



# ACCOUNTABILITY

## THE AFRICAN POLICE ACCOUNTABILITY AGENDA IN THE 2020s CONTINUITY AND DISRUPTION



SIGRID RAUSING TRUST



**THE AFRICAN POLICE  
ACCOUNTABILITY  
AGENDA IN THE 2020s  
CONTINUITY AND DISRUPTION**

DAVID BRUCE



SIGRID RAUSING TRUST



## SIGRID RAUSING TRUST

© African Policing Civilian Oversight Forum, 2021

The material in this report may be used, as long as the source is acknowledged.

ISBN 978-1-928332-71-8

**African Policing Civilian Oversight Forum (APCOF)**

Building 23b, Suite 16  
The Waverley Business Park  
Wycroft Road  
Mowbray, 7925  
Cape Town, ZA

Tel: +27 21 447 2415  
Fax: +27 21 447 1691  
Email: [info@apcof.org](mailto:info@apcof.org)  
Web: [www.apcof.org](http://www.apcof.org)

Designed, typeset and proofread by COMPRESS.dsl | [www.compressdsl.com](http://www.compressdsl.com)

# Contents

---

<i>Acronyms</i>	3
<b>Dedication – Innocent Chukwuma (1966–2021)</b>	4
<b>Introduction</b>	5
Limitations	7
General	7
The focus of policing	7
Terminology	8
What is police accountability?	8
<b>Part 1: Policing and police accountability in Africa</b>	10
Governance and democracy in Africa	10
The plural nature of policing	11
Zones of policing	11
State police	15
Governance, management and capacity of police	15
Police budgets and conditions of service	15
Political influence over the state police	16
The ‘service delivery’ role of the state police	17
Accountability	17
<b>Part 2: Future trends impacting on police and police accountability</b>	20
GDP, population growth and inequality	20
Climate change	21
Technology	21

The global coronavirus pandemic	23
New debates about policing in the wake of the killing of George Floyd	24
<b>Part 3: Conclusions and recommendations</b>	25
The role of the state police in policing and public security	25
The heterogeneity of policing constituencies and environments	27
Governance, policing and accountability institutions	27
Core institutional reform of police organisations	28
Political influence over policing	28
The military as a domestic security provider	28
Police resourcing	29
New technology	29
<i>Acknowledgements</i>	30
<i>Annex A: List of interviews</i>	31
<i>Endnotes</i>	32

# Acronyms

---

<b>APCOF</b>	African Policing Civilian Oversight Forum
<b>BLM</b>	Black Lives Matter
<b>CPO</b>	Community Policing Officer
<b>GDP</b>	Gross Domestic Product
<b>IPCC</b>	Independent Police Complaints Commission
<b>IPID</b>	Independent Police Investigative Directorate
<b>PSC</b>	Police Service Commission
<b>US</b>	United States (of America)
<b>VGN</b>	Vigilante Group of Nigeria
<b>WMO</b>	World Meteorological Organisation

## Dedication

### Innocent Chukwuma (1966–2021)

---

The African Policing Civilian Oversight Forum (APCOF), and author, David Bruce, would like to dedicate this report to the memory of Innocent Chukwuma, who passed away on 3 April 2021. Born in 1966, Innocent has been one of the pioneers and leaders of democratic police reform and police accountability in Africa. Some of Innocent's early work in the mid-1990s was in the Civil Liberties Organisation, an organisation focused on abuses by Nigeria's then military dictatorship. In 1998, Innocent founded the CLEEN Foundation, Nigeria's first civil society organisation promoting police accountability. Innocent participated in the founding conference at which APCOF was established in 2004 and was one of APCOF's advisory board members at his death. He participated in numerous other forums and associations related to democratic policing, democratic governance and the achievement of civil, political, social and economic rights. From 2013, until his death, Innocent was the Director of the Ford Foundation's West Africa office. We hope that this paper, for which Innocent was one of the interviewees, will in some way contribute to the goals that Innocent relentlessly and bravely strived for.



# Introduction

---

This report is intended to support the discussion of how to defend advances that have been made, and strengthen and deepen, police accountability in Africa in the 2020s. As will be discussed, the recent period has been a time of turbulence for the world and for policing. In times like this, the awareness of disruption and unpredictability is very prominent. But while profound changes have been taking place there is likely to be a degree of continuity. In exploring questions about police accountability in the 2020s, it is, therefore, reasonable to assume that elements both of stability and forces of change will be at play. An appreciation of the field needs to take both of these into account. In line with this framework, the report is divided into two main parts and a conclusion that includes a set of recommendations.

Part 1 of the report presents a high-level view of the current characteristics of policing and police accountability in Africa. As an instrument of government, police agencies in Africa tend to share characteristics of the states that they are part of. Frequently this implies significant limitations in their capacity and performance. Related to this, the state police are not the principal provider of security for most people. Instead, in practice, policing is carried out by a wide variety of role players. The limitations of state agencies are in turn frequently embedded within police agencies, often reflected in inadequacies of leadership and management. Limited financial resources also translate into the poor conditions of service of many police in Africa, something that may be reinforced by the misuse and misappropriation of resources. State police agencies also tend to be abused to serve the interests of the political elite. Other than as instruments of state security, and elite interests, the role of the state police as providers of security is not clearly understood. This is linked to the fact that, in many geographical areas, they are not the primary providers of security.

Part 2 of the report then seeks to isolate key factors that are likely to shape the public security environment, either through their impact on crime and social conflict or through their impact on police agencies. The picture presented is one of increasing instability. Growth in overall Gross Domestic Product (GDP) on the African continent is unlikely to keep up with the pace of population growth. Africa is also likely to be heavily affected by climate change resulting, inter alia, in increasing population movement. Radical changes in technology are likely to have multifaceted impacts, changing the manner in which crime is planned and conducted, and impacting on the nature of law enforcement in various ways. The latter is likely to include the substitution of human expertise with computer ('artificial') intelligence and expanding the

scope for authoritarian approaches to social control based on expanding surveillance capabilities, but also providing new possibilities for police accountability. In turn, concerns about the impact of the global coronavirus pandemic on policing are that it will be used to legitimate and entrench more intrusive and coercive measures, including the expansion of state surveillance and a more repressive style of policing. At the same time, the Black Lives Matter (BLM) movement in the US has proved to be a source of new debates that profoundly question the status and role of state police agencies. The prominence of these debates was enhanced considerably in the context of protests against police, in the United States of America and elsewhere, following the killing of an African-American man, George Floyd, in the city of Minneapolis in May 2020. Part 3 pulls this discussion together in a set of conclusions and recommendations. The recommendations focus on:

- **Recommendation 1:** Analysis should focus on the role of the state police in respect of the provision of security for people in Africa. This should aim to develop a framework for how to characterise the role of the state police in providing security that takes into account the constraints that they face in this regard. Though the state police are not the dominant security providers in many areas, they are the pre-eminent security provider in each country. It will be important to continue to deepen an understanding of their role in the provision of security. Rather than working from a predetermined point of departure, the aim should be to develop greater clarity about how they currently feed into the broad policing system and how they can shift and strengthen their role in order to improve the operation of the overall policing system. The objective should be to develop a framework that is grounded in the role that police actually play and how this can be strengthened in order to support the rule of law within a democratic context. This should include understanding how they use their resources and authority to shape the security environment and the factors that influence their responsiveness to local needs.
- **Recommendation 2:** The project of achieving more effective democratic policing should therefore be premised on the fact that the providers involved are diverse and it should aim to ensure that the overall policing system better complies with principles of democratic policing. This would ultimately imply that 'trust, professionalism and accountability' are 'at the centre of security and public safety'<sup>1</sup> not only in respect of the state police but in respect of all policing providers.
- **Recommendation 3:** Standard setting through continental and regional mechanisms should address considerations relevant to cooperation by state police with other policing formations. Consideration may also be given to setting benchmarks for the conduct of non-state policing activities.
- **Recommendation 4:** Rather than a one-size-fits-all approach, state policing should be grounded in the reality that policing constituencies are diverse and that state police should have the flexibility to adapt their manner of operation to the security and policing realities of different environments.
- **Recommendation 5:** Reform efforts should give priority to democratic contexts where there is a political investment in the overall quality of management systems, including stable and consistent human resource and financial management practices in public institutions.
- **Recommendation 6:** It will be necessary to obtain the commitment of senior political and police leaders to pursue the police accountability agenda in a sustained manner if efforts at reform are to have a meaningful impact.

- **Recommendation 7:** Any programme for strengthening democratic policing needs to be premised on the need for police institutions to maintain high standards of leadership, consistent standards of human resource and financial management. The framework for the resourcing of police must be aligned with the expectations that are imposed on them.
- **Recommendation 8:** The idea of building the legitimacy of, and trust in, the police should be a key instrument for advocacy against politically partisan policing and the political manipulation of the police.
- **Recommendation 9:** In so far as the military are also a domestic security provider, the project of advancing police accountability and democratic policing should also focus on how to ensure that they are subject to democratic policing principles.
- **Recommendation 10:** There is a need for greater transparency in respect of how police budgetary allocations are distributed and used.
- **Recommendation 11:** To improve the availability and distribution of resources for policing and police accountability, emphasis should also be given to sustained improvements in anti-corruption measures and mechanisms.
- **Recommendation 12:** Questions about the conditions of service of police also require greater attention partly because they are clearly relevant to questions about the standards of service that may be provided by the police. Questions about conditions of service are not only about benefits but are broadly about the manner in which they are treated by the organisations and governments that they work for.
- **Recommendation 13:** Questions to do with technology and public security need to form a key focus of the police accountability agenda. Engagement with these questions must be grounded in recognition and appreciation of both the potential benefits, and risks, of technology for security and democratic accountability.

## Limitations

### *General*

This report is informed by a modest literature review as well as 19 interviews with people with extensive experience in the policing field both in Africa and internationally (see Annex A for a list of interviewees). Related to the literature used and interviews conducted it is possible that the report reflects a bias towards Anglophone African countries. The report is speculative in nature, based in part on anticipation of forthcoming trends. This should necessarily inspire caution about whether the conclusions reached are based on a fair assessment of the available evidence.

### *The focus of policing*

In this report, the provision of police services is understood to be concerned with the provision of 'security'. The term 'security' is here intended to refer to measures to ensure the physical safety of people against threats of a criminal nature, whether these are threats to their physical safety or their property. It is apparent that the policing role is more complex than this. Police have been characterised, for instance, as a mechanism for 'order-maintenance, peace-keeping, rule or law enforcement, crime investigation and prevention and other forms of investigation and information-brokering'.<sup>2</sup> More succinctly, it has also been described as an all-purpose capacity for urgent intervention in crisis situations of various kinds particularly where these involve an element of conflict.<sup>3</sup> In many countries police also play a role in the

'legal-administrative' management of crimes and criminals. For instance, in some cases, the reporting of crime is primarily done by people for insurance purposes. In other cases, police perform criminal background checks on people who are applying for jobs on behalf of prospective employers. However, consideration of all the varying facets of the police role goes beyond the parameters of this report.

## Terminology

Unless the context clearly provides otherwise, the term 'police' generally refers to 'state police' and these two terms are therefore to some degree interchangeable in this report. The term 'state police', as used in this report, therefore refers to police agencies that fall under governments, whether these are national, provincial (state governments in federations) or local governments (municipalities). Some federal countries have police agencies that are identified as 'state police' as a result of the fact that they fall under the governments of specific states (as opposed to municipal or federal police agencies falling under municipal or federal governments)<sup>4</sup> but the term is used more generally in this report.

## What is police accountability?

In essence, the term 'accountability' relates to 'answerability' and therefore lies at the heart of democratic political practice and theory. Broadly, accountability relates to processes and practices in terms of which politicians, public servants, public institutions and others (including those in civil society and the private sector) account for their conduct and performance, who they answer to, and what they answer about. When talking about police accountability one is therefore talking about how to give effect to this process in respect of institutions that are an integral part of the state apparatus in each nation, particularly in respect of issues of social control. The debate about police accountability is therefore essentially a debate about how, and in whose interests, social control is carried out. Police accountability has come to prominence as a social issue in democracies in recent decades. Though it initially emerged as a public issue in Western countries during the 1990s, police accountability was also frequently identified as a key aspect of police reform processes that took place in the context of the democratisation associated with the end of the Cold War. The emphasis given to police accountability is grounded in the recognition that police have far-reaching powers to intrude into people's lives and to restrict their freedom. This may also involve the use of force against them. A major motivator for the expansion of the field of police accountability has therefore been a concern to ensure that police powers, including notably the power to use force, are not used in an inappropriate manner.

Police accountability is an enduring issue though it is not a fixed one. As one interviewee said, police accountability is 'a constant' which is 'always relevant and always coming up' but the ways in which it manifests 'morphs and shifts'.<sup>5</sup> This has been illustrated in many African countries in 2020–21 when the issue of police accountability has been focused on the conduct of police (and other security agencies) related to the enforcement of state-imposed lockdowns in response to the global coronavirus pandemic.<sup>6</sup> On the other hand, in the USA, the George Floyd incident has also given new impetus to questions about controlling police conduct. As indicated, some have gone so far as to question whether accountability measures can indeed have a meaningful impact in this regard.<sup>7</sup>

Support for police accountability is also not a political constant. As another interviewee noted, contexts where terrorism and insurgency are prominent concerns are likely to be associated with declining political investment in, and public support for, police accountability.<sup>8</sup> However, he noted that in the last decade there had been a shift back to

greater recognition of the value of police accountability. This has in part been based on recognition that police abuses can serve as a 'proximate cause of why people take to insurgency' with certain minority groups having 'taken to violence in response to the high-handed approach of police in attempting to suppress the insurgency.'<sup>9</sup> The interviewee also noted that certain civil society groups are taking an interest in holding security agencies accountable to the rule of law in the context of fighting insurgency.<sup>10</sup>

The exact parameters of police accountability as a field are not clearly defined.

- Broadly, the field of police accountability may be seen as being located within the field of 'public security'. In this report, public security is a field involving a diverse set of approaches to the security of people and institutions that are focused on addressing crime and public order in line with specific norms including the rule of law, human rights and political neutrality of police and other criminal justice officials.<sup>11</sup> The field of public security is therefore concerned with a diverse range of role-players and their contribution to security.
- 'Police accountability' may therefore be seen as part of the field of public security. Within the field of public security, the focus on police accountability foregrounds questions about whether police, as agents of public security, conduct their activities in an accountable manner that is consistent with principles of human rights and the rule of law. Police accountability is 'located at the level of the police, the state and civil society and has a proactive standard setting and reactive review component.'<sup>12</sup> It is implicitly concerned with both questions of police conduct (questions of police integrity and compliance with human rights principles) and to what degree police are making a meaningful impact in contributing to public security (effectiveness).
- As will be discussed further, in discussing the police role in contributing to public security in Africa, it cannot be assumed that the state police are the principal 'providers' of security. This report will motivate that there is a need to strengthen analysis of the role of the state police in contributing to security in Africa. This is necessary if approaches to police accountability in this regard are to become more relevant and meaningful. In addition, because state police are not necessarily the principal providers, questions of conduct in respect of the provision of public security can also not be addressed exclusively by focusing on the state police.

---

THERE IS A  
NEED TO  
STRENGTHEN  
ANALYSIS OF  
THE ROLE OF  
THE STATE  
POLICE IN  
CONTRIBUTING  
TO SECURITY  
IN AFRICA

---

# Part 1

## Policing and police accountability in Africa

---

### Governance and democracy in Africa

The analysis of policing and police accountability in Africa needs to be located within an understanding of the global economic system and global power relations which have, over a sustained period, subordinated the interests of African countries to those of the major global powers. Linked to this, such analysis also needs to be located within the context of governance in Africa and a recognition of the relatively modest capacity and performance of many African states. The Ibrahim Index of African Governance concludes that improvements in public administration in Africa appear to have almost stalled over the 2010–2019 decade with the index recording declines on this indicator over the most recent five years (2015–2019).<sup>13</sup> A 2017 analysis of African trends states that ‘The majority of sub-Saharan African states have low levels of state capacity compared to other developing regions, a situation that is unlikely to change significantly in the future.’<sup>14</sup>

Weaknesses in security, policing and accountability are, to a significant degree, a reflection of generic weaknesses in governance.<sup>15</sup> Furthermore, limitations of state capacity may themselves be generators of conflict. One analysis states that ‘weak and unconsolidated governance’ is possibly ‘the most important driver of violence and conflict in Africa’<sup>16</sup> and that ‘[b]ad governance and corruption don’t just undermine development; they also drive violence.’<sup>17</sup> Another analysis states that ‘security concerns’ are ‘symptoms of weak, exclusionary or exploitative governance mechanisms and systems.’<sup>18</sup> In turn, weaknesses of the security system, such as the failure to establish the rule of law and administer borders effectively, may themselves reinforce conflict.<sup>19</sup>

Moreover, democracy, and therefore the commitment to accountability, is far from the dominant system of governance in Africa. Of roughly 50 African countries, one index rated 21 as democracies in 2015<sup>20</sup> while another rated ten as ‘full or flawed democracies’ and another 21 as ‘hybrid regimes’ with the remaining 27 classified as ‘authoritarian.’<sup>21</sup> Levels of public management performance and democracy are also not synonymous. Some more authoritarian countries enjoy relatively high levels of state efficacy.<sup>22</sup> Many democracies suffer severe problems of state capacity reinforced by the impact of neopatrimonialism.<sup>23</sup>

The viability and nature of the accountability project, including that of ensuring democratic policing and public security, is therefore heavily influenced both by the degree to which democracy itself is institutionalised as well as by levels of state capacity.<sup>24</sup> It is important in this regard to recognise that versions of authoritarianism cannot be seen simply as a manifestation of deficits in democracy. In many cases they may be seen as 'ideological alternatives to Western liberalism'<sup>25</sup> and perhaps, to some degree, inspired by the Chinese example of economic advancement through 'techno-authoritarianism'.<sup>26</sup> Ultimately therefore questions about police accountability in Africa are closely tied to deeper questions about the broad framework in terms of which African societies are to achieve their advancement, and about whether accountability, within a framework of open democracy, is a necessary element of this process.

## The plural nature of policing

Though there are differences between African countries, one feature that is common to many of them is that the public security environment is only loosely, and even weakly, regulated. This means that there is only limited control over, and definition given to, various aspects of the public security environment, including not only the state police but other policing role players, there is limited regulation of how public space is used, and the state response to violence and other crime is, at best, uneven.

In terms of the focus of this report, the most salient feature of this 'loosely regulated' character of many African countries is the strongly plural and varied nature of the institutions involved in performing policing functions. This is a widely acknowledged and well-established feature of policing and public security in Africa. A 2007 paper indicates that in countries like Mozambique, Malawi, Lesotho and Somalia there is reliance on non-state mechanisms of policing and justice by as much as 90% of the population.<sup>27</sup> The reasons for this are partly provided by statistics provided in the paper. The paper indicates that, out of seven African countries, six had police to population ratios of over 1:1 000 including Guinea Bissau with a ratio of 1:2 403 and the Democratic Republic of the Congo with a ratio of 1:4 377.<sup>28</sup> But even data of this kind may provide a misleading picture. Often these police have limited access to vehicles and other resources. The paper provides various examples from Sierra Leone. In one region the police have no vehicles while in others the police complain that, despite having vehicles, they have no fuel with one stating that 'for two months we have had no fuel supplied'.<sup>29</sup>

Internationally policing is 'plural' in nature. It is not carried out exclusively by the state. However, the balance between state policing and non-state policing varies substantially between different contexts, with respect to the degree of influence or dominance of state policing agencies. Related to the fact that the state is, on average, relatively weak in Africa (notably by comparison with the countries of the global north), non-state policing is very prominent.

### *Zones of policing*

The manner in which the policing function is performed, and the role players who are involved, vary substantially from one context to another. For purposes of discussion, it may be useful to differentiate between various African zones of policing:

- **The zone of high policing**<sup>30</sup> is distinct. It is the only zone in which the state police are the dominant security provider. It is also the only zone in which the state is likely to be invested in ensuring that police are 'responsive'. Unlike the other three zones, this zone is also not in any real sense geographically demarcated but is defined more by activities

orientated towards responding to certain types of perceived threats (although the protection of state properties might form part of this 'zone', the security of such areas may be dealt with by other security providers). These activities may include valid and legitimate policing activities that are targeted as threats to state security such as terrorism.<sup>31</sup> But the nature of policing activities in this zone is heavily impacted by the degree of politicisation of policing (see below for further discussion). As a result, it may include surveillance, intimidation and repression of legitimate democratic opposition. The policing and potentially the suppression of protests and riots (including attacks against members of specific population groups or categories of people) may also fall into the activities that are prioritised here when these activities are understood to amount to serious political instability or are perceived as threatening to elite interests. On the other hand, protests that are not understood as a threat to elite interests may be largely ignored.

- **Elite enclaves** are high-end central business district areas and suburbs of cities occupied by more affluent elements of the middle-class. They also include private resorts and game reserves, and some agricultural areas, and are therefore not exclusively urban. Here the dominant security providers are likely to be private security agencies. As with the majority of people (see below), it appears to be true that the state also does not serve as a guarantor of the security of the economic elite. This should not be understood to imply that the state applies uniform standards in addressing the security needs of affluent and poorer people. It is likely that some preferential access is frequently conferred on the more affluent. This nevertheless does not imply that the state police are the dominant security providers in this zone.
- **The intermediate zone** – a third zone might, for want of a better term, be described as the 'intermediate zone'.<sup>32</sup> Geographically this is where the vast majority of people live. It may include less-affluent suburbs as well as informal settlements and rural areas. (Where rural areas are affected by insurgency they form part of the 'periphery' which is discussed below.) As has already been documented extensively in the literature on policing in Africa,<sup>33</sup> the dominant security providers are a variety of non-state policing formations, often functioning on a semi-voluntary basis through mobilising community members (notably young men). Forms of policing may include elements of vigilantism and might, in some cases, involve forms of 'mob justice'. In some cases they may be intertwined with gangs or other forms of organised crime.<sup>34</sup> In the words of a study of policing in Nairobi's informal settlements, 'most ghettos of Nairobi are home to different types of community-based security groups that often work outside (and sometimes against) state police structures.'<sup>35</sup> As with the elite enclaves, the state police are therefore not the overall providers or even managers of security in this zone. Related to this, the degree to which people enjoy security depends significantly on other attributes of the communities in which they live, including both the nature of 'social control'<sup>36</sup> and the inter-related issue of how resources are mobilised for the purpose of security.
- **The periphery** is constituted by geographical areas heavily affected by insurgency and high levels of lawlessness. Rather than the police, it tends to be the military, or even private military contractors,<sup>37</sup> who are the primary state instrument in this zone and there may be tensions between police and the military in respect of the hierarchy between them. The state may aspire to be the dominant security provider though whether it is effective in doing so cannot be taken for granted as state security agencies, and private security contractors employed by the state, are frequently involved in providing security alongside militias and other groups. In so far as it



achieves some form of dominance, this may be through partial reliance on these types of groups. Furthermore, the state's objectives may often be seen as primarily focused on establishing its dominance, sometimes at the expense of the security and well-being of the inhabitants.<sup>38</sup>

The system of classification applied here is merely a device for trying to analyse the diversity of policing in African countries, rather than a system that can be applied in an uncomplicated manner to 'define' certain areas. As already mentioned, high policing by definition does not have a defined physical territory or borders but takes place in any area where the 'security threats' that are the concern of high policing are perceived to be taking place. Beyond this, it should go without saying that the borders between these 'zones' are not always distinct or clearly defined. Furthermore, all of these zones are not uniform features, or distributed in a similar manner, in all countries. Some countries may not really have a periphery (in the sense, described here, of a geographical area affected by insurgency) though security in borderlands may nevertheless be seen as a responsibility of the military.<sup>39</sup> On the other hand, in other countries, the military may be extensively involved in addressing domestic insecurity in parallel to the state police and other groups, not only in response to insurgency but also in response to crime.<sup>40</sup> In this case, the distinction between the intermediate zone and the periphery may to some extent fall away. However, in other countries, large areas of the country may qualify as a 'periphery' in the sense that the principal state-security providers are the military who are focussed on addressing insurgency.

In so far as this system of classification has utility, its significance may be seen to include that:

- From a police accountability perspective, the key point that emerges may be that the majority of people inhabit geographical zones in which the state does not guarantee security.
- Linked to the fact that the zone of high policing is not a geographical 'zone', there is no geographical zone in which the state police are the dominant policing role-player. State police in Africa are therefore unlike the police as characterised in the literature on police in the global north who might be expected to be 'responsive to the needs of individual citizens'<sup>41</sup> and an all-purpose emergency responder in situations 'about which something needs to be done.'<sup>42</sup>
- The state police are nevertheless the major security providers at a national level. Even if there are more personnel in other types of policing formations, it is unlikely that there will be any single non-state policing formation that is greater in number than the state police. Even if there is, the status and authority of this security provider will not be greater than that of the state police. The state police are therefore the pre-eminent domestic security provider, even if they are not the dominant one in many areas.

---

THE STATE  
POLICE ARE  
THE PRE-  
EMINENT  
DOMESTIC  
SECURITY  
PROVIDER,  
EVEN IF THEY  
ARE NOT THE  
DOMINANT  
ONE IN MANY  
AREAS

---

- The only 'zone' in which the state is invested in ensuring the dominance of the state police is the 'zone of high policing'. The state seeks to ensure the dominance of the state police in so far as threats to security are identified as issues of 'state security' and may also do so when they are seen to threaten the vested interests of the political elite or their allies. Due to the fact that insurgency is also seen as a threat to the state, the state may also aspire to be dominant in the 'periphery'. However, its vehicle for achieving this is likely to be the military rather than the police.

One issue that is of interest here is how the concept of community policing has been mobilised and applied in Africa. As it originated in the 'global north' the concept of community policing essentially referred to a more responsive and consultative manner of operation for state police. However, in Africa the concept has extensively been used, whether formally by the state<sup>43</sup> or informally,<sup>44</sup> to refer to auxiliary types of policing.<sup>45</sup> Thus in Nigeria, the concept was initially activated in the sense in which it had been used in the 'global north'.<sup>46</sup> A new initiative however provides for the establishment of local committees 'to identify credible and suitable citizens from across each locality for appointment as Special Constables, who would serve as Community Policing Officers (CPOs).'<sup>47</sup> More broadly, analysts themselves may use the concept to refer to the involvement of non-state formations in policing activities.<sup>48</sup>

Of particular interest is the nature of the relationship between the state police and other security providers ('non-state police') in the different zones. Recognising that it is unable to provide security to many (or most) people, the state may in various ways 'endorse' and even rely on and invest resources in forms of auxiliary or informal policing.<sup>49</sup> This may be in areas where the state wants to establish its dominance, but also a means of compensating for the costs to its legitimacy of the fact that it is unable to ensure security in many areas. In doing so, the state 'formalises' informal policing agencies and reconstitutes them as surrogates of the state, in effect absorbing these in a loose manner into the state policing apparatus.

The latter approach has been implemented in various states in the insurgency-affected north-eastern Nigeria<sup>50</sup> and may potentially be institutionalised nationally if a bill formalising the status of the Vigilante Group of Nigeria is brought into force. The Vigilante Group of Nigeria (VGN) is said to be a 'voluntary security operation that assists in the maintenance of law and order in Nigeria'<sup>51</sup> and which is reported to have a presence 'across the 36 states of Nigeria, with its headquarters in the Federal Capital Territory.'<sup>52</sup> The VGN has taken steps 'to secure state backing'. The bill, seeking the establishment of the VGN as a community-based security institution went before the national assembly and passed the first and second readings.<sup>53</sup> As of late 2020, the bill had still not been signed by the Nigerian President,<sup>54</sup> though President Buhari appeared to have misgivings about it<sup>55</sup> and some have questioned the wisdom of bringing the bill into force.<sup>56</sup> Likewise in Burkina Faso, the 'government in January passed legislation to begin training and equipping volunteers' to assist it in fighting against an Islamist insurgency.<sup>57</sup> Although 'volunteers are supposed to operate only within their residence area and to be under military authority', [i]n practice, members of the 'Koglweogo' armed groups recruited by authorities have operated beyond their residence area.' Some of these groups are suspected of having committed serious human rights abuses<sup>58</sup> including a massacre in which as many as 200 people may have been killed.<sup>59</sup> The group admits to using overt physical coercion to obtain confessions from people they have arrested.<sup>60</sup> Other atrocities have also allegedly been linked directly to state security forces.<sup>61</sup>

What also emerges is the significance of the military as a security provider not only in a counter-insurgency role but also in a domestic-policing role. As one Nigerian interviewee indicated, in the northeast and southeast 'people will tell you that the major headache is the military'. They are much more 'dismissive of grievances and complaints' than the police. 'They

see things differently, they will tell you “we are dealing with war”. But there is no external body to take grievances to, though they may address some issues internally.<sup>62</sup>

These examples in turn highlight a critical debate about how to advance the police accountability agenda. Some have argued that, notwithstanding the multitude of role players in providing security, there is a need for a ‘clear focus on strengthening state rather than non-state entities, as the state “is the primary duty-bearer” for the fulfilment of international human rights principles.’<sup>63</sup> But the concern to ensure police accountability and regulate the conduct of role players in policing, must of necessity extend beyond the state police. Related to the fact that the state police are not the main providers of security in many areas, they also do not by any means have a monopoly on human rights violations. The recognition that policing is frequently not provided by the state clearly implies that accountability and the oversight of the state police are not sufficient to ensure compliance with human rights principles in the maintenance of public security.

## **State police**

### ***Governance, management and capacity of police***

The weaknesses of governance and state capacity in many African countries are frequently reflected in the leadership and management of police organisations. Typically they are manifested in problems like an overall policy vacuum, the absence of a programmatic approach to strengthening policing, poor human resource management reflected in the apparently random transfer of personnel and the related instability in management and the chain of command.<sup>64</sup> In the absence of resolution of these fundamental institutional issues, attempts to improve specific aspects of policing may be futile. As a British review of an assistance programme to the Malawi police service remarks:

*Strengthening sub-components of the police, e.g. investigations, victim support units, prosecutors or public order, in the absence of broader institutional reform has been demonstrated elsewhere to be a poor investment. If the police institution as a whole remains unreformed, suffers poor leadership, inadequate resourcing and has an inability to manage its human resources and finances, there is no reason whatsoever to suppose that sustainable change will occur to a small niche part of it. Lessons learned in the past have clearly shown that, in the absence of wholesale institutional reform, sub-institutional development will not be realised.*<sup>65</sup>

Likewise, training programmes are likely to be of limited value unless accompanied by other institutional changes. Empirical studies indicate that ‘entrenched police culture is not easily changed through training, particularly when externally initiated. If police are trained in new approaches and then returned to their former working conditions, colleagues and superiors, they quickly revert to old patterns of behaviour.’<sup>66</sup>

### ***Police budgets and conditions of service***

Limitations of governance are intertwined with issues of resourcing. Financial resourcing is clearly a pivotal issue in respect of the type of state policing that is possible. It has been argued that one of the defining features of police in democracies is that they are providers of safety to the general population (in the words of David Bayley ‘responsive to the needs of individual citizens’<sup>67</sup>). This is reflected in their responsibility to respond to calls for service, particularly where these come from people who are in immediate physical danger. In so far as the police are not sufficiently resourced for this type of role, this is a clear constraint on the potential for the state police to perform it.<sup>68</sup>

Resourcing is clearly also relevant to the conditions of service (salaries and benefits) as well as the working conditions of police. Where police facilities are of poor quality and there are constraints on the availability of vehicles and other police equipment, this will clearly impact on the manner in which police carry out their work. It will also impact on the degree to which governments may be able to employ police with acceptable minimum qualifications.

The financial resources that are available are clearly also of enormous significance in respect of the potential for compliance with human rights standards. Resourcing impacts on factors such as the capacity to improve policing including by providing training and the resourcing of oversight agencies.

In many countries, police are not (compared to those in the 'developed' world) a group of state employees who are paid by the state to provide a service. Rather they are provided with a badge and a uniform and perhaps weapons and a rudimentary salary. The fact that their interests are not taken seriously by their employers may be a factor 'that contributes to the violation of the rights of suspects by the police due to inadequate resources and poor facilities, low remuneration and lack of support from citizens.'<sup>69</sup>

An aggravating factor is that governance mechanisms are frequently characterised by corruption that further weakens government and constrains the availability of resources. One of the impacts of corruption may be that it limits the availability of resources to remunerate police. In turn, police who enjoy very poor conditions of service may in effect be placed under pressure to use their jobs to supplement their remuneration.<sup>70</sup>

The issue of corruption and the management of financial resources raises questions about to what degree police budgets are used in an optimum manner. Notwithstanding the fact that police are often poorly remunerated, police organisations may enjoy fairly generous access to state financial resources, in turn creating opportunities for these resources to be siphoned off.<sup>71</sup> This highlights the need for greater scrutiny to be given to the manner in which resources allocated to police are being used and whether police organisations are 'realising efficiency in terms of cost.'<sup>72</sup> The tendency may be, for instance, to use resources primarily to benefit the head office, with limited distribution of resources across units and chains of command. This issue has for instance become an increasing focus of attention in Nigeria with an increasing focus on the distribution of police budgets.<sup>73</sup> In the words of a 2019 press article on the issue, 'Because budgetary allocations do not reasonably trickle down to the zonal, state and local command levels, the police at those levels resort to illicit means of generating funds.'<sup>74</sup>

### ***Political influence over the state police***

As indicated, African countries are not uniformly democratic. There is far from uniform acceptance of democratic norms by political elites on the African continent. In addition, even within countries that qualify as more democratic, the policing environment is seen as highly sensitive from a political perspective.<sup>75</sup> The highly politicised nature of policing is linked to the centrality of high policing within the police role. As one interviewee said: 'Police are all too often seen as part of [the state] security apparatus rather than there to help people.' As a result, presidents frequently 'want direct control of police services because they are seen to be the primary means of maintaining stability.'<sup>76</sup> Related to this, African state leaders generally prefer to have 'a direct link' with the police commissioner rather than governing the police through a police ministry (sometimes the Ministry of Home Affairs). As a result, though such ministries may exist, they are frequently powerless.<sup>77</sup> Legislative provisions may therefore appear to institutionalise democratic governance of the police. But political practice, at the highest level, tends not to be aligned with these provisions.

## ***The 'service delivery' role of the state police***

The argument provided above in respect of the plural nature of policing indicates that the state police are consistently strongly invested in high policing but are not guarantors of security for the general population. Related to issues of governance and resourcing, they are generally not heavily focused on the latter role and are in effect unable to perform it. Thus one interviewee remarked that when one talks about the police in Nigeria, 'People will say that "in my community I do not even see the police. I see members of my own community who are not funded by the state."<sup>78</sup> Another interviewee remarked that reporting a crime in progress does not necessarily result in the police being mobilised. Police may complain that they have no fuel for their vehicles, or say that they will only attend 'once the robbers have left the scene' on the basis that 'my safety comes first.'<sup>79</sup>

High policing is therefore the only security role for which they take full responsibility (and the only 'zone' in which the state police are dominant). But this does not imply that their role is limited to high policing. It appears difficult to give a clear and consistent answer to questions about 'what police do' and whether there are other roles they clearly and consistently perform.<sup>80</sup> It may be true to say that police have no clearly defined role other than in respect of high policing. Beyond this, it appears that the role of the police cannot be defined in terms of specific regulatory provisions or normative standards. Instead, it is a variable and adaptive application of their powers and resources which is shaped by influences and pressures, both licit and illicit,<sup>81</sup> of one kind or another. In so far as they are mobilised by the state, this may be seen as a demonstration by the state that it has ultimate authority rather than indicating that it aspires to ensure generalised safety.

## **Accountability**

It is important to be realistic about the question of political support for police accountability. It may be expedient for politicians to align themselves with principles of accountability and human rights. However, a more substantive test of political support is whether resources are invested in police accountability (assuming that there are resources available). For instance, one interviewee talked about how the civilian oversight agency in Sierra Leone (Independent Police Complaints Board) had been starved of resources and thereby neutralised. The Malawian government has also apparently been reluctant to invest in the creation of the Independent Police Complaints Commission (IPCC)<sup>82</sup>, while the Independent Police Investigative Directorate (IPID) in South Africa repeatedly complains of inadequate resourcing.<sup>83</sup> As one interviewee noted: 'we have seen the creation of structures. We know that they are all resource hungry. When there are police abuses of power linked to political interests we know the difficulties they confront. It is an ongoing battle.'<sup>84</sup>

Political support for accountability is therefore variable. Political antagonism to the accountability agenda may be amplified, not only in the context of terrorism and insurgency but also where police are used to target legitimate political opponents. At the same time, as indicated, there is evidence that abuses by security forces are a factor that may encourage people to align themselves with insurgents. A United Nations Development Programme report, for instance, notes that a 'common feature of weak governance in peripheral regions that are marginal in development terms may be the presence, however occasional, of repressive and corrupt security agencies who exacerbate the experience of overall state neglect, presenting a hostile face of government that is inimical to local citizens. Indeed, confidence in security agencies, or lack thereof, has been established as a crucial factor influencing the spread of violent extremism.'<sup>85</sup>

---

EVEN IF OVERSIGHT  
AGENCIES DO NOT  
FACE OVERT  
POLITICAL  
ANTAGONISM,  
RESOURCES ARE  
LIKELY TO BE  
CONSTRAINED

---

While mechanisms for the oversight and accountability of police agencies have sometimes been established, they are eclectic in nature.<sup>86</sup> There is not a common approach or understanding to how they should be structured or the role that they should perform. Partly related to this, they have often been limited in their effectiveness. As highlighted, resourcing is a challenge with respect to state policing institutions themselves and there appears to be a general disposition towards limited political enthusiasm for accountability institutions, particularly at the executive level. Unless politicians see value in oversight it is likely that the resourcing challenges facing oversight bodies will be far greater than those faced by police. Even if oversight agencies do not face overt political antagonism, and there is some measure of support for police accountability, resources are likely to be constrained.<sup>87</sup>

In addition, they tend to face problems in securing cooperation from the police with the police prone to treat them with a degree of disregard and even disdain and contempt.<sup>88</sup> Essentially, it is important to see them as complementary mechanisms.<sup>89</sup> In the absence of a commitment to accountability by police organisations themselves, it is unlikely that external accountability agencies will be able to ensure accountability.<sup>90</sup> Where police are committed to high standards, accountability bodies can contribute to public confidence in the police in so far as their oversight functions serve to demonstrate that police are indeed adhering to such standards. But in the absence of such commitment, external agencies are themselves unlikely to be able to ensure accountability.<sup>91</sup> The question of police accountability therefore not only highlights the need for effective internal accountability mechanisms, including an effective disciplinary system,<sup>92</sup> it ultimately reinforces the point highlighted above regarding the centrality of questions to do with the overall leadership and management of police organisations.

Along with police leadership, a further key challenge is the leadership of accountability institutions. One tendency may be for political leaders to try and ensure that the leaders of accountability institutions are disposed to favour the police and to even be politically compliant. In Nigeria, for instance, successive heads of the Police Service Commission (PSC) have been former police chiefs (inspector-generals).<sup>93</sup> According to an interviewee, unlike the first head of the PSC who came from a civilian background, these chairmen have tended to prioritise questions of 'effectiveness rather than conduct.' 'Government shifted to only looking at people with professional policing experience – which means they have deprioritised accountability in relationship with civilians. This is clearly an attempt to undermine the focus on accountability for conduct.'<sup>94</sup> Similarly, in South Africa, there have been concerns about the manner in which the executive director of the IPID is appointed and calls for legislative provisions regarding the appointment of the director to be amended.<sup>95</sup>

However, as indicated, the fact that policing is frequently not provided by the state clearly implies that accountability and the oversight of the state police is not sufficient to ensure compliance with human rights principles in the maintenance of public security. As an interviewee

stated 'we can't ignore the issues of accountability around other providers.'<sup>96</sup> Another interviewee highlighted a project, undertaken by one of the provincial governments in South Africa, that seeks to ensure consistent standards in the functioning of community-based Neighbourhood Watches.<sup>97</sup>

These issues clearly also raise questions about the value and significance of standard setting through continental and regional mechanisms. At minimum, this may imply that standard setting should seek to put forward standards in respect of cooperation by state police with other policing formations. At its broadest, however, the implication is inevitable that standards should be developed with a view to setting benchmarks for the conduct of non-state policing activities.

## Part 2

# Future trends impacting on police and police accountability

---

### **GDP, population growth and inequality**

The prospects for governance, policing and police accountability will undoubtedly be heavily affected by economic and demographic changes in the 2020s. Many African countries have been enjoying reasonable levels of economic growth.<sup>98</sup> However, it is likely that inclusive growth will remain unachievable and that chronic inequality and poverty (with oases of wealth) will continue to be a key feature of African countries. This trend is likely to be reinforced by the economic impact of the coronavirus epidemic and measures such as lockdowns that have been imposed in response to it.

If it is indeed valid to anticipate an increase in inequality, this then implies that there will be an ongoing divergence between the security, policing and accountability issues facing African 'elite enclaves' on the one hand, and 'intermediate zones' and 'peripheries' on the other. This is likely to pose further challenges to the potential for state policing to play a meaningful role in contributing to the security of the vast majority of people, as the temptation may be to focus increasingly on protecting the political elite and guaranteeing the security of those in the elite enclaves.

In order for state police to escape this trap and remain part of a democratic policing project, they will need to become more embedded in the reality that, as reflected in the discussion of policing 'zones' above, policing constituencies and environments are diverse. Responsiveness to the needs of different constituencies will require that police have the flexibility to adapt what they offer to the different security and policing realities that they operate in. From a certain perspective this is likely to be seen as unacceptable as it may be seen to entrench and legitimate unequal service provision. However, unequal service provision is already the established reality. A one-size-fits-all approach, based on the idea of uniform standards in service provision, is likely to further entrench police biases in favour of servicing the needs of the elite. It is unlikely to constitute a meaningful effort to respond to the diverse nature of people's actual security needs.



## Climate change

The intensifying climate crisis is also likely to dramatically change the security environment in Africa, though its full effects will not be experienced in the 2020s but only in the longer term. The primary impact of climate change is the gradual warming of the earth's temperature. This is likely to be associated with intensifying heatwaves, rendering some settled areas in parts of Africa that are already hot, increasingly uninhabitable.<sup>99</sup> The impacts of climate change are, however, not uniform and are likely to vary between different regions of Africa. According to a 2020 report by the World Meteorological Organisation (WMO), one of the major impacts of climate change is likely to be reduced agricultural food production as a result not only of rising temperatures and droughts but also increased rainfall and flooding in some areas. Increasing temperatures may also facilitate the spread of malaria and other diseases.<sup>100</sup> The large numbers of poor people in Africa will be particularly vulnerable to these problems,<sup>101</sup> partly because they often live in areas that are more vulnerable, but also because they lack the resources to mitigate the adverse impacts of these phenomena. Climate change is also likely to impact on the suitability of many regions of Africa as destinations for tourism,<sup>102</sup> an important contributor to some African economies.<sup>103</sup>

One major consequence of climate change is likely to be increasing population movement and related instability. Poverty, intensifying inequality, conflict and population pressures will themselves contribute to migration and this trend is likely to be amplified by climate change. As one commentator has said: 'Millions will be forced to move to survive' and in turn 'widespread migration will create a massive international humanitarian and security issue.'<sup>104</sup> As a result of continental and international barriers to migration, much of this migration is also likely to be concentrated within and between 'intermediate' and 'peripheral' zones within Africa, potentially amplifying the security issues within these areas. Related to this, migration and the policing of borders may also become an increasingly vexed issue in Africa, notwithstanding initiatives towards greater integration on the continent.<sup>105</sup> Hostility to foreigners and other migrants may increasingly result in violence, as well as creating scope for political agendas that promote intolerance rather than supporting responsiveness in respect of these trends.

Though the effects of climate change are expected to be most extreme in later decades,<sup>106</sup> it is likely that these effects will become increasingly discernible during the 2020s.

## Technology

It is evident that developments in technology have historically had a disruptive impact on people, economies and social relations. This disruptive dimension of technology is currently associated with the wave of technological change referred to as the 'fourth industrial revolution' and defined by one analyst as 'driven largely by the convergence of digital, biological, and physical innovations.'<sup>107</sup> As in past periods of technological innovation and change, the impacts of the fourth industrial revolution are multi-dimensional and cannot be characterised in uniformly positive or negative terms. One report notes, for instance, that 'The potential for technology to do good in Africa is, staggering – as has been demonstrated in areas ranging from improving education quality and quantity, to mobile money reaching the unbanked, data being used to improve public health, and connectivity improving transparency.'<sup>108</sup>

One of the major impacts of technology will be that it plays an increasing role in the management of security. Advances in technology have the potential to contribute significantly to improvements in security (amongst other benefits), and in this respect

should be embraced and viewed in positive terms. On the other hand, current changes in technology are also having numerous adverse effects and consequences. Many of these have implications for security whether these involve the proliferation of new forms of interpersonal crime in which information technology is used or 'cybersecurity threats, misinformation on a massive scale through digital media, potential unemployment, [and] increasing social and income inequality.'<sup>109</sup> In respect of the use of technology for policing and social control, there are also serious concerns that technology will facilitate greater intrusion on individuals' privacy and reinforce discriminatory patterns of policing and other law enforcement decision making. Governments are likely to increasingly turn to technology, rather than conventional policing, to resolve security and policing challenges, partly because of perceived cost-effectiveness. This will also be impacted heavily by global shifts in the balance of power. The increasing power and influence of China in Africa, including its impact on the public security sector, is likely to be associated with motivations and incentives to make greater use of 'surveillance, data, censorship, and artificial intelligence' for purposes of social control.<sup>110</sup> One aspect of this is likely to be the unregulated use of biometric identification technology in Africa.<sup>111</sup> Western companies are also actively involved in promoting these technologies to African governments.<sup>112</sup>

There are numerous possibilities in terms of how this may impact on policing. One possibility is that 'high level' analysis and decision making will be increasingly undertaken by computers and that police will be largely deployed on the basis of this decision making. There is therefore a risk that policing institutions will become increasingly subordinate to technology but otherwise deskilled and change in the policing sector will be shaped by technology more so than by a 'police reform' agenda. There is also the possibility of unregulated 'tech savvy' police units making highly sophisticated use of technology, possibly in ways that profoundly undermine privacy and other rights.

Though technology may therefore undermine the police accountability agenda in various ways, it may also enhance the potential for police accountability. This may include enhancing the ability of police organisations to hold their own personnel accountable (in so far as they are motivated to do so) as well as enhancing the capacity for civilians and media organisations to subject the activities of the police to scrutiny. Technology such as body cameras can, for instance, improve capacities for centralised monitoring of police activities by police organisations, while the proliferation of photographic and video equipment (in cell phones) enhances the ability of civilians and journalists to record the actions of the police. This may serve as a constraint on abusive behaviour by police. However, the enhanced capacity of civilians to record police conduct may not contribute to enhanced police accountability unless it is combined with advocacy around the need for accountability and improvements in police conduct. Typically changes such as these also motivate the police to adapt their behaviour and modify the form of abuse, rather than necessarily serving to ensure that the abuses themselves are addressed. Technological developments in respect of the weaponry that is used by police are also likely to have negative and positive dimensions. On the one hand, increasingly sophisticated weapons, such as high-pitched acoustic devices and other 'area denial weapons' may increase the ability of the police to engage in forms of social control that involve the denial of rights. On the other hand, technology will also increase the potential for introducing weaponry that may facilitate greater accountability for the use of force such as weaponry that automatically records video or other footage regarding the circumstances in which it is used or that records information about the identity of the person who has used it.

Furthermore, the intensified penetration of technology is likely to play itself out along lines of inequality and has the potential to reinforce such inequality. Its use for purposes of surveillance may reinforce the exclusion of the poor while those with the means to do so will be able to use it extensively to their own advancement and benefit. In what might be seen as a dystopian formulation of the likely global trajectory, it has even been anticipated that 'Biotechnology and the rise of AI may split humankind into a small class of "superhumans" and a huge underclass of "useless" people. Once the masses lose their economic and political power, inequality levels could spiral alarmingly.'<sup>113</sup>

## The global coronavirus pandemic

This report has been completed in the second quarter of 2021, now more than a year after the beginning of the global coronavirus pandemic. Already by late April 2021, the pandemic has had catastrophic consequences for many people with the death toll from the pandemic now estimated to have reached over 3 million people. Along with the direct impacts of the pandemic in terms of mortality and health, it is apparent that the pandemic is having major economic, political and social impacts and these are likely to intensify.<sup>114</sup> A UN report, for instance, indicates that 'While the impact of the pandemic will vary from country to country, it will most likely increase poverty and inequalities at a global scale.'<sup>115</sup> It is likely therefore that the pandemic will reinforce and entrench existing trends towards greater inequality in many countries. The coronavirus pandemic has been the time of what has come to be called the 'new normal' in which people in many countries are living under restrictions of varying degrees of severity on their movement and interaction with others. One of the key causes of controversy during this period has been about state measures to control the pandemic. On the one hand, in authoritarian countries states have had a relatively uninhibited ability to impose restrictions and, in some cases, most notably that of China, this has contributed to their effectiveness in limiting the impact of the pandemic. On the other hand, in some democratic countries, including countries in Africa, there have been concerns about the enforcement of lockdown restrictions by heavy-handed policing.

In addition, there have been concerns about the use of the pandemic to institutionalise new forms of surveillance and control. Notable in this regard is that one of the consequences of the coronavirus pandemic has been to facilitate the penetration of information technology, both in the provision of services (such as education or news and the dissemination of information) and in the exercise of surveillance including of movement and of social interactions. The pandemic has therefore given governments a taste of the enormous potential to enhance their surveillance capabilities 'in the public interest' and it is likely to accelerate movement towards the use of such technology for purposes of social control.

---

THERE HAVE BEEN  
CONCERNS ABOUT  
THE USE OF THE  
PANDEMIC TO  
INSTITUTIONALISE  
NEW FORMS  
OF SURVEILLANCE  
AND CONTROL

---

## **New debates about policing in the wake of the killing of George Floyd**

On the 25th of May 2020, as the impact of the pandemic began to be felt on a global scale, an African-American man, George Floyd was killed by police in Minneapolis, Minnesota in the United States (US). Due to the fact that footage of his death was recorded by closed-circuit television cameras and by passers-by, details of the circumstances of his death are well known. Floyd was held down by four police officers, one of whom applied pressure to the side of his neck with his knee for almost nine minutes. This resulted in Floyd being unable to breathe properly and eventually losing consciousness.

The loss of one man's life is clearly not comparable with the coronavirus epidemic not only in terms of the scale of loss of life, but also in terms of its numerous other repercussions. Nevertheless, Floyd's death did not only lead to mass protests throughout the US but also in many other countries. In addition, the mobilisation linked to Floyd's death contributed to increasing attention being given to debates about policing in the US that had been enjoying increasing prominence related to the emergence of the BLM movement. Related to evidence that police in the US consistently act in a discriminatory manner towards African-Americans, steps were taken to withdraw funding from some police departments and to redefine the role and function of others. In Minneapolis itself, the killing of Floyd led to an initiative to entirely disband the police department, though by the end of 2020 this initiative had become mired in controversy.<sup>116</sup> Underpinning some of these initiatives were debates about policing in the US which raised questions about to what degree police organisations are in fact amenable to reform, about the role of police, and about alternative approaches to achieving the objectives for which police departments have been established.<sup>117</sup> In April 2021, following the conviction of Derek Chauvin, the principal Minneapolis police officer responsible for Floyd's death, these questions remained as pressing as ever.

## Part 3

# Conclusions and recommendations

---

Outside of the realm of high policing, African countries are in general largely under-policed by state police by comparison with the US. As a result, perspectives and debates regarding policing and public security in the US may not necessarily be directly relevant in Africa. Nevertheless, debates about policing in the US, and elsewhere in the world, should certainly motivate for efforts to be made to clarify the assumptions on which approaches to questions about policing on the African continent are based. Those who are concerned to advance the police accountability agenda should therefore be prepared to engage in a process of redefining this agenda in the 2020s. In doing so, they should aim to ensure that the police accountability agenda carries forward those elements that continue to be valid and important. They should also more actively take account of the realities of policing on the African continent, as well as the emerging realities of the world in the 2020s. Some of these realities, which will become increasingly relevant in Africa, will be a contestation between democratic and authoritarian approaches to addressing questions of growth and development within the context of the climate crisis and the 'fourth industrial revolution'. As a result, questions about the police accountability agenda will be intimately tied to questions about how and whether African countries respond to the socio-economic needs of their populations.

The conclusions and recommendations provided here, therefore, need to be understood within the context of these questions.

### **The role of the state police in policing and public security**

It is difficult to reject the argument that African state police are in many ways still an embodiment of the colonial policing legacy and do not reflect the development of policing systems that are appropriate in the African context. This is not to say that all aspects of the colonial legacy are negative. Nevertheless, this legacy is reflected very overtly in the role that the state police perform. Colonial police were established, above all, for purposes of protecting and projecting the power of the colonial governments and colonial powers. While power had changed hands, the role of the state police continues to be defined by the primacy of high policing.

In seeking to improve security, it is important to clearly differentiate the policing function from other possibilities for improving security (non-policing forms of crime prevention). The core focus of the police accountability agenda should be on the policing function (as performed by diverse role players) and its contribution to public security. It is necessary to take seriously the fact that the idea of state police as providers of security on the Western model is generally not valid in Africa. At the same time, there is currently not a widely recognised analytical framework that adequately addresses questions about how the state police should conceive of their role in providing security, considering their limitations in this regard. Recognising that the state police are not the primary security providers in most geographical areas, implies that it will be necessary to address questions about their role in a manner that is sensitive to their constraints and limitations. It cannot be taken for granted that the service role performed by the state police is understood and the implication is that one will need to deepen understanding with respect to questions about this role.

---

STANDARD SETTING  
THROUGH  
CONTINENTAL AND  
REGIONAL  
MECHANISMS  
SHOULD ADDRESS  
CONSIDERATIONS  
RELEVANT TO  
COOPERATION BY  
STATE POLICE WITH  
OTHER POLICING  
FORMATIONS

---

**Recommendation 1:** Analysis should focus on the role of the state police in respect of the provision of security for people in Africa. This should aim to develop a framework for how to characterise the role of the state police in providing security that takes into account the constraints that they face in this regard. Though the state police are not the dominant security providers in many areas, they are the pre-eminent security provider in each country. It will be important to continue to deepen understanding of their role in the provision of security. Rather than working from a predetermined point of departure, the aim should be to develop greater clarity about how they currently feed into the broad policing system and how they can shift and strengthen their role in order to improve the operation of the overall policing system. The objective should be to develop a framework that is grounded in the role that police actually play and how this can be strengthened in order to support the rule of law within a democratic context. This should include understanding how they use their resources and authority to shape the security environment and the factors that influence their responsiveness to local needs.

**Recommendation 2:** The project of achieving more effective democratic policing should therefore be premised on the fact that the providers involved are diverse and it should aim to ensure that the overall policing system better complies with principles of democratic policing. This would ultimately imply that ‘trust, professionalism and accountability’ are ‘at the centre of security and public safety’<sup>118</sup> not only in respect of the state police but in respect of all policing providers.

**Recommendation 3:** Standard setting through continental and regional mechanisms should address considerations relevant to cooperation by state police with other policing formations. Consideration may also be given to setting benchmarks for the conduct of non-state policing activities.

## The heterogeneity of policing constituencies and environments

A foundational idea of democratic policing continues to be that security should be provided to all. The state police are not the principal providers of security in all regions or 'zones'. The manner in which state policing functions needs to be premised on the need for adaptation to diverse geographic and demographic constituencies. The role performed by state police in different environments may, in many respects, be distinct. Within the elite enclaves, for instance, it may be viable to work on a partnership basis with private security providers, in so far as the latter adhere to certain minimum standards. However within the 'intermediate zone' where security providers are more diverse in character, it may be necessary for state police to engage more at the level of the governance of security and setting standards. Likewise, in the 'periphery', it appears unavoidable that questions to do with the relationship between the state police and the military, as well as other security role-players, will need to be addressed (see Recommendation 9).

**Recommendation 4:** Rather than a one-size-fits-all approach, state policing should be grounded in the reality that policing constituencies are diverse and that state police should have the flexibility to adapt their manner of operation to the security and policing realities of different environments.

## Governance, policing and accountability institutions

Addressing issues of policing, public security and accountability in Africa is necessarily part and parcel of an engagement with questions of governance and public management in Africa. The viability and nature of the accountability project, including that of ensuring democratic policing and public security, is heavily influenced both by the degree to which democracy itself is institutionalised as well as by levels of state capacity.<sup>119</sup> Reform measures are only likely to have a sustained impact where there is investment at a policy and leadership level within government in the overall quality of management systems, including stable and consistent human resource and financial management practices, in public institutions. The greatest opportunities for advances are likely to be in countries in which there is strong investment in improving the quality of democratic governance. Implicitly these will be amongst the least corrupt and most democratic countries.

**Recommendation 5:** Reform efforts should give priority to democratic contexts where there is a political investment in the overall quality of management systems, including stable and consistent human resource and financial management practices, in public institutions.

**Recommendation 6:** It will be necessary to obtain the commitment of senior political and police leaders to pursue the police accountability agenda in a sustained manner if efforts at reform are to have a meaningful impact.

## Core institutional reform of police organisations

Political commitment to democratic policing on its own is however inadequate unless it is accompanied by a programmatic approach to strengthening policing that focuses on ensuring high standards of leadership, consistent standards of human resource and financial management, and a framework for the resourcing of police that is aligned with the expectations that are imposed on them.

**Recommendation 7:** Any programme for strengthening democratic policing needs to be premised on the need for police institutions to maintain high standards of leadership, and consistent standards of human resource management and financial management. The framework for the resourcing of police must be aligned with the expectations that are imposed on them.

## Political influence over policing

The task of establishing police as a politically neutral presence in protecting democratic political life is a major challenge. Police are consistently treated as political instruments and used to advance the political power of the present political incumbents. This serves to neutralise the potential for building trust in the police and securing legitimacy for them on the basis of their professionalism and impartiality.

**Recommendation 8:** The idea of building the legitimacy of, and trust in, the police should be a key instrument for advocacy against politically partisan policing and the political manipulation of the police.

## The military as a domestic security provider

In terms of international norms, police are supposed to be the principal democratic security providers with the military focused on external threats and operations. However, the reality in many African countries is that the military are major domestic security providers and are in effect part of the formal state policing system. In addition, while in some states there are provisions specifying that, within the domestic context, the military should be subordinate to the police, in practice intra-state institutional politics and limitations of police capacity have the consequence that the military operate in a separate zone of authority from the police. If the overall objective of the police accountability project is to ensure that policing is subject to the norms of democratic policing, a specific challenge needs to be ensuring that the military are subject to these principles.

**Recommendation 9:** In so far as the military are also a domestic security provider, the project of advancing police accountability and democratic policing should also focus on how to ensure that the military are also subject to democratic policing principles.



## Police resourcing

Resourcing is clearly foundational to the type of state policing that is provided. There are also increasingly examples where non-state policing formations receive state funding in some form. Complaints about the shortages of resources are a persistent refrain in respect of police and accountability institutions. It cannot, however, be taken for granted that the resourcing challenges facing policing institutions are simply the consequence of the limited budgets that are provided to them. There are also issues to do with how the available resources are distributed and the abuse of resources. The issue of democratic policing and police accountability can also not be advanced in a sustained manner without examining questions to do with the conditions of service of police.<sup>120</sup>

**Recommendation 10:** There is a need for greater transparency in respect of how police budgetary allocations are distributed and used.

**Recommendation 11:** In order to improve the availability and distribution of resources for policing and police accountability, emphasis should also be given to sustained improvements of anti-corruption measures and mechanisms.

**Recommendation 12:** The question of the conditions of service of police is also one that requires greater attention partly because it is clearly relevant to questions about the standards of service that may be provided by them. Questions about conditions of service are not only about benefits but broadly about the manner in which the police are treated by the organisations and governments that they work for.

## New technology

Developments in information technology, and related aspects of the 'fourth industrial revolution' such as biotechnology, are likely to shape the policing and public security environment in a profound manner. However, an approach that focuses exclusively on the risks involved may not give due recognition to the potential advantages of new technologies for security.

**Recommendation 13:** Questions to do with technology and public security need to form a key focus of the police accountability agenda. Engagement with these questions must be grounded in recognition and appreciation of both the potential benefits and risks, of technology for security and democratic accountability.

## Acknowledgements

---

The report emerges from a process of internal evaluation conducted by APCOF. APCOF contracted the author to conduct an analysis of the 'state of accountability' as part of this process. Related to the evaluation and the development of this analysis, various interviews were conducted (see Annex A). Thanks are due to those who were interviewed as well as to Sean Tait and other staff at APCOF for their insights. Thanks also to Candice Harrison-Train who was a participant in many of the discussions that formed part of this project. In addition to those who are formally acknowledged in the references, a number of other individuals who were interviewed contributed to the development of the perspective that is presented here. Though informed and shaped by my interactions with others, the opinions expressed, as well as any errors, are those of the author.

## Annex A

### List of interviews

Date of interview (all dates 2020)	Interviewee	Institution
13 February	Benson Olugbuo	CLEEN Foundation, Nigeria
17 February	Janine Rauch	South Africa
17 February	Sosthenes Makuri	East African Police Chiefs Cooperation Organisation, Kenya
17 February	Victor Mhango	Centre for Human Rights Education Advice and Assistance (CHREAA), Malawi
18 February	Mutuma Ruteere	Centre for Human Rights and Policy Studies, Kenya
18 February	Noel Kayira	Malawi Police Service, Malawi
18 February	Peter Kiama	Independent Medico-Legal Unit (IMLU), Kenya
18 February	Ruth Ssekindi	Ugandan Human Rights Commission, Uganda
19 February	Annelize van Wyk	APCOF board member and former South African parliamentarian, South Africa
19 February	Mubitha Nawa	Southern African Regional Police Chiefs Cooperation Organisation, Zimbabwe
19 February	Val Collier	previously Chair of the Independent Police Complaints Board, Sierra Leone
26 February	Christoph Heyns	University of Pretoria, South Africa
03 March	Piet Biesheuvel	Senior Security and Justice Advisor
05 March	Alice Hills	Durham University, United Kingdom
05 March	Elrena van der Spuy	University of Cape Town, South Africa
09 March	Rachel Neild	Open Society Justice Initiative, United States
11 March	Bill Dixon	University of Nottingham, United Kingdom
23 March	Innocent Chukwuma	Ford Foundation, West Africa, Nigeria
July	Sean Tait	African Policing Civilian Oversight Forum, South Africa

## Endnotes

---

- 1 B C Olugbuo and O S Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, in E Alemika, M Ruteere and S Howells, (eds), *Policing reform in Africa – Moving towards a rights-based approach in a climate of terrorism, insurgency and serious violent crime*, African Policing Civilian Oversight Forum, 2018, 96. The original refers to ‘reimagine the strategy of community policing so that it puts trust, professionalism and accountability at the centre of security and public safety.’
- 2 T Newburn and R Reiner, Policing and the police, in M Maguire, R Morgan and R Reiner, (eds), *The Oxford Handbook of Criminology*, 4th ed., Oxford: Oxford University Press, 2007, 913.
- 3 E Bittner, Florence Nightingale in pursuit of Willie Sutton: A theory of the police, in H Jacob, (ed.), *The potential for reform of criminal justice*, Newbury Park, California: Sage, 1974 as discussed in T Newburn, Introduction: Understanding policing, in T Newburn, (ed.), *Handbook of policing*, Cullompton, Devon: Willan Publishing, 2003, 5.
- 4 See for instance the discussion of the debate about centralised vs ‘state police’ in Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 88, [Note 1].
- 5 Rachel Neild, interview, 9 March 2020.
- 6 See for instance: Azarrah Karrim, Covid-19: UN human rights office concerned by excessive force, death reports during SA lockdown, *News24*, 28 April 2020, <https://www.news24.com/SouthAfrica/News/un-human-rights-office-highlights-toxic-lockdown-culture-in-sa-20200428>; Emma Farge, UN raises alarm about police brutality during lockdowns, *Reuters*, 27 April 2020, <https://www.reuters.com/article/us-health-coronavirus-un-rights-idUSKCN2291X9>.
- 7 Edward Ongweso Jr, ‘Defund the police’ actually means defunding the police, *Vice*, 9 June 2020, <https://www.vice.com/en/article/ep4xy7/what-does-defund-and-abolish-the-police-mean>.
- 8 Innocent Chukwuma, interview, 23 March 2020.
- 9 Ibid.
- 10 Ibid. An example focusing on the military is Amnesty International, Nigeria: Military razes villages as Boko Haram attacks escalate, 14 February 2020, <https://www.amnesty.org/en/latest/news/2020/02/nigeria-military-razes-villages-as-boko-haram-attacks-escalate/>.
- 11 Definition provided by author.
- 12 Sean Tait, email message, 24 August 2020.
- 13 Mo Ibrahim Foundation, 2020 Ibrahim Index of African Governance – Index Report, Index of African Governance, 70, <https://mo.ibrahim.foundation/news/2020/2020-ibrahim-index-african-governance-key-findings>.

- 14 Julia Bello-Schünemann, Jakkie Cilliers, Zachary Donnenfeld, Ciara Aucoin and Alex Porter, African futures: Key trends to 2035, Institute for Security Studies, 2017, 7–8, <https://issafrica.s3.amazonaws.com/site/uploads/policybrief105.pdf>.
- 15 ‘Responses by African governments confronted by terrorism should therefore be partly understood as the consequences of deficits in capacity and resources as well as the weakness of governance institutions and policies as conceptual entities.’ E Alemika, Imperatives of and tensions within rights-based policing, in E Alemika, M Ruteere and S Howells, (eds), *Policing reform in Africa – Moving towards a rights-based approach in a climate of terrorism, insurgency and serious violent crime*, Cape Town: African Policing Civilian Oversight Forum, 2018, 7.
- 16 Anton du Plessis and Anja Kaspersen, Seven trends shaping the future of peace and security in Africa. World Economic Forum, 21 June 2016, <https://www.weforum.org/agenda/2016/06/7-trends-shaping-the-african-security-landscape>.
- 17 Ibid.
- 18 Africa Center for Strategic Studies, 2015, and Abdul and Okoro, 2016 quoted in Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 80, [Note 1].
- 19 Julia Bello-Schünemann, Jakkie Cilliers, Zachary Donnenfeld, Ciara Aucoin and Alex Porter, African futures: Key trends to 2035, 7–8, [Note 14].
- 20 Centre for Systemic Peace, Polity IV dataset, in J Cilliers, The future of democracy in Africa, Institute for Security Studies, 2016, 19.
- 21 Data from the Economist Intelligence Unit (EIU), Democracy index 2015, in Cilliers, Ibid.
- 22 For instance Rwanda is ranked 2<sup>nd</sup> for public administration (page 75) but 37<sup>th</sup> for participation (page 39) in the 2020 Mo Ibrahim Index [see Note 13].
- 23 J Cilliers, Violence in Africa – Trends, drivers and prospects to 2023, Institute for Security Studies, 2018, 33.
- 24 E Alemika, The constraints of rights based policing, in E Alemika, M Ruteere and S Howells, (eds), *Policing reform in Africa – Moving towards a rights-based approach in a climate of terrorism, insurgency and serious violent crime*, African Policing Civilian Oversight Forum, 2018, 25.
- 25 G J Ikenberry, *A world safe for democracy - Liberal internationalism and the crises of global order*, New Haven: Yale University Press, 2020, quoted in Howard French, Can America remain preeminent? *New York Review of Books*, 29 April 2021, <https://www.nybooks.com/articles/2021/04/29/can-america-remain-preeminent/>.
- 26 R Lissner and M Rapp-Hooper, 2020, quoted in French, 2021, Can America remain preeminent? PNK: op cit and loc cit no longer used. Short title preferred.
- 27 Bruce Baker and Eric Scheye, Multi-layered justice and security delivery in post-conflict and fragile states, *Conflict, Security & Development*.7: 4, 2002, 512.
- 28 Ibid., 510.
- 29 Ibid., 511.
- 30 Jonny Steinberg refers to Brodeur (1983, 2019) to define high policing as ‘policing that aims to protect the political order (“To make sense of the trajectory of the last 30 or 40 years of policing in South Africa I draw upon Jean-Paul Brodeur’s famous distinction between high and low policing. By high policing Brodeur means policing that aims to protect the political order. He has in mind the work of agencies like MI5 and MI6, the CIA, the national security units of the FBI, and, in apartheid South Africa, the Security Police and the National Intelligence Service. By low policing he means “everyday policing as performed by uniformed agents and detectives”.’ (J Steinberg, Policing, state power and the transition from apartheid to democracy: A new perspective, *African Affairs*, 133: 451, 2014, <https://academic.oup.com/afraf/article/113/451/173/135412?login=true>.
- 31 Anti-terrorism activities may be conducted by either police forces (such as the Anti-Terrorism Police Unit in the Directorate of Crime Investigations in Kenya) or by military units.
- 32 This includes but is not limited to the ‘zone’ referred to as the ‘Urban periphery’ in Simon Howell, (ed.), *Policing the urban periphery in Africa: Developing safety for the marginal*, APCOF, 2019.

- 33 Bruce Baker, *Security in post-conflict Africa: The role of non-state policing*, Boca Raton: CRC Press, 2010.
- 34 Simone Haysom and Ken Opala, The politics of crime – Kenya’s gang phenomenon, Global Initiative Against Transnational Organised Crime, 2020, [https://globalinitiative.net/wp-content/uploads/2020/11/The-politics-of-crime-Kenyas-Gang-Phenomenon\\_GITOCESAObs.pdf](https://globalinitiative.net/wp-content/uploads/2020/11/The-politics-of-crime-Kenyas-Gang-Phenomenon_GITOCESAObs.pdf).
- 35 Tessa Diphoorn, Naomi van Stapele and Wangui Kimari, Policing for the community? The mismatch between reform and everyday policing in Nairobi, Kenya, in Simon Howell, (ed.), *Policing the urban periphery in Africa: Developing safety for the marginal*. APCOF, 2019, 26.
- 36 Newburn and Reiner, *Policing and the police*, 912–915, [Note 2].
- 37 Alex Vines, Lessons from Palma attack: What next for the insurgency in Cabo Delgado? *Mail & Guardian*, 4 April 2021, <https://mg.co.za/africa/2021-04-04-lessons-from-palma-attack-what-next-for-the-insurgency-in-cabo-delgado/>.
- 38 A recent contribution relevant to the discussion of the ‘periphery’ is: M Herbert, Securing and stabilising borders in North and West Africa, Institute for Security Studies, 2020, [https://issafrica.org/research/policy-brief/securing-and-stabilising-borders-in-north-and-west-africa?utm\\_source=BenchmarkEmail&utm\\_campaign=ISS\\_Weekly&utm\\_medium=email](https://issafrica.org/research/policy-brief/securing-and-stabilising-borders-in-north-and-west-africa?utm_source=BenchmarkEmail&utm_campaign=ISS_Weekly&utm_medium=email).
- 39 Since democracy, South Africa has not experienced insurgency (though limited domestic terrorism has been an occasional problem). However, the South African National Defence Force is involved in borderline security. See: Guy Martin, Challenges and successes define SANDF border operations, *DefenceWeb*, 16 November 2018, <https://www.defenceweb.co.za/security/border-security/feature-challenges-and-successes-define-sandf-border-operations/>.
- 40 Sallek Yaks Musa, How using the military in Nigeria is causing, not solving, problems, *The Conversation*, 14 May 2019, <https://theconversation.com/how-using-the-military-in-nigeria-is-causing-not-solving-problems-116676>; Dulue Mbachu and Yinka Ibukun, Spreading Nigerian violence draws military to policing role, *Bloomberg*, 4 April 2018, <https://www.bloomberg.com/news/articles/2018-04-03/spreading-nigerian-violence-draws-military-into-policing-role>; Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 85, Note 1].
- 41 David Bayley, *Democratizing the police abroad: What to do and how to do it*, U.S. Department of Justice, 2001, 13, <https://www.ncjrs.gov/pdffiles1/nij/188742.pdf>.
- 42 E Bittner, Florence Nightingale in pursuit of Willie Sutton, [Note 3].
- 43 I Chukwuma, *Implementation of community policing in Nigeria: Opportunities and challenges*, (Draft), 2020.
- 44 J Steinberg, *Thin Blue – The unwritten rules of policing in South Africa*, Johannesburg: Jonathan Ball, 2008.
- 45 Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 86–90 and onwards, [Note 1].
- 46 I Chukwuma, *Implementation of community policing in Nigeria: Opportunities and challenges* (draft), 2020, 11–18.
- 47 *Ibid.*, 19–23.
- 48 Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 86–90 and onwards, [Note 1].
- 49 Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 92, [Note 1]; Michael Safi, ‘Guardians of the bush’: Brutal vigilantes police Burkina Faso, *The Guardian*, 13 July 2020, <https://www.theguardian.com/world/2020/jul/13/guardians-of-the-bush-brutal-vigilantes-policing-burkina-faso-islamist-militants-ethnic-conflict>.
- 50 Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 86–92, [Note 1].
- 51 *Ibid.*, 87.
- 52 *Ibid.*, 80–81 citing A Hills, Policing a plurality of worlds: The Nigeria police in metropolitan Kano, *African Affairs*, 111: 442, 2012, 46–66.
- 53 Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 87, [Note 1].

- 54 Maria Diamond, Vigilante group decries delay in passage of community policing bill, *The Guardian (Nigeria)*, 3 October 2020, <https://guardian.ng/news/vigilante-group-decries-delay-in-passage-of-community-policing-bill/>.
- 55 Felix Ajide, Vigilante group of Nigeria urges Buhari to assent to its bill, *NNN*, 16 January 2020, <https://nnn.com.ng/vigilante-group-of-nigeria-urges-buhari-to-assent-to-its-bill/>.
- 56 Ben Okezie, Before President signs vigilante bill into law, *The Sun*, 2 January 2020, <https://www.sunnewsonline.com/before-president-signs-vigilante-bill-into-law/>.
- 57 Safi, 'Guardians of the bush': Brutal vigilantes police Burkina Faso, [Note 49].
- 58 Amnesty International, Burkina Faso: Witness testimony confirms armed group perpetrated mass killings, 20 March 2020, <https://www.amnesty.org/en/latest/news/2020/03/burkina-faso-witness-testimony-confirms-armed-group/>.
- 59 Michael Safi, 'Guardians of the bush': Brutal vigilantes police Burkina Faso, [Note 49].
- 60 Ibid.
- 61 Emmanuel Akinwotu, At least 180 civilians killed in Burkina Faso town, says rights group, *The Guardian*, 9 July 2020, <https://www.theguardian.com/world/2020/jul/09/at-least-civilians-killed-burkina-faso-town-says-rights-group>.
- 62 Innocent Chukwuma, interview, 23 March 2020.
- 63 Nicholas Galletti and Michael Wodzicki, Securing human rights: Shifting the security sector reform paradigm, in M Sedra, (ed.), *The future of security sector reform*, Centre for International Governance Innovation, 2010, 281–300, 281.
- 64 UK Aid, DFID Malawi Policing Improvement Programme Review, Project completion review 203910, 2019, 6, <https://devtracker.dfid.gov.uk/projects/GB-1-203910/documents>; Piet Biesheuvel, interview, 3 March 2020.
- 65 UK Aid, Malawi Police Improvement Programme- Project Completion Review 203910, 2019, 6. <https://devtracker.fcdo.gov.uk/projects/GB-1-203910/documents>.
- 66 Independent Commission for Aid Impact, Review of UK Development Assistance for Security and Justice, 2015, 13, <https://icai.independent.gov.uk/wp-content/uploads/ICAI-Report-UK-Development-Assistance-for-Security-and-Justice.pdf>.
- 67 David Bayley, Democratizing the police abroad: What to do and how to do it, U.S. Department of Justice, 2001, 13, <https://www.ncjrs.gov/pdffiles1/nij/188742.pdf>.
- 68 Alemika lists resources as one of a multitude of constraints on policing. See E Alemika, Imperatives of and tensions within rights-based policing, 4, [Note 15].
- 69 E Alemika, The constraints of rights based policing, 17, [Note 24].
- 70 Interview, February–March 2020.
- 71 Marianne Thamm, Persistent high-level corruption at SAPS robs South Africans of right to safety in a violent society, *Daily Maverick*, 4 August 2020, <https://www.dailymaverick.co.za/article/2020-08-04-persistent-high-level-corruption-at-saps-robs-south-africans-of-right-to-safety-in-a-violent-society/>.
- 72 Innocent Chukwuma, interview, 23 March 2020.
- 73 Ben Ezeamalu, How poor budgeting hampers Nigeria police operations – Report, *Premium Times*, 3 May 2018, <https://www.premiumtimesng.com/news/headlines/267011-how-poor-budgeting-hampers-nigeria-police-operations-report.html>.
- 74 Sunday Ehigiator, Stakeholders harp on adequate police budgeting, *Thisday*, 16 August 2019, <https://www.pressreader.com/nigeria/thisday/20190816/282016148969365>.
- 75 Alice Hills, Police commissioners, presidents and the governance of security, *The Journal of Modern African Studies*, 45: 3, 2007, 403–423; Independent Commission for Aid Impact, 2015, 4 [Note 66].
- 76 Piet Biesheuvel, interview, 3 March 2020. Examples referred to included Sierra Leone, Nigeria and Zimbabwe.
- 77 Ibid.
- 78 Innocent Chukwuma, interview, 23 March 2020.

- 79 Sean Tait, interview, July 2020.
- 80 Interview, February–March 2020.
- 81 Simone Haysom and Ken Opala, The politics of crime – Kenya’s gang phenomenon, 17, 44, 48–9 [Note 34].
- 82 Suzgo Khunga, UN queries inaction on complaints commission, *The Nation*, 16 January 2018, <https://mwnation.com/un-queries-inaction-complaints-commission/>.
- 83 Lwandile Bhengu, Critically underfunded IPID ‘not the solution to police brutality’ – researcher, *News24*, 18 November 2020, <https://www.news24.com/news24/southafrica/news/critically-underfunded-ipid-not-the-solution-to-police-brutality-researcher-20201118>.
- 84 Elrena van der Spuy, interview, 5 March 2020.
- 85 United Nations Development Programme, Journey to extremism in Africa – Drivers, incentives and the tipping point for recruitment, 2017, 65, <https://digitallibrary.un.org/record/3841751?ln=en>.
- 86 African Policing Civilian Oversight Forum, An audit of police oversight in Africa, APCOF, 208, 3–4, <http://apcof.org/wp-content/uploads/2016/05/Audit-of-Police-Oversight-in-Africa-.pdf>.
- 87 E Alemika, Imperatives of and tensions within rights-based policing, 6, [Note 15].
- 88 For example, with reference to the Independent Policing Oversight Authority (IPOA) in Kenya see the quote ‘Police have always been reluctant to notify the Authority of deaths and serious injuries that resulted from their actions, despite a statutory requirement to do so, and over the years the willingness has steadily declined. In the last 6 months of 2016, the police only notified the Authority in three instances. As IPOA wrote in its last Performance Report: ‘It is noted the number of deaths reported by the National Police Service is not reflective of the number of deaths as a result of police actions that were received through other channels. This implies a non-compliance by NPS.’ (p. 21). IPOA has claimed the police fail to cooperate with the Authority, as was clear when IPOA inspectors were even detained by an Officer Commanding Police Division last year. Also, despite IPOA having conducted numerous investigations and inspections, and reviewed major police operations (for example, Operation Usalama Watch and also the Mpeketoni terrorist attacks), its impact on actual police performance remains modest as long as the police refuse to implement its recommendations. See A Osse, Set up to fail? Police reforms in Kenya, *The Elephant*, 2017, 5, <https://www.theelephant.info/features/2017/06/01/set-up-to-fail-police-reforms-in-kenya/>.
- 89 D Bruce, How to reduce police brutality in South Africa. Institute for Security Studies, Southern Africa Report 40, <https://issafrica.org/research/southern-africa-report/how-to-reduce-police-brutality-in-south-africa>.
- 90 Ibid.
- 91 Ibid.
- 92 UK Aid, Malawi Police Improvement Programme – Project Completion Review 203910, 6. <https://devtracker.fcdo.gov.uk/projects/GB-1-203910/documents>.
- 93 Sahara Reporters, Buhari removes Mike Okiro as Chairman of Police Service Commission, 24 May 2018, <http://saharareporters.com/2018/05/24/buhari-removes-mike-okiro-chairman-police-service-commission#:~:text=President%20Muhammadu%20has%20removed%20former,the%20house%20to%20confirm%20Smith>.
- 94 Innocent Chukwuma, interview, 23 March 2020.
- 95 Kimera Chetty, A missed opportunity: President Ramaphosa signs the IPID Amendment Bill into law, Helen Suzman Foundation, 8 June 2020, <https://hsf.org.za/publications/hsf-briefs/a-missed-opportunity-president-ramaphosa-signs-the-ipid-amendment-bill-into-law>.
- 96 Innocent Chukwuma, interview, 23 March 2020.
- 97 Safety and Violence Initiative and the Centre of Criminology, University of Cape Town, Report on research findings for the projects: CCOSo2940: Design of Standard Operating Procedures and Models on Section 6.1-6.13 Neighbourhood Watch & CCOSo2941: Design of Standard



- Operating Procedures and Models on Section 5.1-5.3 Community Police Forums, 2016, [https://www.westerncape.gov.za/assets/departments/community-safety/nhw\\_research\\_on\\_the\\_design\\_of\\_standard\\_operating\\_models\\_for\\_neighbourhood\\_watches\\_and\\_community\\_police\\_forums\\_2016.pdf](https://www.westerncape.gov.za/assets/departments/community-safety/nhw_research_on_the_design_of_standard_operating_models_for_neighbourhood_watches_and_community_police_forums_2016.pdf).
- 98 Julia Bello-Schünemann, Jakkie Cilliers, Zachary Donnenfeld, Ciara Aucoin and Alex Porter, African futures: Key trends to 2035, 3, [Note 14].
- 99 Oliver Milman, Rising temperatures will cause more deaths than all infectious diseases – study, *The Guardian*, 4 August 2014, <https://www.theguardian.com/us-news/2020/aug/04/rising-global-temperatures-death-toll-infectious-diseases-study>.
- 100 World Meteorological Organisation, State of the climate in Africa – 2019, <https://public.wmo.int/en/media/press-release/multi-agency-report-highlights-current-and-future-state-of-climate-africa>; Maggie Fick, Climate change poses growing threats to vulnerable Africa, U.N. says, *Reuters*, 26 October 2020, <https://www.reuters.com/article/us-climate-change-un-africa/climate-change-poses-growing-threats-to-vulnerable-africa-u-n-says-idUSKBN27B1LJ>; Intergovernmental Panel on Climate Change (IPCC), 1990. Potential impacts of climate change. Report of Working Group 2, Intergovernmental Panel on Climate Change, 2.2.3. Geneva: World Meteorological Organization (WMO)/United Nations Environment Programme (UNEP). Intergovernmental Panel on Climate Change (IPCC). 1990. Potential impacts of climate change. Report of Working Group 2, Intergovernmental Panel on Climate Change, 1-1 to 2. Geneva: World Meteorological Organization (WMO)/United Nations Environment Programme (UNEP), <http://www.ciesin.org/docs/001-011/001-011.html>; Jeff Berardelli, 5 key questions about climate change in the 2020s, *CBS News*, 23 December 2019, <https://www.cbsnews.com/news/climate-change-2020-questions-about-global-warming-impact/>; Lily Welborn, Africa and climate change: Projecting vulnerability and adaptive capacity, Institute for Security Studies, 2018, <https://issafrica.s3.amazonaws.com/site/uploads/ar14.pdf>.
- 101 Lily Welborn, Africa and climate change: Projecting vulnerability and adaptive capacity.
- 102 Portia Sifolo and Unathi Henama, Implications of climate change for tourism in Africa, *GeoJournal of Tourism and Geosites*, Year XI, no. 2, vol. 20, November 2017, p. 191–198, [https://www.researchgate.net/publication/321704375\\_Implications\\_of\\_climate\\_change\\_for\\_tourism\\_in\\_Africa](https://www.researchgate.net/publication/321704375_Implications_of_climate_change_for_tourism_in_Africa).
- 103 Landry Signé, Africa's tourism: A global destination for investment and entrepreneurship, Brookings Institute, 5 March 2019, <https://www.brookings.edu/blog/africa-in-focus/2019/03/05/africas-tourism-a-global-destination-for-investment-and-entrepreneurship/>; Sifolo and Henama, 2017, Implications of climate change for tourism in Africa.
- 104 Jeff Berardelli, 5 Key questions about climate change in the 2020s, [Note 100]; Intergovernmental Panel on Climate Change (IPCC), Potential impacts of climate change. Report of Working Group 2, Intergovernmental Panel on Climate Change, 1-1 to 2. Geneva: World Meteorological Organization (WMO)/United Nations Environment Programme (UNEP), 1990, <http://www.ciesin.org/docs/001-011/001-011.html>.
- 105 Peter Fabricius, Top officials of African Continental Free Trade Agreement insist real trading under the pact has begun, *Daily Maverick*, 13 January 2021, <https://www.dailymaverick.co.za/article/2021-01-13-top-officials-of-african-continental-free-trade-agreement-insist-real-trading-under-the-pact-has-begun/>.
- 106 Oliver Milman, Rising temperatures will cause more deaths than all infectious diseases – study, *The Guardian*, 4 August 2014, <https://www.theguardian.com/us-news/2020/aug/04/rising-global-temperatures-death-toll-infectious-diseases-study>.
- 107 Klaus Schwab, The Fourth Industrial Revolution, *Encyclopedia Britannica*, 2018, <https://www.britannica.com/topic/The-Fourth-Industrial-Revolution-2119734>.
- 108 Anton du Plessis and Anja Kaspersen, Seven trends shaping the future of peace and security in Africa, [Note 16].
- 109 Klaus Schwab, The Fourth Industrial Revolution, [Note 107].
- 110 H French, Can America remain preeminent ? [Note 25].

- 111 Chris Burt, Will smart cities in Belt and Road Initiative bring Xinjiang-style facial recognition to other countries? *Biometric Update*, 24 June 2020, <https://www.biometricupdate.com/202006/will-smart-cities-in-belt-and-road-initiative-bring-xinjiang-style-facial-recognition-to-other-countries>.
- 112 Saïd Aït-Hatrit, Biometric identification: a coveted African market, *The Africa Report*, 22 June 2020, <https://www.theafricareport.com/30838/biometric-identification-a-coveted-african-market/>.
- 113 Yuval Noah Harari, Are we about to witness the most unequal societies in history? *The Guardian*, 24 May 2017, <https://www.theguardian.com/inequality/2017/may/24/are-we-about-to-witness-the-most-unequal-societies-in-history-yuval-noah-harari>.
- 114 See, for example, this report on the impacts of the pandemic, and attempts to contain it, in South Africa: Ferial Haffejee, The day the bottom fell out of South Africa – a triple pandemic has hit us, *Daily Maverick*, 15 July 2020, <https://www.dailymaverick.co.za/article/2020-07-15-the-day-the-bottom-fell-out-of-south-africa-a-triple-pandemic-has-hit-us/#gsc.tab=0>.
- 115 United Nations, A UN framework for the immediate socio-economic response to COVID-19, 2020, 3, <https://unsdg.un.org/sites/default/files/2020-04/UN-framework-for-the-immediate-socio-economic-response-to-COVID-19.pdf>.
- 116 A W Herndon, How a pledge to disband the Minneapolis police collapsed, *New York Times*, 26 September 2020, <https://www.nytimes.com/2020/09/26/us/politics/minneapolis-defund-police.html>.
- 117 A Akbar, How defund and disband became the demands, *New York Review of Books*, 15 June 2020, <https://www.nybooks.com/daily/2020/06/15/how-defund-and-disband-became-the-demands/>; Ongweso Jr., 'Defund the police' actually means defunding the police, [Note 7].
- 118 See for instance the discussion on the debate about centralised vs 'state police' in Olugbuo and Ojewale, Multiple counterinsurgency groups in north-eastern Nigeria, 96, [Note 1]. The original refers to 'reimagine the strategy of community policing so that it puts trust, professionalism and accountability at the centre of security and public safety.'
- 119 E Alemika, The constraints of rights based policing, 25, [Note 24].
- 120 *Ibid.*, 17 and 34.



## ABOUT THIS REPORT

The report emerges from an analysis of the state of police accountability carried out on behalf of the African Policing Civilian Oversight Forum. It is intended to support discussion of how to strengthen and deepen police accountability in Africa in the 2020s. Elements of continuity, and forces of change, are both likely to shape policing and police accountability in Africa in the 2020s. The report considers a range of factors, amongst them the characteristics of African governments, the tendency for police agencies to be abused to serve the interests of political elites, the likely trajectory of economic growth in Africa, climate change, new technology and the impact of the global coronavirus pandemic. These issues are analysed within the context of global contestation about democracy as a political system, and therefore about the importance of democratic accountability.

## ABOUT THE AUTHOR

David Bruce is a Johannesburg-based independent researcher specialising in policing and public security. He has worked as a policing researcher since 1996 for and with many South African and African civil society organisations. In 2016 he was appointed to serve as a member of an expert panel on policing appointed by the South African government. He has a Masters in Management from the University of the Witwatersrand.

## ABOUT APCOF

The African Policing and Civilian Oversight Forum (APCOF) is a network of African policing practitioners from state and non-state institutions. It is active in promoting police reform through strengthening civilian oversight over the police in Africa. APCOF believes that strong and effective civilian oversight assists in restoring public confidence in the police; promotes a culture of human rights, integrity and transparency within the police; and strengthens working relationships between the police and the community.

APCOF achieves its goals through undertaking research and providing technical support and capacity building to state and non-state actors including civil society organisations, the police and new and emerging oversight bodies in Africa.

APCOF was established in 2004, and its Secretariat is based in Cape Town, South Africa.

The African Policing Civilian Oversight Forum

Building 23B, Unit 16, The Waverley Business Park, Wyecroft Road, Mowbray 7925, South Africa

Tel: +27 21 447 2415

Fax: +27 21 447 1691

Email: [info@apcof.org.za](mailto:info@apcof.org.za)

Web: [www.apcof.org.za](http://www.apcof.org.za)

Cover image: iStock/THEGIFT777

Produced by COMPRESS.dsl | [www.compressdsl.com](http://www.compressdsl.com)



SIGRID RAUSING TRUST

