian policing has much in common with policing elsewhere.



In 1969, Christian Potholm (1969: 142), whose work represents the first attempt to understand African policing as a coherent whole, observed that the police, as an institution, were ‘consistently involved in the output side of the political process’. He listed their functions as the maintenance of order, paramilitary operations, regulatory activities and regime representation. In other words, he argued that police enforce decisions taken by the

political elites to whom they are accountable (*ibid.*: 157). This remains the case. Despite significant shifts over the last two decades, policing remains an expression of presidential preference, and the key variable in police governance is a president's political calculations. Similarly, the main constraints on an IG's power are political. This is not to argue that police reform and a relatively democratic political environment cannot make a difference, or should not be attempted even where police establishments remain politicised and subject to presidential control. Rather it is to suggest that similar patterns of manipulation and response are identifiable across sub-Saharan Africa.

Taking this as its point of departure, the argument presented here has six elements. First, analysis based on liberal models of police governance is flawed. It assumes that the police can be made accountable to civilian authorities while ignoring the reality that commissioners are accountable to political elites, and are usually co-opted into their networks. Second, presidential control is complete – and usually constitutionally legitimate – with the critical variables being a president's personality, agenda and ethnicity, rather than the nature of the regime itself. Third, the role of commissioners therefore offers an accurate indication of presidential priorities. Fourth, the commissioner represents the primary location of power and influence within the police institution. Fifth, despite this, commissioners face significant structural obstacles. Each attempts to operationalise his power by stamping his authority on police personnel and working practices, at the same time as political imperatives, institutional incapacity and inadequate training and resources offset it.

Lastly, the police are content to be used. Regardless of rhetoric, regime and resources, senior officers rarely build power bases comparable to those of the military. Some (as in Ghana and Zimbabwe) seek to preserve a minimal degree of operational and professional autonomy, yet most appear unable or unwilling to operate as independent political actors; they are typically adjuncts to groups that control resources more directly. When asked in 2004 if they would join trade unions, some low-ranking Zimbabwean police said: 'Why should we? We are the state' (personal communication 2005). For such reasons, analysis based on the norms and procedures associated with SSR is incomplete.

#### NOTES

1. For this reason, I do not address accountability as such, or the ministries or mechanisms to which democratic-style police answer. Neither do I engage with the governance debate more broadly. For relevant literature on democratic policing see CHRI 2006a.

2. Hard open source evidence is difficult to locate in this sensitive area, so secondary news reports are important if partial sources of information. Consequently, the analysis presented here is reliant on local newspapers (many of which are available on the internet), specialist reports from advocacy groups and news publications, supplemented by personal communications, interviews and discussions with senior and mid-ranking officers in Africa and at international venues. My judgement of what is or is not plausible is informed by insights gained from the literature on African studies and on policing more generally. For an indicative bibliography see Hills 2000.
3. There are currently no women commissioners, though a number of countries have female deputy or assistant commissioners.
4. The SSS reportedly failed to provide the police with relevant information on the killings. Meanwhile IG Ehindero blamed politicians for the prevalence of illegal arms, cultism in schools, and death squads (*Daily Champion* 2006).
5. This applies to most public offices. Obasanjo, for example, reputedly dismissed the head of Nigeria's human rights commission because he publicly criticised Nigeria's security agencies for harassing journalists, condemned the presidential practice of amending national constitutions and criticised the Bush administration (Commonwealth PoliceWatch 2006).
6. For an overview of Kenyan policing see Hills forthcoming.
7. Police Dos Santos dismissed Ekuikui in October 2006.
8. This section draws on research conducted in Ghana in July 2005, as part of British Academy award SG-38491. It owes much to the support and advice of Eboe Hutchful and African Security Dialogue and Research (ASDR).

## REFERENCES

Internet addresses are given wherever possible. All websites were accessed in November 2006.

- Addo, P. 2002. *Key Issues in Contemporary Ghanaian Policing: identifying reform priorities*. Legon: ASDR.
- Adetula, V. 2005. 'Ethnicity and the dynamics of city politics: the case of Jos', in Abdou Maliq Simone & Abdelghani Abouhani, eds. *Urban Africa: changing contours of survival in the city*. London: Zed.
- Aning, E. K. 2002. 'An overview of the Ghana Police Service', in K. Karikari, ed. *The Face and Phases of the Ghana Police Service*. Accra: GertMersh Publishing.
- Atuguba, R. A. 2003. 'Police oversight in Ghana', unpublished paper presented at workshop on Security Sector Governance, Elmina, Ghana, 24–26 November.
- Cawthra, G. & R. Luckham, eds. 2003. *Governing Insecurity: democratic control of military and security establishments in transitional democracies*. London: Zed.
- Chabal, P. 1986. *Political Domination in Africa: reflections on the limits of power*. Cambridge University Press.
- Chihuri, A. 2003. Untitled presentation on 'Police community relations in Zimbabwe', International Police Executive Symposium, Bahrain: 1. Unpublished.
- Commonwealth Human Rights Initiative (CHRI). 2006a. *Reports on Policing in East Africa*. <[http://www.humanrightsinitiative.org/publications/nl/newsletter\\_summer\\_2006/article8.htm](http://www.humanrightsinitiative.org/publications/nl/newsletter_summer_2006/article8.htm)>
- Commonwealth Human Rights Initiative. 2006b. *The Police, The People, The Politics: police accountability in Kenya*. [www.humanrightsinitiative.org/publications/police/kenya\\_country\\_report\\_2006.pdf](http://www.humanrightsinitiative.org/publications/police/kenya_country_report_2006.pdf)
- Commonwealth PoliceWatch. 2006. 'Dismissing accountability: Nigerian government sacks Human Rights Head'. 7. <[http://www.commonwealthpolicewatch.org/off\\_the\\_presses.htm](http://www.commonwealthpolicewatch.org/off_the_presses.htm)>
- Daloz, J.-P. 2003. "'Big Men" in sub-Saharan Africa: how elites accumulate positions and resources', *Comparative Sociology* 2, 1: 271–85.
- Herbst, J. 2000. *States and Power in Africa: comparative lessons in authority and control*. Princeton, NJ: Princeton University Press.
- Hills, A. 2000. *Policing Africa: internal security and the limits of liberalization*. Boulder, CO: Lynne Rienner.
- Hills, A. forthcoming. 'Kenya: service to all or selective service?', in T. Newburn & M. Hinton, eds. *Policing Developing Democracies*. London: Routledge.
- Hunt, R. & J. Magenau. 1993. *Power and the Police Chief: an institutional and organizational analysis*. London: Sage.
- Hutchful, E. & K. Fayemi. 2005. 'Security system reform in Africa', in OECD Development Assistance Committee (DAC), *Security System Reform and Governance*. Paris: OECD: 71–90.
- Institute of War & Peace Reporting (IWPR). 2005. 'Demolishing "illegal" homes of Harare'. 4.4.2005. <[http://iwpr.gn.apc.org/?s=f&o=239438&apc\\_state=heniacr2005](http://iwpr.gn.apc.org/?s=f&o=239438&apc_state=heniacr2005)>

- IWPR. 2006a. 'Zimbabwe: is army taking over?'. 31.5.2006. <[http://www.iwpr.net/?p=acr&s=f&o=321300&apc\\_state=henfacr321302](http://www.iwpr.net/?p=acr&s=f&o=321300&apc_state=henfacr321302)>
- IWPR. 2006b. 'Mugabe moulds pliant judiciary'. 31.5.2006. <[http://www.iwpr.net/?p=acr&s=f&o=321302&apc\\_state=henpacr](http://www.iwpr.net/?p=acr&s=f&o=321302&apc_state=henpacr)>
- IWPR. 2006c. 'Bills put Zimbabwe under "martial law"'. 5.9.2006. <[http://www.iwpr.net/?p=acr&s=f&o=322583&apc\\_state=henpacr](http://www.iwpr.net/?p=acr&s=f&o=322583&apc_state=henpacr)>
- Interview, 2005. Interview with analyst, Accra, July.
- Luckham, R. 2003. 'Democratic strategies for security in transition and conflict', in Cawthra & Luckham, eds. *Governing Insecurity*, 3–28.
- Nigeria Police. 2005. *The Nigeria Police Annual Report 2005*. Lagos.
- Organisation for Economic Co-operation and Development (OECD). 2005. *Security System Reform and Governance*. Paris: OECD.
- Peake, G., E. Scheve & A. Hills. 2006. 'Conclusion', *Civil Wars* 8, 2, special edition: *Managing Insecurity: field experiences of security sector reform*, 249–50.
- Personal communication. July 2005. UNODC official, Vienna.
- Potholm, C. 1969. 'The multiple roles of the police as seen in the African context', *Journal of Developing Areas* 3: 139–58.
- Reiner, R. 1992. *Chief Constables*. Oxford University Press.

### Newspapers

- Angola Press* (Luanda). 'SARPCCO chief satisfied with Zimbabwean police'. 8.12.2005. <<http://www.angolapress-angop.ao/noticia-e.asp?id=397570>>
- Awareness Times* (Freetown). 2006. 'Police IG assures of a level playing field in 2007'. 1.9.2006. <[http://news.sl/drwebsite/publish/article\\_20053468.shtml](http://news.sl/drwebsite/publish/article_20053468.shtml)>
- BBC News (London). 2002. 'Nairobi slum life: into Kibera'. 4.10.2002. <<http://news.bbc.co.uk/1/hi/world/africa/2297237.stm>>
- Daily Champion* (Lagos). 2006. 'Political assassinations – IGP indicts govts, SSS'. 7.9.2006. <<http://allafrica.com/stories/200609070472.html>>
- Daily Graphic* (Accra). 14.3.2005. <<http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?id=7718>>
- Daily Trust* (Abuja). 2006. 'Assassinations: Senate shuns IG emissaries'. 25.8.2006. <<http://allafrica.com/stories/200608250900.html>>
- Ghanaian Chronicle* (Accra). 2006. 'Police tasked to redeem image'. 9.11.2006. <<http://www.ghanaiian-chronicle.com/thestory.asp?id=11562>>
- Ghana Homepage*. 2005. 'Police command will insist on transfers'. 10.11.2005. <<http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?id=94026>>
- Ghanaweb*. 2005. 'New IGP – Patrick Kwesi Kwateng Acheampong'. 4.3.2005. <<http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?id=77977>>
- Herald* (Harare). 2005. 'ZRP's Professionalism pays off, says Chihuri'. 14.9.2005. <[allafrica.com/legalaffairs/bydate/?n=18](http://allafrica.com/legalaffairs/bydate/?n=18)>
- Independent Online* (Harare). 2005. 'Mugabe looks to family to tighten his grip'. 30.3.2005. <[www.independentonline.com](http://www.independentonline.com)>
- Kenya Times* (Nairobi). 2006. 'Ali shuffles 67 senior police officers'. 16.9.2006. <<http://www.timesnews.co.ke/16sep06/nwsstory/news1.html>>
- Mail & Guardian Online* (Johannesburg). 2006. 'Zim's cash-strapped police face tough times'. 6.9.2006. <[http://www.mg.co.za/articlepage.aspx?area=/breaking\\_news/breaking\\_news\\_\\_africa/articleid=283307](http://www.mg.co.za/articlepage.aspx?area=/breaking_news/breaking_news__africa/articleid=283307)>
- Standard* (Nairobi). 13.4.2005. <[http://www.eastandard.net/hm\\_news/news.php?articleid=17838](http://www.eastandard.net/hm_news/news.php?articleid=17838)>
- Sunday Monitor* (Kampala). 2005. 'Is Museveni deliberately militarising the police?'. 27.11.3.12.2005. <<http://www.monitor.co.ug/sunday/insights/ins11272.php>>
- Vanguard* (Lagos). 2006. 'The IG's partisan ways'. 25.8.2006. <<http://allafrica.com/stories/200608250813.html>>
- Zimbabwean* (Hythe, Hampshire, UK). 2006. 'ZNA top brass slam "corrupt" ZRP', 3.10.2006. <<http://www.thezimbabwean.co.uk/viewinfo.cfm?id=2321>>
- Zimbabwejournalists.com* (Burpham, Surrey, UK). (2006). 'Feuding in Harare as CIO officers assault policemen'. 23.8.2006. <[http://www.zimbabwejournalists.com/story.php?art\\_id=890&cat=2](http://www.zimbabwejournalists.com/story.php?art_id=890&cat=2)>

- ZimDaily*. 2005. 'Police Chief campaigns for Zanu PF'. 22.11.2005. <<http://zimdaily.com/news2/article.php/20051121070844297.html>>
- ZimOnline* (Johannesburg). 2006a. 'Harare halts probe against corrupt senior police officers'. 23.6.2006. <[www.zimonline.co.za](http://www.zimonline.co.za)>
- ZimOnline*. 2006b. 'Mugabe orders probe into police torture deaths'. 31.8.2006. <<http://www.zimonline.co.za/headdetail.asp?id=12762>>
- ZWNews*. 2005. 'Priests told: don't aid "filth"'. 19.6.2005. <<http://www.zwnews.com/issuefull.cfm?ArticleID=12120>>