

Our past: The effect of colonialism on policing in Ghana

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Abstract

This article explores the effects of colonialism on policing in Ghana, and suggests ways of improving police legitimacy. Ghana experienced a century-long colonization by the British, and this experience had a tremendous impact on contemporary governmental institutions in the country. The Ghana police, one of the major institutions that has suffered from colonialism, continue to apply the policies, practices, and behaviors of the colonial policing system. An approach that has woefully and negatively affected police legitimation in the country. The article furthers the discussion of police legitimacy in post-colonial Ghana and puts forth two related arguments: first, the legitimacy problems facing the police today were due to the imperialist rule by the British; and second, the best way to address these problems is for the police to untangle itself from the past. Specific recommendations are offered to enable the police improve upon its legitimacy.

Keywords

Ghana, police legitimacy, colonialism, imperialism

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Introduction

The primary purpose of this article is to explore the effects of colonialism on policing in Ghana. Ghana experienced more than a century of colonial rule by the British, and this experience has had a tremendous impact on contemporary governmental institutions in the country. Many aspects of the nation's important institutions are still suffering from their connections with the colonial political apparatus. Ghana's education system is one clear example. Although the contemporary Ghana education system benefited from British imperialist rule, the negative effects of imperialism on the system far outweigh the benefit (Crowder, 1978), making colonialism a bad policy. The police force is yet another, perhaps the most seriously, affected institution in Ghana. The police force has suffered and continues to suffer from the shackles of colonization (Deflem, 1994).

As the main law enforcement agency, the Ghana police continue to apply the policies, practices, and behaviors of

the colonial policing system. Aside the introduction of indirect rule (Crowder, 1968), which enabled the colonial powers to govern Ghana through its own local institutions, the British established a police system that was paramilitaristic in nature and used oppressive tactics to accomplish its mission. The police, which largely performed the political functions of protecting trade routes and promoting the interests of the colonial powers (Appiagyei-Atua, 2006; Gillespie, 1955), never considered crime control and order maintenance as their primary focus (Delfem, 1994). The paramilitary approaches used by the Gold Coast police forces heavily affected their relationship with the local

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people, as evident in the constant public distrust of the police.

Unfortunately, the contemporary Ghana police have not learned from the failings of their 'godfathers' and have proceeded to follow in their footsteps. Today, they continue to adopt a paramilitary approach to policing and operate in an atmosphere that is mainly defined by torture, brutality, corruption, negligence, abuse, ineffectiveness, and differential treatment. All these were predominant characteristics of the colonial policing system, and adopting them comes with a price—a price that the Ghana police cannot continue to pay. In this article, the authors examine the price that the police are paying due to their relationship with the colonial police forces, and argue that the current crisis of police legitimacy in Ghana is a direct result of colonialism.

This article furthers the discussion of police legitimacy in post-colonial and post-conflict societies and suggests that the best way police agencies in these societies can acquire and sustain legitimacy from the public is to decolonize themselves from the negative practices, policies, and behaviors they inherited from the colonial masters. To ensure a thoughtful discussion of this issue, the article is structured as follows. Following the introduction is a succinct discussion of the historical development of policing in Ghana. A discussion of the functions the police perform today and the legal frameworks of the police service immediately follows. A detailed discussion of the current crisis of police legitimacy will precede the concluding section, which details how the police can regain and maintain legitimacy.

Policing in Ghana: where we were and where we are now

Before the annexation and colonization of the Gold Coast, policing in the kingdoms was entirely in the hands of traditional authorities, who authorized and provided security and protection within their jurisdictions. The local chiefs or kings had the mandate to organize young and able men into small groups or units with the authority to patrol and enforce the bylaws of the community. Among such groups or units were the Akwansrafo, formed by the Ashanti Empire. The Akwansrafo were road wardens who patrolled trade routes and collected taxes.

Three unique features characterized the organization of policing in the pre-colonial society of Ghana. These characteristics largely defined pre-colonial policing as unprofessional (Wilks, 1966). The first was that the men who were tasked to provide security in the community by patrolling and performing other policing duties did not receive salaries for their hard work. They performed police duties on a voluntary basis. Related to this was the fact that the men were only paid commissions from the taxes they

collected (Wilks, 1966). Third, the men were not properly organized and trained. Recruitment into the units did not follow any professional standards, as men were mostly forced or conscripted into them.

The powers of the traditional authorities gradually eroded when the British conquered the Gold Coast and began their imperial expedition in the early years of the 19th century. Historians have long argued that the period immediately following the annexation was marked by the establishment of territorial boundaries of British imperialism, which was made possible with military troops (Killingray, 1991; Lefever, 1970; Rathbone, 1992). The British colonial authorities established an official police force in the Gold Coast in 1831. Police scholars have argued that policing in the Gold Coast originally started when the governor, Captain George MacLean, formed a body of 129 men to maintain and enforce the provisions of the Treaty of Peace signed with the Fante chiefs and the king of Ashanti in 1831 (Teku, 1984). The 129 men were trained and mandated to perform civil police duties.

However, in 1873, an ordinance was enacted that formalized the operations of the Gold Coast Police Force. This was a period of British aggression against the Ashanti communities, and the governor at the time sought assistance from the British military stationed in Nigeria. Quantson (2006) has noted that 700 Hausa men were brought in from northern Nigeria to assist with establishing and maintaining control. The men, who stayed after the conflict ended, were given civilian policing duties to perform. An ordinance was passed that 'sought to provide for better regulation and discipline of the Gold Coast Armed Police' (Quantson, 2006: 6). The Gold Coast Armed Police or the Hausa Constabulary, which was largely considered the paramilitary branch of the colonial government, used very aggressive tactics in discharging its duties (Deflem, 1994). The paramilitary-style behavior, according to Appiagyei-Atua (2006), earned the Hausa Constabulary the nickname *buga-buga*, which literally means 'beat-beat' in Hausa. The adoption of paramilitary tactics by the force may well be understood in terms of the political duties the force performed—protecting the colonial authorities against the indigenous population. The local people, during this era of colonization, were considered a threat to British rule, and were consequently suppressed through aggressive policing methods. As a result, policing was ultimately an instrument used to legitimize British rule rather than to provide essential services to the local population.

In 1876, after the Gold Coast Armed Police was renamed the Gold Coast Constabulary, several important units were created, such as the Railways and Mines Detachments, Escort Police, Marine Police, and Criminal Investigations Department (Quantson, 2006). These units were assigned to perform different duties. For instance, the

Escort Police were given guard and escort duties in the important mining areas, the Marine Police focused on smuggling and looting, and the Criminal Investigations Department was used to gather intelligence (Aning, 2006). Deflem (1994) believed that after the creation of these specialized units, paramilitarism persisted as the police continued to employ military-style methods to protect the political and economic interests of the colonial powers.

The passage of an ordinance in 1894 led to the establishment of a new civil police force in the Gold Coast. This civil police later became the new Gold Coast Police Force, which comprised 400 constables. According to Quantson (2006), the passage of the new ordinance also led to the formation of police stations and the standardization of policing in the British-controlled areas of the Gold Coast. Key characteristics of the civil police force were that the majority of its constables were illiterate and training was heavily militarized. The police officers had 'attitudes that generated intimidation and bullying with an almost robotic obedience to repressive colonial laws that were regime-centered' (Quantson, 2006: 7).

Generally, the motive behind the authorization of colonial policing was to achieve three major objectives. The first was to establish and promote security for trade in European goods; the second was to serve as a vanguard for colonial expansion into the hinterland for increased exploitation of agricultural and mineral resources (Ward, 1948); and the third was to protect the ruling and propertied classes. The 1896 mandate issued by Governor George Maclean—'no police should be stationed where there were no Europeans' (Gillespie, 1955: 36)—uniquely presented the primacy of these two goals.

The deployment of paramilitaristic strategies by the police raised several concerns about their effectiveness and moral standing. Gillespie (1955) offered that successive governors and police commissioners described the police as 'worse than inefficient'. This declaration underscores the apparent ineffectiveness of the colonial police in maintaining public order. In addition to dealing with the problem of ineffectiveness, the police also faced a severe problem of public distrust, which was largely due to systemic police brutality—systemic in that the brutal nature of the Gold Coast Constabulary was initiated and cultivated by the British colonial authorities, who believed that the only means of developing a conducive atmosphere for successful trade was to have a police force that would be brutal to the indigenous citizens (Atuguba, 2003; Killingray, 1991). Recruited from Northern Nigeria, the Hausas formed a unified force with the mandate to enforce the laws of imperialists through brutalization. Historians have argued that the brutal and alien character of the force made the police unpopular among

the citizenry (Gillespie, 1955; Killingray, 1991; Ward, 1948).

Historically, the contemporary police force in Ghana is a direct creation of the British colonial powers. Immediately following the attainment of political independence in 1957, the Gold Coast Constabulary was renamed the Ghana Police Service (GPS). An initiative was begun by the first president—the late Dr. Kwame Nkrumah—to Africanize the GPS. This initiative, known as the Africanization policy, aimed to make Ghanaians the sole occupants of the top hierarchy of the service—positions formerly occupied by Europeans (see Aning, 2002). Although efforts were made to rebrand the police force, all that changed was the name and to some extent, the composition of the personnel. However, the service retained all existing units and divisions. Post-colonial policing in Ghana had a shape and character similar to those of colonial policing (Tankebe, 2008). Atuguba (2003) remarked that the GPS kept the same basic objectives established by the imperialist powers. The police continue to use repressive measures and other paramilitary tactics in discharging their civil mandates. Criminal and non-criminal suspects are constantly being beaten and tortured during interrogations. This is coupled with continuous harassment and disrespect of fundamental human rights of innocent citizens.

The GPS, like its predecessor, remains the 'property' of the political and ruling class, whose aggressive policing practices are brutal and disproportionate. The police protect and maintain the selfish interests of the rich and politicians against the 'have-nots' in society. Moreover, the GPS retains a centralized organizational structure, with 12 administrative regions, 51 divisions, 179 districts, and 651 stations across the nation. The strength of the police service increased progressively from the years leading up to independence until the peak year in 1971, when the police force numbered 19,410 personnel and served a total population of over 8 million (Aning, 2002). Currently, the GPS employs 23,702 officers and serves a population of 25 million Ghanaians, which is grossly below the United Nations standards for ideal police staffing. The GPS officer-to-citizen ratio is 1 to 1,054, compared with the United Nations recommended ratio of 1 to 450. Demographically, the force is currently approximately 79% male and 21% female. Although it inherited its structure and practices from the Gold Coast Constabulary, the GPS upholds civil police duties as its core functions (Ghana Police Service Act).

Functions of the Ghana Police Service

To achieve its mission and objectives, the GPS performs several challenging functions. These functions are grouped into core and non-core activities.

The core activities are considered the main functions of the GPS, and are stipulated in Section 1 of the Police Force Act, 1970 (Act 350). These include the prevention of crime and protection of life and property. This particular function is achieved through foot and mobile patrolling of communities, criminal intelligence gathering, police station operations, traffic control, conflict resolution, and forensic analysis for apprehending offenders. The second core activity performed by GPS is the detection and apprehension of criminals, which is achieved mainly through investigation and the creation of crime intelligence. When offenders are arrested, and there is enough evidence pointing to their culpability, they are handed over to the courts for further action. The GPS, as its core function, prosecutes offenders. It is the police's responsibility to prepare offenders for prosecution in court. This is done by first remanding offenders in custody and then sending them to court.

Unlike the core activities, the Police Force Act does not define the non-core activities performed by the GPS. However, these activities are considered pivotal to the effective performance of the core activities described above. They include general administrative activities, welfare, human resources, research and development, finance, and general and technical duties (transport, workshops, tailoring, and catering).

To fulfill its mandates, GPS has operationalized its activities into several departments and units, each having a well-defined mandate. Either a director general or a director, who reports directly to the inspector general of police (IGP) on the state of affairs of the department, heads each department. These departments include operations,¹ finance, criminal investigation, legal, administration, human resource and development, welfare, technical services, general services, and research and planning. In addition, GPS has several units that perform specialized tasks, all with the unique aim of achieving the constitutional mandates of the service. These units include the community policing unit,² the motor traffic and transport unit, and the domestic violence and victim support unit (DOVVSU)³.

As mentioned earlier, GPS operates in 12 administrative regions: 10 covering the 10 administrative regions of Ghana, one assigned to the seaport and industrial areas of Tema, and the other covering the railway, ports, and harbors. A regional commander who reports to the director general of administration heads each of the 12 police regions. Furthermore, the police regions are divided into divisions, with each headed by a divisional commander. The police divisions are further divided into districts, with district commanders reporting directly to the divisional commander. Finally, there are several police stations having limited control in each district. These stations are mostly headed by chief inspectors, who report to the district commanders relating to affairs within their limited

jurisdictions. It can be argued that this type of organizational structure is carefully designed to ensure nationwide coverage of police activities, as well as effective policing in Ghana.

Legal framework of GPS

The 1992 Republic Constitution establishes the GPS and states in section 200, subsection 1 that 'no person or authority shall raise any police service except by or under the authority of an Act of Parliament'. In subsection 3, the Constitution specifies that the 'Police Service shall be equipped and maintained to perform its traditional role of maintaining law and order'.⁴ Furthermore, the Constitution creates the Police Council and the Regional Police Committee with advisory and oversight responsibilities. The Police Council, as set up in section 201, is composed of 10 members: the vice president, who shall be chairman; the minister responsible for internal affairs; the inspector-general of police; the attorney-general or his or her representative; a lawyer nominated by the Ghana Bar Association; a representative of the Retired Senior Police Officers Association; two members of the Police Service, appointed by the president, acting in consultation with the Council of State, one of whom shall be of a junior rank; and two other members appointed by the president. These members are tasked with the responsibility to advise the president on matters of policing relating to internal security, including the role of the Police Service, budgeting, finance, administration, and promotion of officers above the rank of assistant commissioner of police.

The Regional Police Committee, by contrast, is made up of the minister of state appointed for the region, who shall be chairman; the two most senior members of the Police Service in the region; a representative of each district in the region appointed by the District Assembly in the particular district; a lawyer practising in the region nominated by the Ghana Bar Association; a representative of the attorney-general; and a representative of the Regional House of Chiefs. The committee is tasked with the responsibility of advising the Police Council on matters relating to the administration of the Police Service in the region. Finally, the Constitution also sets out the procedure for appointing the inspector-general of police.

Another piece of legislation governing the operation of the GPS is the Ghana Police Service Act, 1970 (Act 350). This act defines several aspects of the GPS. As mentioned earlier, section 1 sets out the functions of the Police Service: 'It shall be the duty of the Police Service to prevent and detect crime, to apprehend offenders, and to maintain public order and safety of persons and property'. Other aspects of GPS detailed by the act include Structure and Conditions of the Service (Part II); the Police Council (Part

III); Misconduct and Unsatisfactory Service (Part IV); Complaints and Offences (Part V); the Volunteer Police Reserve (Part VI); and Miscellaneous and Supplemental (Part VII). In addition, there are two sets of regulations that guide officers of the GPS: the Police Service Regulations, 1974 (L1 880), which specify standards of conduct for officers, and the Police Force Regulations, 1974 (L1 993), which set out the discipline procedure for police officers who engage in misconduct. Each of the above legal frameworks plays a dual role—as guidance and as oversight—and they collectively present an active force of checks and balances for the GPS.

The Ghana Police Service and the problem of legitimacy

The contemporary GPS faces three acute problems of legitimacy, which can be traced back to the service's historical experiences of colonization. In this article, it is argued that the legitimacy problems facing the police were brought upon them by British imperial rule and that the best way to address these problems is for the police to untangle themselves from the past. The current atmosphere of policing in Ghana is characterized by a police culture that is corrupt, brutal, unaccountable, and repressive, and a police service that performs poorly. All these characteristics were endemic to the colonial policing system established by the British powers.

Police legitimacy is a multifaceted concept that has no single dimensional definition. Some police scholars define 'legitimacy' as the process of legitimation in which practices and behavior of the police are paramount (Lee, Boateng and Marenin, 2015; Marenin, 1990; Reiner, 2010). Marenin (1990) has argued that police legitimacy changes over time, and that behavior, practices, policies, and how the police interact with the public affect the level of legitimacy the public grant to the police. The concept of police legitimacy has been well studied (Frazier, 2007; Goodman-Delahunty, 2010; Horowitz, 2007; Marenin, 1990; Mazerolle, Bennett, Davis, Sargeant and Manning, 2013; Murphy, 2009; Murphy and Cherney, 2012; Reiner, 2010; Rosenbaum, Schuck, Costello, Hawkins and Ring, 2005; Stoutland, 2001; Sunshine and Tyler, 2003; Tyler, 1990, 2005; Wexler, 2014). Two important observations can be made from the results of these studies. First, police legitimacy is needed for effective police work. It has been widely established that without citizens' approval and consent, the police can hardly carry out their mandates (Frazier, 2007). Second, police legitimacy depends on numerous factors, including effectiveness and efficiency of the police, respect of citizens, satisfaction with police performance, level of accountability, and how the police adhere to procedural rules when interacting with citizens

(Flexon et al., 2009; Goldsmith, 2005; Mazerolle et al., 2013; Tyler, 1990). The public would defer to authorities and directives of the police when they perceive the police to be effective in using procedural means to accomplish their goals, and when they are satisfied with the services provided by the police.

Unfortunately, these preconditions for voluntary acceptance of the police are largely absent in Ghana. Consequently, the GPS suffers from a drastic deficit of legitimacy and support. Citizens constantly disrespect the police, challenge their authority, and rate the police very low on all measurable dimensions (Afro Barometer Survey, 2012; Aning, 2006; Boateng, 2012, 2015). For example, results from the 2012 Afro Barometer Survey revealed that, among all the respondents who participated in the study, only 18% claimed to have a lot of confidence in the GPS. This result was corroborated by Boateng's (2012) study that found a lower rate of trust among Ghanaians.

The deficit of police legitimacy in Ghana is caused by several factors, which this article argues, were inherited from the colonial days. First, the performance of the GPS is undeniably poor. The police are ineffective in controlling and preventing crime, and in detecting and apprehending criminals. Their ineffectiveness has created a heightened sense of insecurity and fear among Ghanaians. Ghanaians are worried not only about crime rates rising, but also about being attacked. Today, people do not feel safe wherever they are at home, in the shopping mall, at the community park, or even taking a walk in the neighborhood. The apparent ineffectiveness of the GPS today is a product of British rule. During the colonial era, several police forces were established, but almost all focused on promoting trade for the colonial powers (Gillespie, 1955; Killingray, 1991; Ward, 1948), neglecting the fundamental civil police duties of crime control and order maintenance. This neglect led to crime flourishing in the indigenous communities. As noted, the colonial powers deliberately refused to assign constables to areas where there were no Europeans (Gillespie, 1955).

Another reason for the decline of police legitimacy is negative police behavior and practices in Ghana. Police corruption and brutality are endemic and occur on a regular basis (Atuguba, 2003; CHRI, 2007; Tankebe, 2008). Police corruption is multifaceted (Ivkovic, 2005); as Tankebe (2010) has observed, corrupt police practices in Ghana include failure to arrest, investigate, or prosecute offenders because of family and friendship ties or bribes taken from suspects. Anecdotal observation suggests that some police officers mount road barricades to extort money from law-abiding commercial drivers. Beating of suspects during arrest and interrogation, and manhandling innocent citizens during demonstrations are common practices among police personnel in Ghana. Police violence, as reported by two

major international organizations, was part of the police routine during the colonial period and continues in the contemporary period.

The abusive behavior of the police, especially during interrogations and citizen encounters, according to the Commonwealth Human Rights Initiative report (2007), has marred the experiences that Ghanaian citizens have with the police and the criminal justice system in general. In 2007, the Commonwealth Human Rights Initiative reported that corruption, illegal arrest and detention, excessive use of force, and failure to respond to complaints were widespread among police officers in Ghana. These claims were later supported by another human rights report initiated by the U.S. Department of State in 2010, which echoed the apparent brutality, corruption, and negligence of the police. These human rights reports have unmasked the dark side of the Ghana police, which has damaged their relationship with the public.

The violent and abusive tactics employed by the GPS today were learned from their predecessors. Colonial police forces operated in an environment characterized by violence, brutality, and abuse, which was carefully nurtured by the British colonial authorities to oppress the indigenous citizens (Atuguba, 2003; Killingray, 1991). For instance, the recruitment of the Hausas from Northern Nigeria paved the way for suppression of the local people through violence. The use of the Hausas, who were noticeably aliens and oppressive, made the Gold Coast Constabulary unpopular (Ward, 1948).

Related to the above explanations for the deficit of police legitimacy is the lack of workable accountability mechanisms. Just like its predecessors, who were not accountable to the indigenous population, but only to the British colonial powers, the GPS behaves as an 'army of occupation' that tolerates unacceptable behavior toward citizens. Police officers are rarely controlled, and most officers usually get away with certain negative practices. This is not to say that the police do not have accountability measures, but those measures do not always work to check the behavior of the officers.

Conclusion: improving police legitimacy

Colonialism has had a serious impact on most African countries, weakening shared norms, values, and beliefs, as well as undermining the effective operation of governmental institutions. Police agencies are among the institutions that have experienced the negative effects of the colonial insurgency, and continue to suffer after several decades of political independence. The lack of police legitimacy or voluntary acceptance of the police by the public is one of the major problems the Ghana police are confronting. Most Ghanaians constantly disrespect the police and

flout the orders of its members. The only way that the police get their directives obeyed is through intimidation and the use of force, which is highly unacceptable in a democratic society.

As Ghana becomes democratic, the police can no longer operate by using repressive methods to achieve the compliance and cooperation of citizens. Instead, they must strive to earn public voluntary acceptance. To gain legitimacy, the police service must first embark on a crusade for attitudinal transformation among its members. This crusade will aim at training and educating police officers to have positive views of the public they serve, which is crucial because the manner in which the police view the public has a significant effect on their performance and behavior. Boateng, Makin and Yoo (2014) observed that officers' perceptions about Ghanaians influenced their behavior and effectiveness in combating crimes. Specifically, the authors argued that officers who perceived the public to be cooperative tended to be effective and behave pro-socially on the street. Their findings are well supported by studies conducted in other social contexts (see Wu, Boateng and Yuan, unpublished). At present, most police officers negatively view the public as uncooperative and disrespectful, and this attitude is affecting their performance and relationship with citizens.

Related to the attitudinal transformation strategy is an approach that requires a change in the current police orientation. The GPS must change from its colonial mindset of serving the interests of the rich, powerful, and politicians to one that emphasizes the interest of the people (Atuguba, 2003; Boateng, 2013). To gain legitimacy, the GPS needs to be a people-centered organization, with the sole objective of serving and protecting the citizenry at all times. Anything short of this will cause a significant trust problem for the police.

Police ineffectiveness is a major cause of police illegitimacy. Therefore, any attempt to retain legitimacy must emphasize police effectiveness. The GPS must be effective in performing its lawful duties of crime control and order maintenance, and increase public satisfaction with the numerous services it provides. Police officers must respond quickly to citizens' distress calls, patrol neighborhoods regularly, and make themselves available and accessible to everyone. In the effort to be effective, police officers must be educated to adopt good communication and interactive skills that will ensure positive interactions with citizens.

Finally, stringent accountability mechanisms are required to check officers' misconduct—taking bribes, abusiveness and intimidation, beating of suspects, and mounting illegal roadblocks. Each of these behaviors is potent in destroying legitimacy, and therefore must be controlled. In a democratic society, democratic tenets require

officers to be accountable for their actions and inactions, and officers found culpable of engaging in misconduct are sanctioned.

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Notes

1. The operations department is at the center of GPS organization because it performs the core activities of the service.
2. The Community Policing Unit of the GPS was established in June 2002 with the setting up of the administration section and the Bicycle Patrol Unit. Community protection assistants are being recruited, equipped, and trained to employ non-coercive methods in the delivery of services to the communities.
3. The DOVVSU was established in 1998 to address cases of abuse and violence against women and children in Ghana. The unit has offices across Ghana.
4. It is worth mentioning that this declaration has been seriously criticized. Boateng (2014) argued that since 1992 when the Constitution came into effect, the promise to equip and maintain the police has not yet been realized, given the fact that the police continue to suffer from an acute lack of resources.

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