

The Dynamics of Policing Corrupt Societies in Africa: Who then Policies the Police, where there is no Moral Fiber and Conscience?

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Abstract

Corruption in its various forms is a cancer that is sadly tearing through the nerves and veins of many societies and institutions. It is now seen as a faceless and borderless phenomena wreaking havoc among communities. Many citizens to include public officials now seem to have been bewitched to the extent that they will not have the energy to do what their mandate demand they do unless there is something in return. The cancer has actually gotten to unprecedented levels particularly so in Africa. The performance of many public institutions are now so compromised. No public officials are now committed or motivated to do what they are expected to do unless there are promised something in return. That citizens are paying for services that the public institutions are already paying for is now a common feature within many communities. Unless deliberate interventions are pursued by government then the moral fibre will continue to decay. The police who are supposed to be the vanguard or last line of defence on promoting public morality are now equally embroiled in this rot, amazingly. The question that many are now asking is, 'Who will police the police,' yet the police.' In terms of the police culture corruption is characterized as a misconduct. The police are not expected to break their oath of office which entails being upright as they discharge their constitutional mandate. Abusing their uniform in pursuit of personal gains is frowned at by all and sundry.

Keywords: Corruption, Moral fibre, policing, Africa, conscience, policy

Introduction

Though indeed borderless corruption can still be dealt with to guarantee an upright society, within Africa and even beyond. Corruption has the capacity to ugly ravage the peace and progressiveness of any society or community. Zimbabwe, just like any other country in Africa, the LDCS, is riddled with corruption, and will not be free from the adverse effects until the entirety of Africa upholds good governance. This view is likened to the observation of Kwame Nkrumah cited by Tendai Mwanaka and Munyaradzi Mawere in their chapter in Democracy Good governance and Development in Africa (2015) in which they said,

No single part of Africa can be safe, or free to develop fully and independently, while any part remains unliberated or while Africa's vast economy resource continue to be exploited by imperialist and neo colonialist interests. Unless Africa is politically united under an all Africa Union Government, there can be no solution to our political and economic problems. [Nkrumah, 1963 as quoted in Kamkar 2012, 29]

Corruption is viewed as a cancer that today characterize virtually all communities, whether within developed or developing nations. It is now regarded as the most prominent cancer that has ravaged Africa, hence demanding an all stakeholder's effort to arrest its escalation to levels that would inevitably ground the effective functioning of all institutions. In this vein UN came up with a protocol on corruption, and many jurisdictions have also come up with various anti-corruption strategies to ensure that the cancer is dealt with. In Zimbabwe for instance, the President reconstituted

the Zimbabwe Anti-Corruption Commission to ensure that the ideals of the nation are pursued effectively and efficiently.

Corruption is thus not a terrestrial monster but a creation of the people to satisfy their personal ego. To deal with it there has to be renewed commitment from all and sundry. Fighting the scourge of corruption is not and can never be the fight of one man alone. The battle demands the commitment of citizens at all levels of society who realize that corruption stinks and needs to be dealt a blow, so that it does not remain the hindrance that it's to economic, political and social development. [<https://www.transparency.org>]

Corruption under the Lens of the Police in Africa

The majority of visions committed to growth and survival for most African states are derailed because of the level of corruption ascribed to the break of the moral fiber that seems to be at every level of society. Corruption is such a cancer that has the power to tear through societies and every effort must be pursued to ensure that it is nipped in the bud. The effects of corruption have been seen to derail all the good intentions, programmes and initiatives that authorities might have. In a lot of institutions, it appears as though corruption is now so entrenched in their rank and file. Police corruption is a form of misconduct not tolerated with the rank and file of law enforcement because it promotes personal gain at the expense of work ethics. Corruption is actually regarded as a serious offence that is codified under section 170-174 of the Criminal Law (Codification and Reform) Act [Zimbabwe].

The effects are now so glaring and there seems to be no solution in the immediate future yet the police is available. It is actually regarded by some social commentators, scholars and indeed political analysts as a major barrier to economic growth, good governance and basic freedoms [<https://www.transparency.org>]. Police corruption in some jurisdictions such as

Kenya is regarded as a serious security challenge. When this happens it utterly represents a systematic failure of governance those in authority would have been infested with corrupt individuals and syndicates [<https://www.tandfonline.com>]

The inaction by the police, or the so perceived has been seen as a way to confirm that the system is all to blame but the police have argued always that their efforts to pursue corruption cases have been hampered by the inadequacy of the evidence provided. At law evidence is key. There is indeed no way a case can move or be finalized meaningfully if the allegations have no grounding in respect of the evidence against the alleged perpetrator, yet according to the Transparency International report of July 11, 2019 [Citizens Speak out about Corruption in Africa] the police is the most corrupt institution, with its corruption index at 47%. While it may be argued that the business of fighting crime is not for the police alone, the people have not come forth with information that leads to the prosecution of perpetrators. While information has not been passed to the police, the people have been known to complain a great deal, as they decry the inaction of the police authorities in handling issues of corruption before them.

There is also a view that to say, "the police is corrupt is to confirm that the society is corrupt", which means that there is no way the police can be corrupt unless the people are equally corrupt. This is why it is argued in some circles that 'it takes two to tango' which aptly confirms that the police cannot be corrupt by themselves though this can be challenged. Corruption has been unearthed in police institutions. What this seems to confirm is the fact that no one is immune to corruption. Once exposed to corruption it may be difficult to stand tall and remain upright, unless such individual is immersed in the trough of ethics. Such individuals are however few now in the majority of institutions. Many individuals in various institutions are now concerned about outstripping their institutions and get away with ill-gotten gains.

Corruption has been known to rapture the nerves of the proper functioning of any system and should never be given even the slightest space. The world over it is acknowledged that corruption is the impediment to investment yet empirical evidence has it that it has a prevalence rate so pronounced. In this vein, upon ascending to the throne, President Mnangagwa in 2017 acknowledged that 'corruption was deeper than he had anticipated and rooting it out would not be easy'. But history has it that it can be done. For instance, Botswana is ranked the least corrupt in Africa though it sits on number 22. The Botswana fight against corruption started 25years ago when the Corruption and Economic Crime Act (CECA) was passed into law, thereby creating the directorate of corruption and economic crime. This piece of legislation criminalises active and passive bribery in the public and private sector with a maximum jail term of 10 years, heavy fines or both. (The Sunday Mail, Nov 102019)"

The extent of corruption in the majority of African states has grown to unprecedented levels but with commitment from the top leadership the wheels can be turned.

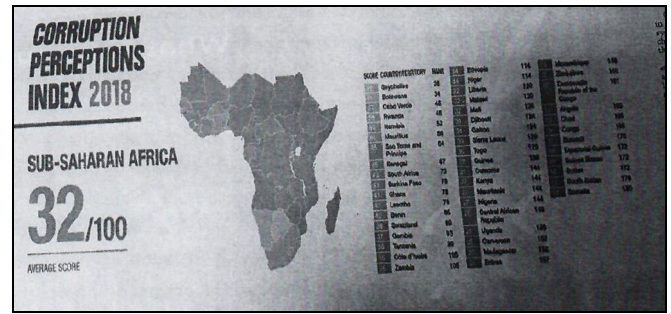


Fig 1: Perception corruption index 2018.

Rwanda for instance, is a good example though currently on position 48 according to some study. Corruption cases invite severe penalties to the extent that very few would dare. This should be the stance for Africa were corruption appears to be glorified yet the effects ravage the fiber of humanity and cause many to suffer at the expense of the few motivated by greedy and self-centeredness. (The Sunday Mail, November, 10, 2019).

The President of Zimbabwe (Comrade Mnangagwa) is also believed to have acknowledged that there are corrupt elements within the police force, the prosecuting authority and within the judiciary system. This situation is thus characteristic of a State that would have failed. Once these arms of the State are corrupt then the State will not be in a position to survive into the future. The President has unequivocally set the right tone from the top on the need to fight corruption without fear or favor. This development could aptly confirm why the President has now given the Zimbabwe Anti-Corruption Commission so much power. If indeed he still had confidence in these institutions, he would not have appointed a new team chaired by Matanda-Moyo to run the affairs of ZACC.

The police should always be the last line of defence of the State and at no point should they be implicated in corrupt tendencies yet that is the 'in thing' now. This surely is a disgrace for the concerned officers whom the public look at in high regard and esteem. The question that however needs to be addressed is why corruption levels have grown to such levels yet the police should exhibit high levels of discipline and self-restraint. There is however no justification for corruption whatever situation the police find themselves in but honestly authorities should ensure that they do not drag them to a situation which is dire forcing them to 'think with the stomach'. It goes without saying that every family man/woman would want to provide for their families the barest minimum without struggle. If they fail, they may now be motivated to survive through whatever means. This would be a sad development for any progressive State, but were proceeds from illicit engagements are traced, they would not dare. This is currently the situation in some jurisdictions such as Botswana. The proceeds of corruption are traced, assets frozen, travel documents confiscated and suspects extradited. Indeed, in such jurisdictions crime does not pay and has never. According to the Transparency International Corruption Perception Index (CPI 2018), Zimbabwe is currently ranked 160 out of 180 of the countries that participated in the survey. This is not a good showing and efforts need to be pursued to deal with it conclusively so as to bolster investor confidence. It is indeed forgone that no investor would risk his/her investment in on economy characterised by corruption. Investor confidence is enhanced where there is rule of law, respect for human and property rights as well as respect of State institutions.

Is Combating Corruption within the Police a Realistic Understanding?

Combating corruption is surely not the responsibility of the police alone. The extent of corruption is now so wide to the extent that it elements a comprehensively wide-ranging approach for every community. The evils of corruption and measures of dealing with it need to be engrained in the curriculum of schools and institutions. This would, inevitably cultivate the culture of responsible citizenry. The moment the citizens become responsible the more the nation will have dealt decisively with the wave of corruption that today has soared to unprecedented levels. Outreach programmes within communities also need to be undertaken by all meaning organisations so that all citizens realize that 'crime does not pay and that if one plants devilish thorns never would the yield be sorghum'. (The Sunday Mail November, 10, 2019)

The citizens in Zimbabwe have largely complained about the conduct of the police on the roads. The public actually believe that corruption on the roads is institutionalised. For any visitor coming through Plumtree boarder post in Matabeleland North right to Forbes border post in Manicaland or Beitbridge, (boarder with Republic of South Africa) to Chirundu, (boarder with Zambia), there is no difference in how the police relate and treat the motorists. They are so discourteous and focus more on demanding bribes to facilitate free passage. Consequently, even road worthy vehicles find space on the roads as long owners will be in a position to pay the amounts demanded by the traffic officers. This is also true for the vehicles that maybe; overloaded. Consequently, many lives have perished on the roads. While the blame is not squarely on the police, there are some in the rank and file who ought to shoulder this blame. For some a deployment on the roads is an opportunity to 'milk the citizens'.

At times the bribes that exchange hands cause unroadworthy vehicles to ply the roads at the expense of the precious life that will be at risk. The death toll during the festive season of December 2019 was 111, [The Herald, Jan 4, 2020]. These many lives may possibly have been spared had the police been thorough in enforcing the traffic rules and regulations. The majority of these accidents were attributed to human and mechanical errors. Thoroughness in dealing with traffic offenders would surely help to avoid this massive loss of people and property. The reasons to such loss include but not limited to:

- Overloading the vehicles
- Over speeding
- Unroadworthy vehicles
- Inattention

What this confirms therefore, is the reality that accidents do not happen but they are caused and the police due to corrupt tendencies become a conduit to this loss of life and property.

The police authorities have however repeatedly advised the people not to give in to such demands but the message appears to fall on deaf ears. They also clearly distance themselves from this uncelebrated behaviour. According to the authorities many perpetrators of those reported and positively identified by the complainant have received varying levels of punishments that include dismissal, suspension from active police duties, transfers and so forth, to show that the police as an institution does not embrace that kind of rot within its rank and file.

The abuse of citizens on the roads or indeed wherever they encounter the police is mere deviance that the police does not condone. Any perpetrators should ideally be reported at the

earliest opportunity so that the good reputation of the police is not tainted. Currently, some citizens believe that 'if you know one officer you know them all', which is not entirely true since some of them are still guided by the ethics of good policing and record all police clients as the reason for any and every deployment and tools of abuse.

Police officers of all ranks are expected to be upright at all the times but empirical evidence is abound that shows that criminal abuse is rampant. In violation of the police Act the Uncoded rules, Vision 2020 and even some statutes and the Code in terms of criminal offences. This cancer denies the ordinary citizens the right to basics inherent to humanity such as investigation for crimes reported, arrest of accused persons, recovery of stolen property, patrols within crime prone areas, and sufficiently preparing dockets for court. The officers now demand some consideration before they do what they are employed to do. This shows that the police officers no longer have even have trace of morals and conscience, (The Financial Gazette). It appears the officers are now motivated by greedy ahead of all else, which means before they undertake any task, they asses 'what is in it for them'. If there is nothing then they would find excuses or do it grudgingly, but where a consideration has been paid then they would gladly attend even outside official working times.

Criminal abuse of office has far reaching effects on public trust and the legitimacy of virtually institutions but more so for public institutions such as the police. The police are expected to always portray an image that mirrors the government. Once the police is corrupt there will be an outcry as citizens will now ask 'who will police the police?' which in itself will be a confirmation of a total collapse of a system. This should never be allowed to happen. In full acknowledgement of this understanding the police as on institution deals in terms of the 'Hotstove Rule' with all perpetrators of corruption and criminal abuse of office.

According to on article by Allen Choruma, (Political, people's will critical to fight corruption, The Sunday Moil, December 8 2019) corruption in Zimbabwe has reached alarming levels to the extent that it can now be said to be one of the major threats to socio economic transformation and sustainable development.

This vice is now so visible and loudly pronounced at all levels of society and the police to the extent that if it is not nipped in the bud, the brooder vision of the notion may be derailed. Corruption is by its nature corrosive and will eat up the system nerves to bone. For this to be possible, the commitment of every citizen is called for, but most significantly those holding influential leadership offices.

While it is possible to fight corruption, there has to be political will. Without this commitment all efforts would be goose chose. Putting the final nail on corruption would remain a pipedream unless those that matter make [policy pronouncements castigating the evils of corruption.

Another way of dealing with corruption is for the authorities to be exemplary, consistent with the views of St Francis of Assissi who once said 'never walk to preach until your walking becomes preaching'. If leaders Necodemously engage in activities that are not upright, the people will always know. Once this happens, that will be synonymous with shooting oneself on the foot. Corruption would inevitably continue to soar, to levels that injure the entire fabric of humanity within institutions and society.

The responsibility to deal with corruption at whatever level should rest with the individual citizens, who must have leant as they were growing that corruption in all its forms is evil.

This is largely so because the family 'is the first window for any child into the world'. Individuals should have learnt from home, as they were growing the virtues of uprightness.

Recommendations for Dealing with Corruption in Africa

Many people in Africa still believe that, notwithstanding the levels of corruption in virtually all institutions within the private and public sector, corruption can still be dealt with. In this regard the following strategies are recommended:

- Ratify and implement the African Union Convention to Prevent and

Combat Corruption

- Investigate, prosecute and sanction all cases so reported regardless of the influence or stature of the perpetrator.
- Put in place guidelines for ethical guidelines.
- Promote whistle blowing and protect whistle blowers.
- Encourage media to participate in all affairs of the state because government need to account for whatever they do.
- Civil society must not be regarded as an enemy of the state but an important player in the development matrix.
- Enforcement of all laws, including International bribery laws.
- Implement anti money laundering standards.

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