

The colonial state lives on: Reflections on the colonial character of Ghana's police

Crime may not be rising but the public feels unsafe with the increasing sophistication associated with violent crimes. The fear comes not only from criminals and their sophisticated tactics but also the very people paid and clothed with tax payers' money to protect the public and the state - the police. As in much of colonized Africa, policing in Ghana has hardly changed half a century after independence. It remains steeped in the vicious mindset that informed policing as instituted by the British colonialists, writes *Raymond Atuguba.

The police in Africa are a quintessential example of how the colonial state in Africa lives on, even today. The tragedy is that the colonial state in Africa has never gone away despite the formal processes of africanization, decolonization, declarations of republican status and democratization - whatever that means.

A much greater tragedy perhaps is that the post-colonial literature that establishes the continuance and nurturing of the colonial state in Africa is now increasingly characterized as "not new" and "uninteresting" and therefore "irrelevant", forget the illogicality in that thought process.

Flowing from this, many agendas for social progression and institutional renewal in Africa neglect the colonial roots of the institutions that are sought to be reformed, or treat them as a passing footnote.

Using the Ghana Police Service as an example, this article establishes that the very issues that confront social progression through institutional renewal in Africa are a direct replica of colonial events and circumstances. Thus, no acceptable agenda for institutional renewal and social progression is possible unless it confronts the reality of the colonial state



Armed Ghana police commandos

and the implications for reform, any reform.

Clashes with citizens

In May 2008, a lethal clash occurred in a suburb of Tema, Ghana's industrial port city, between the Ghana Police Service (GPS) and residents of the slum-suburb-Ashaiman.

The leadership of the local association of commercial drivers had gone to the local police station to protest the arrest and detention of some drivers by the police for wrongfully parking and picking up passengers on the street. The local lorry station

is filled to capacity and drivers have to park their vehicles on the kerbs of the road and pick-up passengers from there. This is strictly prohibited by Ghana's road traffic laws.

Following rumours that the drivers detained had been assaulted by the police - this is pretty routine - and that one of them had died in the process, the leadership of the drivers (later joined by many other drivers, transport sector affiliates, sympathizers, and much later by irate youth who have their own beef about police operations) besieged the police

station with the intent of getting the drivers out.

Things soon turned ugly; stones were thrown into the police station, the police fired warning shots, rubber bullets followed by live bullets, killing two (including an 11-year-old boy and injuring a dozen more.

Roll back exactly seven years to May 2001. There was a confrontation between the police and a section of the youth of the urban slums of Mamooobi, Nima and New Town - all in Accra, leading to various incidents of assault and the destruction of property.

On May 9, 2001, 126 soccer enthusiasts died in a stampede at the Accra stadium, now christened Ohene Djan Stadium. Of this number, about 33 were residents of Mamoobi, Nima and New Town.

On Friday, May 11th 2001, some residents from these communities went to bury their dead relatives and friends from the disaster. After the burial at the Awudome Cemetery, the youth of these communities headed back home. An advance team of motorbike riders displayed riding skills in ways that obviously violated traffic regulations. As they approached the Nima Police Station the police stopped them and detained one motorbike. This resulted in some verbal exchanges between the riders and the police.

This was aggravated by the arrival of the party of youth that was on foot. When the youth became very rowdy, the police fired a warning shot. At this point the youth began to gather in large numbers around the police station and, as they became more boisterous, they attempted to vandalise the Nima Police Station forcing the police to call for support from the military. The military tactfully managed to move the youth from the vicinity of the police station. A section of the youth subsequently, however, vandalised state and private property in and around the police station.

Analysis

In between these two major incidents that attracted a lot of media and public interest are dozens other incidents on a smaller scale or in more remote places where the media and "public" have few, if any, eyes and ears. The state of police-community relations is worsening by the day in most places across the country.

These incidents are easily explicable by resort to historical institutional analysis.

First, there is the colonial root of the Ghana Police Service (GPS) as a brutal force. Set-up, deliberately, as a foreign force capable of brutalising the citizenry and thereby contain them, the Ghana Police Service has hardly changed since 1829.

Indeed, in the wake of the independence struggle, the British colonial administration improved upon the brutality of the GPS, importing, among other things, techniques of containment used by Israel against Palestinians and brutal tactics perfected in British occupied Ireland. By 1948, the British colonial government had succeeded in this mission.

It was this police force that was handed over to Ghana at independence on March 6, 1957. No reform of this character of the GPS has occurred since then. Is it any wonder that the GPS still operates as a brutish and brutal force that is set against the people by the ruling establishment? When the establishment needs to drive through town faster and to the market easier, the police are set against the "lorry drivers" and "street-hawkers" that have to be cleared to make way for the flashy and heavily air-conditioned fuel guzzlers.

Roots of apartheid policing

To better perform its tasks, Police laws and regulations beefed up their powers to points of decrial. To disperse crowds, the police, according to their standing orders dating to the beginning of the 1900s, and still in perfect and complete force today, instruct the police, on pain of disciplinary action, to target the ring leaders of the crowd and to shoot at them with live bullets. The part of the body to aim at is the knee cap so that they are effectively immobilized!

There is also a colonial demographic twist to the police-citizen clashes. It is not a coin-

cidence that the police-citizen conflicts occur in the suburbs that surround the former colonial residences and the residences of the new and "indigenous colonizers". These pockets of the population were those that had to be contained by the establishment through the GPS. The establishment then and now need the services, the labour, of these slum dwellers; the closer these slums are to the fringes of their posh residences, the lower the cost of transportation for the labourers and therefore the lower the cost of wages for the colonizers.

Again, they would be close enough to be called upon to do the late night cleaning after the parties in the villas and bungalows so that the colonizers will not have to sniff, overnight, the mess of their own vomit after late night drunken parties.

Some justice

Yet, living just outside the doorstep of the colonizers had its downsides. The labourers saw the wealth of the colonizers, imagined the part of their sweat and lives that made up that wealth, compared these to their miserable wages and even more miserable livelihoods, and often could not resist the urge to take matters into their own hands; and attempt to effect some justice, no matter how small, no matter how ephemeral, no matter how micro and no matter how risky.

The colonizers then and now had to provide a corrective. And the GPS is the instrument for this corrective. By brutally containing the suburb shanties and slums, their inhabitants will not rob and steal from the establishment, the thieves that they are. The slum dwellers will not maim and rape the members of the establishment, the brutes that they are. This is how apartheid policing developed in Ghana and many African states.

Indeed, during most of its colonial history, the police was divided up into the Brutal Police

Force and the Civil Police. The former was for the suburban slum dwelling brutish and vandalizing youth and the latter was for the "civilized" and docile resident of the colonial cantonments. The suburbs and slums and the cantonments still exist in Ghana today. The slums and suburbs still service the cantonments the way they did in colonial times.

Roots of human rights violations

There is also a human rights dimension to the police-citizen clashes. The project of colonization was a project that had to consider the colonized as sub-human, the better to colonise them. This categorization of the indigents has not left the conceptualization of the GPS. Indeed, police officers still refer to citizens as "fucken civilians".

Where the establishment dehumanizes the citizenry, it is very easy for the police to view them as without the human dignity that each human being possesses. This is the logical precursor to the violation of the rights of a human being. Once one ethnic group was labeled "cockroaches" by another in Rwanda, it was easy for them to be slaughtered and massacred, the way fowls are slaughtered and cockroaches massacred daily.

Political economy

In June 2008, a group of armed robbers shot and killed a police officer who was guarding a bullion van and made away with 60,000 cedis (equivalent to US\$60,000). The name of the van, "bullion van", a reference to a van that is used to carry precious minerals such as gold, says it all. Although the van was carrying currency notes, the role of the police in the entire armed robbery story is reminiscent of the role of the police in guarding bullion vans in the 1800s and 1900s from Obuasi,

Ghana's largest single goldmine, to the coast for export of the bullion abroad.

The police in 2008 are doing exactly what they have been doing since 1829: providing security for the extraction and export of the wealth of Ghana abroad, in the service of anyone else, but Ghanaians. Why should the police and the public purse continue to provide security services for private banks and mining companies for a pittance even when there are capable private security companies for the purpose? The answer is simple: the colonial establishment, which guaranteed the paramilitary protection of the political and particularly economic interests of the ruling class, has remained the same. We may have new faces and new names, but nothing has changed.

Sophistication

As time goes on, the establishment gets more sophisticated in extracting resources from the poor. It is not possible to understand why poor drivers are arrested, and detained! for infringing a minor traffic regulation that occasions no risk to life, limb and property unless you realize that the arrest and detention are the forms of brute force that are exhibited in order to compel the drivers, on pain of going back to jail, to plead guilty and to pay huge fines at the Motor Court, reaching and exceeding a thousand dollars at times.

This shameless process of extracting rent from the poor and weak and using it to build playgrounds and parks for the rich and powerful has gone on with the police as the central player, wielding the state's monopoly of force. Unless these events are analyzed with political economy lenses, we are unlikely to comprehend why the state, in the face of mounting crime that endangers life and

property, will deploy its limited resources to constraining the poor who try to eke out a living in the informal transport sector.

In typical strategic behaviour, the police only prosecute those drivers who do not pay a bribe to them of between US\$50 and US\$200, according to the drivers. This ensures that the Motor Court gets its share of booty from the stubborn and recalcitrant drivers, whilst the police supplement their meager salaries with rents from the more docile and cooperative drivers. The drivers who were locked up in the police cells in the Ashaimon story above, belong to the former category.

Reforms

Over the years, many reform efforts have been contemplated, planned and deployed with the GPS as a primary target. All have failed in spectacular fashion. And many reformers are yet to appreciate that the reform of the GPS must start with the unearthing of the colonial roots of the phenomenon that are sought to be controlled, managed and reformed today.

For example, in recent times, many human rights types amongst police reformers have advocated the addition of human rights training to the police curriculum as the magic wand for obviating human rights abuses by the police. They fail to recognize that it is not what the police have not learned but what they have learned, that is the problem. A real process of human rights training for the police must start with a process of unlearning, before any meaningful learning can take place.

The GPS is working under serious constraints: take-home salaries are too low – for some as low as below \$100 a month; logistics are poor or non-existent; morale is low because of many events including clashes

with the citizenry and critiques such as are contained in this article. The police barracks in which these men and women who constitute the police live are sometimes worse than the cells in which they detain suspects and which have been consistently characterized by human rights activists as deplorable. Thus, it does not seem like an abuse of human rights to some police officers when suspects are detained in those cells.

The change from military rule to constitutional rule in 1993 required a change in policing strategy. This is clear from the entire tenor of the 1992 Constitution and the role of the Police in a Constitutional Democracy generally.

Starting point

In 1996, the then government of Ghana set up a high powered committee, headed by a former Chief Justice of the country, to examine the Ghana Police Service and make practical recommendations for its reform. The report of that Commission is by far the most important police reform report ever in country. Yet even that report almost ignored the historical roots of the phenomenon it sought to change.

An identification, interrogation, analysis, and synthesis of the character of the institutional malaise that was injected into the police service during colonialism, and after by the new colonizers, should be the starting point of any meaningful reform of the institution.

Indeed, given its origin as a colonial construct to suppress and contain the local populace, the GPS needs to be thoroughly deconstructed in conceptual terms and rebuilt to reflect best practices of 21st century policing. Only a process that starts thus, and is well coordinated

and intelligently deployed will go any further than the various efforts in the past. Anything less radical will be a mere tweaking with a system that needs a more fundamental reform.

Africa, to conclude, has done poorly in terms of institutional innovation. Innovation is always seen as new, untried, unfamiliar and therefore undoable in the African context. Yet these are the very characteristics of innovation. A policy drive that consistently looks to the former, or is it current, metropolises for samples, frameworks, good practice, and the rest of the other trendy terms, has failed even before it has started. There is no better way to rob institutional renewal of any innovation than through such a process.

We cannot reform the GPS by buying them the guns and helicopters that are used by the American police force. We will only worsen accountability or the lack of it to the people. The level and sophistication of crime in Ghana are too low to be met with the counter forces that are needed by the police in the United States, Brazil and Nigeria.

Everyone, including the GPS, knows where all the blue colour criminals in Ghana live and work. They can be rounded up in a couple of days. We do not need guns and helicopters for this. A mobile phone and a taxi are enough. May be, we are not doing it because the rest of us know that the type and character of white collar crimes that we commit hourly, the "pen thieves" that we are, far surpass the sum of blue collar crimes we seek to counteract.

**Raymond A. Atuguba is lecturer at the Faculty of Law, University of Ghana, Legon.*

African Agenda

ISSUE Vol. 11 No. 2 2008

US\$5.00 GB£3.00 €5.00



South Africa's RAINBOW MYTH

• GHANA POLICE: CORRUPT AND BRUTAL