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Editorial: Plural Policing in Africa (WPS No 6 to 10)

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To reflect the growing concern in African states over the right combination between formal policing, informal policing and private policing, we have assembled five new WPS articles that we wish to present briefly. The first, that we co-authored, is entitled “Community Policing: A Comparative View”. It serves the purpose of an introduction into the topic. Taking a broad aerial view, two main types of community policing are distinguished. Community policing “Western style” is described as a top-down approach of security, with a police taking the lead in mobilizing community self-rule in policing matters; In many places in the world, but perhaps more researched and visible in Africa than elsewhere, community policing follows rather a bottom-up approach with communities initiating and practicing a great deal of informal, unofficial policing negotiated more or less successfully with the state. The first type, we argue, is a historical product of the Western nation state after the successful integration of peripheries and the development of a modern bureaucracy, while the second type is more likely in states with a weaker bureaucracy and a tradition of legal pluralism. In the latter context, rural and urban social movements alike might find in the tool box of culture robust informal policing practices to reproduce order and benefit from the support of powerful political allies.

In his “Law Enforcement in Postcolonial Africa: Interfacing Indigenous and English Policing in Nigeria,” – WPS No 7 - , Professor Nonso Okafo uses the Nigerian example to illustrate his main thesis, namely that the Western democratic policing model does not fit in the political realities of Africa. Far from corresponding to the ideal-type of the liberal democracies, the police force in Nigeria is performing poorly, is corrupt, and is often used by the regime to maintain itself in power rather than provide security to citizen. Professor Nonso’s article provides a number of examples to illustrate his thesis and believe that the recently concluded elections did not infirm the general rule. An interesting thesis of Professor Nonso is that communities resort to traditional informal policing by rational choice, not primarily culture. The nature of the Nigerian state, so Nonso, incites communities to look for alternatives to protect themselves. Groups such as the Bakasi Boys in Eastern Nigeria, the Hisha of Northern Nigeria, and the Odu’a Peoples Congress (OPC) of Western Nigeria all are rational responses to the weak central state. The “imported” state from English colonial past criminalizes practices that, in this context, are not only efficient but also have a strong legitimacy for communities. Professor Nonso Okafo calls for accommodating this informal policing in the general legal framework of the Nigerian state.

Professor Singh discusses similar issues in her article “Resorting to Community Justice when State Policing Fails: South Africa” (WPS No 8). Singh argues that “vigilantism” in South Africa is a rational response of “poor” communities to the weak criminal justice system, low policing, and high levels of criminality. She argues that there is a linear inverse relationship between reporting crimes to the authorities and vigilantism. While the South African Police Service believed to observe a decline in criminality in 2003-2004, the reality (as also stressed by the next article of Dr Johan Burger) was one of declining formal reporting of crime to the police and people increasingly resorting to informal policing practices. In fact, the state and society were growing further apart. Once strongly opposed to informal policing, professor Singh mentions the need to find “acceptable” solutions to bridge the gap. “Restorative justice”, she argues, a justice system that involves communities, might be one possible way forward. These practices find a better echo in communal traditions in South Africa and, therefore, might restore confidence between the state and communities.

While vigilantism is described by Professor Singh as a response of the “poor”, private security could be described as the response of the “rich” and the business community to the “public security” gap. Professor Minnaar dedicates his thoughts to the rise of private security in South Africa in the fourth article entitled “Private-Public Partnerships: Private Security, Crime Prevention and Policing in South Africa” (WPS No 9). The detailed account offers an insight into a growth industry in South Africa. Professor Minnaar quotes figures showing that the “number of active security officers increased from 115 331 in 1997 to 210 000 in 2002”. Private security has “infiltrated” over the years the sphere of competencies of the police bureaucracy in South Africa. While guarding is the main task of private security, companies offer rapid response to alarms, private investigation, close-circuit television monitoring and recovery of stolen vehicles. While the law in South Africa has provision allowing a “partnership policing” with For-Profit or Non-For-Profit organizations, there is a need for more definitions, details and clarity about accountability mechanisms to avoid misunderstanding, ad hoc practices or even abuses. Professor Minnaar suggests establishing a National Forum and a Think Tank to respectively provide national guidelines and advise to the future of the partnership.

The final article of this special edition is authored by Dr. Johan Burger, who was once assistant police commissioner of the South African Police Service and now is a senior researcher with the Institute for Security Studies. In a piece entitled “Crime Combating in Perspective: A Strategic Approach to Policing and the Prevention of Crime in South Africa” (WPS No 10), the author has a clear response to Professor Minnaar’s call for a definition of the role of the “partners”. He advocates the redefinition of the constitutional mission of the police. Johan Burger’ opinion illustrates very well the disenchantment of the South African police with “community policing”. He advocates a “return to basics”, a “no non-sense” policy where the police would not have to take on their shoulders the responsibility of the prevention of crime but focus on enforcing the law and combating crime. Crime, he argues, has origins beyond the reach of the police. Dr Burger is not against coordination, on the contrary. A multi-agency overall strategy – a national security strategy –, so he argues, needs to be drafted jointly in South Africa with a redefinition of each agency mission. Core businesses must be redefined.

The WPS articles presented above have allowed us to explore how (poor) communities, business and police tend to respond to the incomplete and weak state. To conclude this introduction, let us come back to an option that was not developed in the papers presented: decentralization. In a 2000 article, one of us has originally articulated the parameters of police decentralization in Nigeria with the view that such a system will bring the police closer to the people that they police. Police reforms of existing centralized police systems ought to include decentralization of law enforcement functions that will reflect the character and nature of different layers of national political and cultural systems. Providing local authorities with a better control over policing has the potential to make them more responsive to local needs and cultural practices. The decentralization of the competencies over the reproduction of order was one of the key of the success of profoundly fragmented states and segmented societies in the middle of the nineteenth century Europe. Decentralization must be accompanied by fiscal redistribution mechanisms allowing addressing the disparity in revenues of states. Decentralization is a compromise between a top-down strategy (state-controlled) and a bottom-up strategy (local elites in control). Among the serious arguments made against decentralization of policing are often political manipulations and fears over further fragmentation of a country.

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Reference:

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