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Security Provision in Ghana: What is the Role and Impact of Non-State Actors?

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ACRONYMS

ACOTA	African Contingency Operations and Training Assistance
APSOG	Association of Private Security Organisations of Ghana
CCTV	closed-circuit television
MPRI	Military Professional Resources Incorporated
NDC	National Democratic Congress
NGO	non-governmental organisations
NWC	Neighborhood Watch Committee
PMC	private military company
PSC	private security company
WACAM	Wassa Association of Communities Affected by Mining
WANEP	West African Network for Peace

CHAPTER 1

INTRODUCTION

Background to the Study

The nexus between security and development cannot be over-emphasized, given that human security is an important objective of development and its absence has negative consequences for development.[1] Security has traditionally been provided by states to citizens. In many developing countries, however, state security provision has largely been inadequate, focusing mainly on state preservation against external aggression and internal disorder using mainly the military and police, respectively. These are done with the active support of the intelligence agencies. This is the so-called hard security, which also mainly provides protection to regimes and the elites. Hard security has largely been responsible for the neglect of the physical and other socio-economic needs (human security) of a majority of citizens. The concept of security adopted in this paper refers to human security.

As a consequence of the general lack of security, a majority of citizens in many developing states have resorted to self-help in security provision by using the private, non-state sector to address their security needs. Given the correlation between security and development, it is pertinent to examine the contribution of all actors to security in a state, particularly in the developing world. While various attempts have been made in some developing countries to improve upon security provision, these have largely been focused on donor-led and driven security sector reforms targeted mainly at state security actors, namely the police and law enforcement agencies, armed forces and in

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[1] Stewart (2004), p.1

some cases the judiciary, but largely neglecting the private security sector.[2] The term non-state actors as used in this paper broadly refers to individuals, groups and organisations that provide security services, but are not part of the formal, statutory institutions and agencies mandated to provide security related services, such as the police, the military, intelligence agencies, or para-military organisations like the immigration Service.

Ghana is a relatively peaceful country in a largely restless and turbulent sub-region. While this perception of safety and security is genuine for the most part, the country has witnessed an increase in crime and the perception of criminality and insecurity in recent times. The fear of crime is high and rising, particularly in urban areas where there has been an increase in all types of crimes, including violent crimes like murder, rape and armed robbery, with a correspondingly low rate of apprehension of perpetrators by law enforcement agents.[3] Meanwhile, the country has no national crime prevention strategy, whilst the state security and law enforcement agencies, particularly the police, are viewed as under-resourced, corrupt and inefficient, and consequently unable to provide any security dividend.[4] The judicial system is also widely regarded by citizens as slow, corrupt and inefficient, leading to a large segment of the population seeking justice from non-state systems.

This increased sense of insecurity, coupled with the availability of various actors to fill this security gap, has led to an increase in the number of people seeking security solutions from the private sphere. Additionally, the country's political stability, combined with increased investor activities in the natural resources sector, has led to a corresponding need for security services, resulting in a burgeoning commercial, private security sector. Thus, a paradoxical situation exists where the peace and stability of the

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[2] Lilly & von Tangen Page (2002), p.7
[3] Adu-Mireku (2002), p.168
[4] Aning (2006), p.16

country has resulted in an increase in the number of commercial, private security companies to meet the security needs and demands of international businesses and organisations, big patrons of the services offered by these private organizations.

Whilst the wealthy are able to afford the services of the commercial, private security organisations, a majority of the population are unable to afford them. Consequently, in urban areas, crime has shifted to the poorer and more deprived areas, whilst rural communities have also been largely neglected by state security agencies. The judicial system is also viewed as widely skewed to the interests of businesses and the economically well-off, and neglecting the justice needs of the poor.[5] The resulting insecurity has a negative effect on poverty, inequality and the socio-economic development of these communities. Members of such communities are thus forced to turn to other non-state and community based systems, which though not necessarily legal in some cases, are still largely recognized as legitimate actors in these communities, even if they do not always provide equitable security and access to justice for all community members.[6] This has led to two parallel security systems operating in the country; the state system which largely caters for the needs and interests of the elite and its network of cronies, and an informal sector, where those without access to the state structures retreat.[7] Thus, the security landscape in Ghana is diverse and not homogenous, with various actors operating outside the state mechanism to provide security to various segments of the population.

A legal framework exists to regulate the activities of private security actors, but this is limited to the activities and operations of the commercial, private security organisations, with the law being silent on the activities of other non-state entities in the security arena. Much of the discourse in the country on the activities of these other

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[5] Atuguba (2009), Presentation on Policing in June at KAIPTC
[6] Olonisakin *et al* (2009), p.11
[7] *ibid*

actors relegates them to the realm of criminality, with the impact of their activities being generally perceived as negative.

Statement of the Problem

Few known comprehensive empirical studies have been carried out in Ghana or Africa as a whole on the role or contribution of non-state actors to the provision of security to citizens, rather than the state, in peacetime. However, some empirical and theoretical studies have been carried out on the roles and activities of private military and security companies in conflict and post-conflict settings.[8]

Yet, in situations in which the state is increasingly unable to provide adequate security for its citizens due to lack of resources, the absence of political will and rising social disequilibrium, non-state actors tend to fill the gap created. Nevertheless, there have been varied experiences with non-state actors, particularly in fragile political and social environments. Although they have helped provide security for citizens, some of them have become increasingly politicized and turned into paramilitary vanguards of political interests. Others have become instruments used by private citizens to settle private scores. In the process, they have swung between criminality and security provisioning.

In spite of their growing profile in Ghana there is yet no attempt to enumerate and map these non-state security actors, audit their activities and profile the social and political implications of their activities. Where discourse has been carried on about these groups, it has been to relegate them, particularly those dealing with security and safety, to the realm of criminality. This study aims to fill in this gap by examining the role and impact that non-state actors have on security in the country.

In doing this, there are two phenomena of private security provisioning which,

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[8] Abrahamsen & Williams (2007), p. 131

though not directly related to the research topic, have a bearing on security provisioning in the country and are thus worth mentioning at this stage. First is the provision by the public police, of some security services that could be described as 'private' in the sense that they are provided to some organisations like banks and large retail shops with private, commercial interests. Such organisations pay the Ghana Police Service for these services. This is done despite the fact that the number of police officers is inadequate to effectively provide security to the general population. The second phenomenon is the government's National Youth Employment Programme that employs some members of the youth population. In some towns, some of the youth employed under this scheme are used to provide security services. Thus, though they are not public security agencies mandated to provide security, the security services they provide during their employment under this scheme can be said to be *semi-formal*. This paper does not examine these two phenomena; the focus is on private actors that do not receive any form of support from the state, and whose organisation and the services they provide are privately determined.

Aims and objectives of the Study

This study aims to collect, examine, analyze and interpret data on the various non-state actors involved in the provision of security in Ghana. In the process, it will help contribute to the thinking on security provisioning in the country whilst also building upon the limited existing knowledge base available on the subject area. To this end, the study has the following objectives:

a. To identify the non-state actors involved in security in Ghana.
b. To determine the activities they are engaged in.
c. To determine the impact of their activities on security in the country.
d. To make recommendations for improving their contribution to Ghana's security.

Research Questions

Based on the objectives of the study, and to help achieve the research aims, the study was guided by the following research questions:

a. Which organisations are officially mandated to provide security in the country, and what perceptions do ordinary Ghanaians have of these organisations?

b. To whom do the majority of Ghanaians turn to for security?

c. Who or what are the non-state security actors in the country and where do they get their mandate from?

d. What activities or services do these non-state actors engage in or provide, and what is the impact of their activities on security in the country?

e. What are the benefits and negative impacts of their activities?

Significance and Limitations of the Study

The study would provide deeper knowledge of local security dynamics and give an insight into measures that could be taken to harness the energies and potentials of such groups. In this vein, it could be of value to policy makers involved in the country's security sector and assist to improve upon effective security delivery in the country. It could also serve as a basis for future research into the country's overall strategy for providing security whilst contributing to the existing body of literature to address the paucity of data in this research area in Ghana.

The major limitations of the study are the limited availability of empirical data in the subject area, resulting in limited access to reference materials to guide the research. This was countered by accessing literature on private security provisioning in other countries. Also, due to the sensitivity and confusion of some activities lying between a grey area of legality and illegality, it is possible some respondents had fears that some information they gave might incriminate them. This could have therefore led to

inadequate disclosure of information in some cases. To help counter this, respondents were assured of anonymity and confidentiality of all information given, as outlined in the King's College Ethical Approval Guidelines on Conducting Research. Finally, this research does not provide an in-depth coverage of the legal and legislative aspects of the activities of these actors. The above notwithstanding, efforts were made to ensure that the study met all the relevant requirements of good research, and could serve as a basis for future research on security in Ghana.

Outline of the Study

The study is organized into five chapters: chapter one is an introductory chapter that provides a background to the study, the problem statement, significance, limitations and outline of the study. Chapter two reviews the literature on private security provision, a brief overview of the Ghanaian security system and the legal framework underpinning the activities of private security organisations in the country. Chapter three describes the methodological approach that was employed for the study. This includes the research population, sampling techniques and the data collection process. Chapter four presents the research findings on the identified non-state actors, their organisation and recruitment, the services they provide and their clients. The last chapter analyzes the roles and impacts of the activities of the identified non-state actors, and concludes with a summary of the main findings of the study and recommendations for effectively harnessing the potential of these actors to provide security in the country.

CHAPTER 2

LITERATURE REVIEW

This chapter examines the concept of security, and the role that states have traditionally played in its provision. This is followed by a brief history of Ghana's security agencies. The phenomenon of the provision of private security is next examined, to be followed by its historical provision by non-state actors, particularly in Ghana. The legal framework underpinning the private provision of security in the country follows, and the chapter concludes with the conceptual framework of what would constitute effective private security provision.

Defining Security

The concept or notion of security has undergone a progressive change from an orthodox, state-centric focus on the usually territorial, military-like protection of states and individuals from conflicts and physical harm, to a focus on individuals and their various complex and related physical and socio-economic needs, commonly referred to as human security.[9] Human security recognizes that the security of the state is indivisible from that of its citizens, and the values that underpin human security, apart from physical safety and survival, include conditions such as access to justice and the guarantee of individual freedoms, adequate economic empowerment, and access to basic health and educational facilities.[10] Access to justice and justice provision in all its various forms is an important component of human security.

Traditionally, the state is responsible for the provision of security to its citizens

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[9] Thomas (1999), p. 4

as a public good and in much of Africa, this is about protection against local crime and personal security, protection of land, property and livestock, access to justice such as raising bail or paying fines, the resolution of community disputes, and access to public services.[11]

Justice and security institutions in the developing world, particularly in Africa, are a legacy of the colonial period when these institutions were put in place to protect the colonial power structures, some of which remained in place after independence. The political elite who took over running the affairs of the state after independence, in most cases maintained these systems,[12] to protect and serve their interests. In addition, many of these institutions lack the necessary human capacity and material resources to deliver these services on a large scale.

Brief History and Overview of Ghana's Security System

The current state of the state security agencies and judicial system can be traced to the colonial era, when institutions were put in place by the colonists to protect and secure their economic exploitation of the country. Thus, the Ghanaian Army originated from the Gold Coast Regiment of the Royal West African Frontier Force which was formed to consolidate and extend British colonial rule in West Africa.[13] The Ghana Police Force similarly originated in 1831.[14] Whereas at the time, the objective of the police force in England was to serve the British public, and as such their actions in England were geared to achieve mass legitimacy, in the then-Gold Coast,[15] the police force was to provide security for the economic exploitation of the country, with little emphasis on

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[10] Alkire (2003), p.33
[11] Olonisakin *et al* (2009), p.13
[12] *ibid*
[13] Ibeanu & Momoh (2008), p.42
[14] Aning (2006), p.4
[15] The pre-independence name of Ghana

serving the community, and this reflected in a para-military orientation.[16]

Additionally, western models of social control and justice administration were introduced to replace traditional systems embodied in the institution of chieftaincy that were responsible for peace, security and order in their areas. Under the Native Authority Ordinance, chiefs were allowed to administer customary disputes and grievances in accordance with western normative traditions of law.[17] The police and court systems were for the self-preservation of the colonists, and to persecute natives who were seen as a threat to their efforts at maximizing taxation revenues and natural resources extraction.[18] These institutions and mechanisms were basically sustained by the political elite of the country after independence to protect their parochial interests and for national unity, and little has changed in that approach to security.

The country has a National Security Council made up of the President, Vice-President, Ministers of Foreign Affairs, Defense, the Interior, and Finance, as well as the service chiefs of the Armed Forces, Police Service, Prisons Service, Customs, Military Intelligence and External Intelligence. Some of the functions of the National Security Council include; considering and taking appropriate measures to safeguard the internal and external security of Ghana, and ensuring the collection of information related to the national security of Ghana.[19] The military is responsible for protecting the country from external aggression, the police for preserving law and order and internal security, whilst the Bureau of National Investigations and the Research Department of the Ministry of Foreign Affairs are responsible for dealing with issues critical to state security. The country, however, does not have a national strategy for tackling crime, nor any institutions that implement effective anti-crime measures.

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[16] Tankebe (2008), p.74
[17] Dzivenu (2008), p.1
[18] Ibeanu & Momoh (2008), p.8
[19] Ministry of Justice (2005)

Private Security Provision

The Phenomenon

The private provision of security functions is not a new phenomenon. Dating back to the ancient Greek and Roman empires, private actors have provided security functions to states and citizens,[20] with quasi-official agencies providing policing services in Britain until the emergence of the modern police in 1929, whilst vigilantism was a major instrument for social ordering in the USA until the beginning of the twentieth century.[21]

Security privatization is thus the provision of private security by private actors: this is in contrast to the provision of private security by public security agencies, though the dichotomy between private and public security is not clear cut.[22] It is also important to distinguish between the broader private security phenomenon, and the narrower, mainly neo-liberal, western originated phenomenon of commercialized private security, where security has become a commodity for sale in the marketplace.

Some reasons attributed to the increasing use of private security include the impact of globalization and the inability or unwillingness of some states to provide security as a public good. Various theories have been propounded to explain the development of private security, particularly private policing. Two main theories are the fiscal constraints theory and the structuralist theory. Fiscal constraints theory is a general term for a range of theories that basically attribute the rise of private policing to increased market liberalization, as well as efforts by governments to reduce public expenditure and roll back the involvement of states in policing.[23] Thus, the phenomenon is linked to the dominance of neoliberal policies that have emphasized the

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[20] Holmqvist (2005), p.9
[21] Isima (2009), p.2
[22] Bourne (2002), p.16
[23] Jones & Newburn (1998), p. 98

outsourcing and privatization of previously public goods and services, including security.

There are two main strands within the fiscal constraints theory, these are the liberal democratic strand, which attributes the phenomenon to the consequences of the lack of resources for state agencies, and the radical strand, which sees the phenomenon as the inevitable development of capitalist logic that has transformed security into a commercial commodity. The structuralist theory however attributes the trend to the increasing importance of private justice and conflict resolution in the private sphere, without recourse to an official system, and is more in line with Foucault's vision of a disciplinary society.[24]

The Main Actors

The privatization of security in contemporary times has manifested itself in two broad forms which are motivated by different actors and motives. One is formalized and refers to private security organisations consisting mainly of private military companies (PMCs) and private security companies (PSCs). The second consists of non-state actors, who provide security, usually to the poor and marginalized who are unable to procure the services of commercial security, and their services are sometimes ill-defined, and they are commonly referred to as informal actors. They include individual security provisioning, neighborhood watch committees, traditional security mechanisms and vigilantes among others. However, for this paper, the state- non-state taxonomy is preferred to the formal-informal taxonomy because some non-state security arrangements are quite formal in organisation, and not ad hoc in character.[25]

Much of the literature on security privatization in Africa has tended to focus on

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[24] *ibid*
[25] Ibeanu & Momoh (2008), p.15

the activities of private military and commercial private security companies, with little on the non-commercial, non-state private actors. Yet, in many developing countries, these systems are the primary providers of justice and security to the poor.[26]

PMCs and PSCs consist of individuals and organisations structured along corporate lines and providing services independent of the state,[27] with PMCs primarily offering services of a military nature to organisations and states, whilst PSCs primarily provide security services to individuals and organisations on a commercial basis. The activities of the more combat-oriented PMCs in Africa, particularly in relation to the various natural resource conflicts on the continent are controversial, with arguments that they exacerbate violence in conflict areas, commit human rights abuses and are basically modern-day mercenaries.[28] The activities of the now defunct Executive Outcomes in Angola and Blackwater USA in Iraq are frequently cited to support this argument.

Such concerns notwithstanding, PMCs can play a positive role in contributing to security, particularly in conflict zones through such activities as de-mining and the provision of security to international and humanitarian organisations, including the United Nations.[29] In countries not involved in active conflict, they are mainly involved in security sector reform. In Nigeria, the American PMC, Military Professional Resources Incorporated (MPRI) has trained the Nigerian armed forces in peacekeeping operations and is currently assisting in its reform,[30] whilst another American PMC, DynCorp International, is presently involved in rebuilding the Liberian armed forces. Much less controversial are the activities of PSCs, both local and international, which are more defensive and involve guarding services, escorts, protection of cash in transit

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[26] Olonisakin, *et al* (2009), p.11
[27] Gumedze (2007), p .4
[28] Musah(2000), p. 107
[29] Wright & Brooke (2007)
[30] Ibeanu & Momoh (2008), p. 32

and alarm response among others.[31] Some of the activities of PSCs, however, sometimes result in human rights abuses.[32]

Traditional forms of security provisioning, exercised through the institutions of chieftaincy, existed in African states before the colonialists set foot on the continent and attempted to either destroy these systems or curtail the power of chiefs.[33] In the Ashanti kingdom of Ghana, the *Akwansrafo* were wardens who patrolled trade routes and ensured the safety of travelers,[34] whilst the *Asafo* companies were a well organized form of native army made up of advance guards (*twafo*), a main fighting body (*adonten*) and a rear guard (*kyidom*).[35] The *gyaase* were the King's bodyguards under command of the *gyaasehene*.[36]

Following independence and for two periods in its political history, the state of Ghana has sought to increase its hegemony by eliminating the authority of traditional leaders and replacing traditional institutions with local administrative units. The first instance was in the 1950s under the country's first president, Kwame Nkrumah, who sought to promote a unified state and expand the authority of the state by curtailing the powers of chieftaincy institutions.[37] The second period was during the military regime of Jerry Rawlings from 1981-1992, where the regime formed various organisations such as Peoples Defense Committees and National Defense Committees in an attempt to reform local level governance and encourage grassroots participation. These groups were hostile to traditional leaders and traditional authority.[38]

The 1992 Constitution of the country acknowledges the importance of the institution of chieftaincy, and provides for chiefs to mobilize communal labor and have

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[31] Kirunda (2008), p.11
[32] Alao (2002), p. 47
[33] Mamdani, p.53
[34] Tankebe (2008), p.68
[35] Arthur & Rowe (2009)
[36] *ibid*
[37] York (no date), p.8

sole authority over customary rites within their communities.[39] They are thus law-makers with respect to customary law and provisions in their communities, leading essentially to two parallel entities in the country in the realm of laws, viz, the state and traditional institutions. The state has also tried to exert influence over chiefs by requiring them to be officially gazetted before they can be officially recognized and join the various Regional Houses and National House of Chiefs. Such attempts notwithstanding, chiefs in the country and African states had and still continue to exercise significant authority in the security and justice sectors of their communities.[40]

Communal security arrangements are another form of security provisioning that exist in many African states, for example Rwanda and Uganda.[41] Such communal, usually non-commercial security systems are mainly found at the local community levels and usually provide security not for profit, but on an exclusionary basis for political and broader socio-economic reasons, and often in response to the same exclusionary provision of security that stimulates the commercial security market.[42]

Poor people, particularly in urban locales, often live on the margins of illegality in society in terms of illegal acquisition of housing, non-payment of taxes, etc. Consequently, they are unable or unwilling to approach formal state institutions to seek security and justice to avoid drawing attention to themselves. They therefore tend to rely on such community based systems. In Alexandria, Egypt, for instance, about 68% of the city's population live in squatter settlements built informally in violation of building regulations.[43] This makes squatters vulnerable to police action and exploitation, and consequently unwilling to approach state institutions for their security and justice needs. Communal systems include vigilante groups, neighborhood watch

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[38] *ibid*, p.9
[39] Ministry of Justice (2005)
[40] York (no date), p. 12
[41] Baker & Scheye (no date), p. 2
[42] Bourne (2002), p. 18

committees and community policing.

Some problems are however associated with some of these community security arrangements, including mob actions, and the criminal activities of some groups that mutate from community security provision to activities like armed robbery, kidnappings and extortion.[44] Such problems notwithstanding, the majority of poor people still see such systems as offering practical solutions and consequently patronize their services. For example, in Sierra Leone, justice and security shortfalls, as well as the negative perception of the justice system by the poor, have led to the formation of community-level self-help patrols comprising young people.[45]

Apart from the above groups and mechanisms, civil society organisations and non-governmental organisations (NGOs) also play a vital role in the provision of security through such activities as human rights advocacy, research, peace building and conflict mediation, and dispute resolution, particularly in the justice sectors.

It should be stated here that whilst the above mentioned groups do not usually have any links to the state, some, such as the Hisbah religious organisation that operates in northern Nigeria are state-sponsored arrangements. Overall, however, state actors tend to be more hostile to informal security systems than they are to informal justice systems, perceiving the former as undermining the monopoly of the use of force by the state.[46] Despite some of the problems associated with security provision by these non-state mechanisms in developing countries, due to the inability or unwillingness of the formal state security systems to provide equitable security to all, a majority of citizens turn to these non-state mechanisms, which are seen as largely legitimate, to meet their security and justice needs.

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[43] Olonisakin *et al* (2009), p.14
[44] Ibeanu & Momoh (2008), p. 52
[45] Ismail & Hendrickson (2009), p.7
[46] *ibid*

Legal Framework of Private Security Provision

In Ghana, Section 38 of Act 350 (1970) of the Ghana Police Service Act regulates the activities of private security organisations. According to the Act, a private security organisation is any organisation 'which undertakes private investigations as to facts …, or which performs services of watching, guarding, patrolling …, but does not include the Police Service, Prisons Service or the Armed Forces of Ghana'.[47] Two additional legal instruments were passed by the state to streamline the conduct and activities of these organisations. These are Legislative Instruments 1571 of 1992 and 1579 of 1994.[48] These legal instruments govern the activities of registered, commercial private security organisations, of which according to the Association of Private Security Organisations of Ghana (APSOG), there are over 350, many of which are not licensed to operate.[49] No legal instrument, however, exists in the country for the regulation of other forms of private security provisioning, such as neighborhood watch committees, or the activities of non-governmental organisations that are involved in the security sector.

Effective private security should be accountable to and serve the needs of users without having negative consequences on either the users or other members of the community, and neither should it expose providers, especially employees, to unacceptable risks. Thus, its provision would demand that the actors are accountable to the state and citizens, and this can be achieved through a system of effective state regulatory and oversight mechanism,[50] as well as working in cooperation with the state. The next chapter details how the study was carried out.

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[47] Aning (2006), p. 8
[48] Aning & Lartey (no date), p. 19
[49] *ibid*, p.18
[50] Richards & Smith (2007), p. 2

CHAPTER 3

METHODOLOGY

This chapter covers the research methodology that was employed for the study. The methodology was carved out to meet the research objectives and address data-gathering problems imminent in research of this nature in the country. The study was basically exploratory and the strategy employed was not restrictive; processes and procedures were modified as the research progressed, to achieve the research objectives. The major components of this chapter are the research population, sampling technique and selection, data sources and research instruments, and data collection process.

Population

The population of study consisted of land-guards, neighborhood watch committees, chiefs and traditional leaders, commercial private security companies, members of the general population resident in target communities and identified experts in the country in the field of peace and security. The indented terms will be explained later in the paper. Primary data was collected from two towns in the country, the capital Accra which is urban, and Tamale, a semi-urban town in the northern part of the country, where there is a simmering conflict over chieftaincy. Accra was chosen because of its urban characteristics, the presence of a great number of PSCs, the high reported cases of the activities of land-guards, and the presence of the headquarters of a significant number of civil society organisations. Tamale was also chosen because of its semi-urban characteristics and the fact that there is a latent chieftaincy conflict in the region, with consequent complex effects and dynamics on security in the town.

The number of participants interviewed was 102. The breakdown is as follows; 2 chiefs and traditional leaders (1 in Tamale metropolis and the other in Adoteiman, a village located on the outskirts of Accra), 25 neighborhood watch committee members (18 in Accra and 7 in Tamale), 16 employees of commercial private security companies(4 each from 4 different companies, 3 based in Accra and 1 in Tamale), 16 land-guards in Accra, 40 members of the general population residing in the communities in which the study was carried out (30 in Accra and 10 in Tamale) and 3 experts in field of peace and security in the country. They were interviewed about their activities, clients and the services they offered and their views about security in the country. Additionally, the members of the general public were questioned about their security needs, their views on security in their communities and the activities of the aforementioned actors. In Accra, the research was carried out in the following suburbs; Nima-Mamobi (a slum area), Adoteiman, Lashibi (a middle-class community with a number of gated communities) and Madina. In Tamale, the suburbs were Kalpohini, Vittin, and Zogbeli.

Sampling Technique and Selection

The sample selection was based on the following criteria:

- The groups selected were those that provided services related to issues of safety, security and justice to individuals and communities.

- Individuals or residents came from communities in which the groups were located or carried out their activities.

The major limitation of this sampling technique was the subjective nature of the choice of respondents. Additionally, for a study of this nature, the number of identified subjects could have been higher. However, since this study was limited specifically to non-state actors that perform security and justice functions in the country, the relatively small number of 102 participants was considered adequate, as in investigating a specific

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group of people, a large sample is not necessarily required to make generalise the findings to the larger group.[51]

To limit subjectivity in sampling, the residents interviewed had to have stayed in the community for at least a year, whilst members of the land-guards, neighborhood watch committees and commercial private security organisations had to be residents of the communities in the case of the neighborhood watch committees, and formal employees in the case of commercial private security organisations. In the particular case of land-guards, they also had to subscribe to the group norms and ethos.

Objectivity, reliability and validity are necessary to ensure quality in any research, and the study was designed with these in mind. Objectivity was ensured through an unbiased assessment of the activities, coupled with the fact that the assessments and conclusions were drawn from both primary data gathered and available secondary data. To achieve validity, some writers advocate triangulation,[52] thus data and method triangulation were employed in the study. To ensure external validity, the findings of the study are applicable only to the identified non-state actors in Ghana. Due to the demographic and socio-economic similarities of towns and villages in the country, the results from this study can be extrapolated to most parts of the country. Data and method triangulation were also employed to achieve external validity.

Data Sources

Primary and secondary data were used for the study. Primary data was collected from respondents from the identified non-state actors, the three security experts in the country, and the general public, whilst secondary data was collected from sources such as books, peer reviewed articles, magazines, newspapers and the internet. The emphasis

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[51] Department of Criminology (2003)
[52] Macdonald (2001), p.193

was however on interviews and questionnaires as it is recognized that they can elicit personal and individual meanings to research questions.[53] Non-structured interviewing in particular is considered valuable where the research area or subject matter is considered sensitive or complicated,[54] as was the case in this study.

The search for literature on the research topic involved searching for literature on security and justice in general, private security provisioning in Ghana and Africa, and mechanisms employed by a Ghanaians to address their security, safety and justice concerns. A search was also made for community-based and traditional security and justice arrangements employed in various countries, particularly in Africa.

Research Instruments

King's College Consent Form

Participants were first briefed about the purpose of the research and given an explanation about the research aims and objectives. They were also informed that their confidentiality and anonymity would be guaranteed, and that they could withdraw from the study at anytime if they so wished, and that whatever information they gave was going to be protected in accordance with the United Kingdom's Data Protection Act 1998. Following this, willing participants then signed the consent form before the interviews and questionnaires were administered.

Questionnaires and Interview Guides

Questionnaires were used to gather quantitative primary data from residents and the general population as well as some unit committee members in target communities. Both structured and unstructured questions were used. The unstructured questions

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[53] Jupp (1989), p.160
[54] Fielding & Thomas (2001), p.131

were used to give the respondents the chance to provide their own responses whilst at the same time enabling the rapid collection of significant amounts of relevant data.

Interview guides were used to conduct interviews of the experts, leaders of unit watch committees and land-guards, chiefs as well as employees of commercial private security companies. The interviews were used to collect qualitative primary data, and to elicit in-depth information and explanations to the research questions. Specific questions were asked for each category based on the ability to generate quality and appropriate answers. Some questions were repeated across all groups, to authenticate answers given by one sample group, by another sample group. An example is a question about the services that groups provided and that residents received. This question was asked in the interviews and questionnaires for all groups, with the aim of authenticating the services that groups said they provided, with the services that residents said they received. Generally, the questions for both the interviews and questionnaires were carefully framed since answers given to questions depend on how the questions are asked.

Data Collection Process

The data collection process took place over a three week period from 7th June 2009 to 27th June 2009. The processes involved in the process included interview and questionnaire design and administration.

Questionnaire and Interview Design

A questionnaire was designed for the general population as well as unit committee members. Seven of the questionnaires were pre-tested to ascertain their appropriateness or otherwise. The pre-testing was carried out among Ghanaian residents in London. The questionnaires were all coded to facilitate field control. This enabled the researcher

to grant anonymity to the respondents while simultaneously achieving the identification process for follow up interviews and clarifications where it became necessary. The interview guides for the other groups were also pre-tested. Anomalies and ambiguities detected at this stage were rectified before the actual data gathering process commenced.

Questionnaire and Interview Administration

The questionnaires were distributed to the various respondents in the communities. The first ports of call were the leadership of the neighborhood watch committees, commercial private security organisations and land-guards. At each location, the questionnaires were given to identified participants whilst dates for interviews were arranged with interview participants. It took an average of two weeks to conduct the interviews and one week to get the questionnaires completed. All participants used in the study were assured of confidentiality and anonymity in the write up of the research findings.

The interviews were used to gain deeper insight into specific issues bordering on organisation, recruitment and training and services offered. None of the interviews conducted were audio recorded. Problems encountered during this stage were the slow response rates, with respondents to questionnaires not keeping to promised collection dates. This made the exercise more expensive than anticipated.

CHAPTER 4

RESEARCH FINDINGS

This chapter presents the findings of the study. It begins with an outline of the groups that were identified, and for each group, their membership, organisation and recruitment process are outlined. This is followed by an examination of their activities or the services they provide, who their clients are, and the perception of members of the general public about their activities.

Identified Non-State Security Actors

The study identified the following as the main non-state actors providing security services in the country; PMCs and PSCs, community groups like neighborhood watch committees, watchmen, land-guards, traditional organisations like the *Nachimba* in Tamale, 'machomen' or thugs for hire, and NGOs and civil society organisations involved in the security sector.

PSCs and PMCs

There are two main types of private security organisations in the country; commercial private security companies that operate in mainly urban areas of the country, and private military companies that occasionally provide training to some security agencies. Private security companies operate in both towns, providing their services for a fee, with the amount that clients pay varying based on the services provided and the level of professionalism of companies. A majority of these companies are locally owned and operated. Others, particularly in Accra and other big, urban towns are international

companies such as G4S International. A third category involves partnerships between Ghanaians and expatriates. In general however, two main types of private security agencies operate in Ghana, one operated by public institutions such as universities that recruit and train personnel to serve their security needs, and the second being the commercial, profit-companies that recruit and dispatch employees to serve the needs of clients.[55]

Recruitment is carried out mainly through advertisements in local media, though occasionally managerial positions for some international companies are advertised in international media. For the majority of positions advertised locally for guards, the basic requirements are Ghanaian citizenship, evidence of a good character, and the possession of a basic level of education such as Basic Education Certificate Examinations (BECE) qualification. Standards however vary among different companies based on different levels of professionalism and the type of services provided. Generally though, training is limited, but ranges from physical training, to the correct use of radio communications equipment, to specialized training like dog-handling (K-9) procedures. More sophisticated training includes installation, manning and operation of closed-circuit television (CCTV) equipment, and rapid alarm response.

The remuneration of staff is based on educational qualifications and expertise, with international companies paying their employees slightly higher than local companies, though the level of remuneration is generally low. A majority of the trainers are of military and police backgrounds, usually retired Ghanaian and expatriate army and police officers. Very limited vetting is conducted on the background of employees, and this sometimes has negative repercussions as some guards with criminal backgrounds are recruited, making them security risks rather than solutions.

The services generally provided by these organisations are manned guarding of

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[55] Aning & Lartey (no date), p.18

premises, escort for goods and cash in transit, K-9 response, manned alarm response, the operation of CCTV, theft/loss prevention in retail organisations, and patrolling of residential areas amongst others. Clients are usually banks, shops and malls, commercial housing estates and private residences. The state also employs the services of some of these organisations at some key locations such as airports and seaports, oil refineries and the Atomic Energy Commission.

The equipment usually employed include vehicles for patrolling and cash-in-transit services, communications equipment such as radios (though some organisations depend on commercial cellular phones) and CCTV equipment and accoutrements. Employees are not permitted by law to carry arms in performing their duties, and this makes them rather ineffective in situations where they have to confront armed criminals. Guards do not have the special powers of arrest that the police have, but as individuals or groups, can effect a citizen's arrest in accordance with the law. Their supervisors, usually located in an operations room off-site, are the first port of call for reporting incidents. Supervisors may in turn get in touch with the police for assistance where necessary. This assists the police by providing them with information about security-related incidents, though their reaction time to such incidents is usually reduced.

Companies wholly and solely administer themselves, but are required by law to be registered before operating, and the Ministry of the Interior has the responsibility of monitoring and regulating their activities. Additionally, companies are expected to register with the Association of Private Security Organisations in Ghana (APSOG), an umbrella organisation of all private security organisations in the country. Registration in both cases is however low, with low minimal supervision by the Ministry of the Interior. This has resulted in considerable numbers of companies operating without

proper clearance and oversight.[56] Monitoring of registered companies by the Interior Ministry has basically been reduced to the yearly granting of renewal licenses after the payment of renewal fees. These situations combine to allow unprofessional activities and the delivery of low quality services by some of these companies, whether legally registered or not. These concerns have been articulated by APSOG, which has called on the government to streamline the activities of PSCs in the country, as some of them posed a threat to national security.[57]

There are varying levels of cooperation and collaboration between the state security and law enforcement agencies and some of these organisations, as well as between the organisations. Those deployed at critical national infrastructure sites like airports and seaports would usually be first respondents to incidents at these sites, and therefore work closely with state security agencies. Plans are advanced to establish a hotline between such companies and the Police Headquarters Operations Room in Accra, which would increase the level of interaction and collaboration. Fewer PSCs operate in Tamale, and these are all local, with their services limited to manned guarding of premises and the prevention of theft in shops and retails stores.

On a lesser scale, some individuals and organisations employ individuals, usually on an informal basis, called 'watchmen,' to guard their premises particularly at night and when residents are away from homes. Watchmen serve mainly to prevent theft and burglary. They have no formal training, and their recruitment is based on criteria determined by the employers. Their services are usually paid for by their employers, though some have informal arrangements such as the provision of accommodation, feeding and related benefits in exchange for their services. Those not usually paid cash for their services are sometimes referred to as 'house-boys', and in

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[56] *ibid*
[57] CorpWatch (2005)

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addition to guarding duties, usually perform other care taking duties such as gardening and running errands. Watchmen are usually unarmed, though in some cases, some keep weapons such as cutlasses, bows and arrows and even shot-guns, depending on their assessment of the level of threat they face, for self-defense as well as the defense of property at the premises they work.

PMCs activities in the country have been much more limited. The United States' Trans-Sahara Counterterrorism Initiative involving some African countries, includes Ghana.[58] Some of the security agencies, particularly the armed forces, have been engaged in some collaborative activities with the United States. Some of such collaborations have been the Joint Combined Exercises and Training (JCET), and the African Contingency Operations and Training Assistance (ACOTA) programmes. These programmes have been delivered by American PMCs such as MPRI, as part of US military assistance to the country. Such programmes assist Ghanaian security agencies in technical areas such as counter-insurgency and peacekeeping operations and training, though the focus has been on these hard, narrower aspects of security, leaving out broader issues entailed in security provision such as human rights training.

Neighborhood Watch Committees (NWC)

These are formally organized groups of residents in particular communities or neighborhoods, who watch out for criminals and any suspicious behavior in the area, arresting and reporting suspects to the police and consequently providing communal security. They usually patrol their communities at night. The phenomenon is widespread in the country and is actively encouraged by the police as a way of increasing cooperation and fostering working relations with communities. NWCs operate in both locations covered by the study. Membership is voluntary, and is usually

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[58] Johnson (2007), p.24

made up of residents, particularly the youth, who are perceived to be of good character. Some other potential members are identified by opinion leaders in the communities, like imams of mosques, who approach such potential members and encourage them to join.

The neighborhoods are divided into zones, with a watch committee made up of about 30 members in each zone. Leaders are selected by members, and selection is usually based on characteristics like bravery and the ability to mobilize youth and resources. Contrary to a common perception in some existing literature that members are usually unemployed youth, a significant number of members are employed in regular jobs during the day, such as teaching and trading. Some members are women, and they are primarily used to gather information about criminal activities in the community. In some communities in Accra, membership is limited to people born and bred in the community, as there is a perception that residents who settle in such communities from other parts of the country are usually those who join criminal gangs.

There is no formal training offered to members, although they usually organize 'keep fit' physical activities, especially during the weekends. Sticks, cutlasses, torches and cellular phones are the primary tools employed for the apprehension of suspected criminals and the protection of members. The details of members and leaders are given to the police, usually with pictures of all members and phone numbers of the leaders.

Groups usually have an assembly point where they meet or can be found, making it easy for residents to contact them for assistance and report criminal activities. Their activities are dependent on the security concerns of residents, which vary from theft and armed robbery to drug dealing and usage, particularly the smoking of Indian hemp. Although groups engage in day and night patrolling, it is done mostly at night, driving away drug dealers and peddlers, and preventing theft and armed robbery. In carrying out their activities, physical violence is sometimes employed when in their

opinion it is necessary, with the level of violence dependent on perceived level of threat. Some members sometimes get injured when dealing with violent suspects, whilst at other times, they employ vigilante violence against suspects, some of who are innocent.

The groups also frequently provide dispute resolution, mediation and arbitration services within their communities, particularly in cases involving residents as suspects, and as much as possible, they involve family members of victims and suspects in these processes. In communities with negative criminal reputations, such as the suburb of Nima-Mamobi, this mediation is usually done as an attempt to amicably resolve issues and consequently improve upon the negative image of the community. Members are not paid and do not charge for services provided, though some communities levy charges for administrative activities, whilst in other communities, grateful members as well as opinion leaders occasionally give material and financial support to the groups. Nevertheless, this is not a guaranteed source of income or support.

Compared to other non-state security mechanisms, there is a greater degree of cooperation and collaboration between this mechanism of security provision and the police and security agencies, particularly with regards to the sharing of information, with police permission necessary before committees can operate. This is partly because the police aim to establish a greater support base within communities to help identify criminals and criminal trends in order to proactively respond to them, as well as generate a positive image with the public,[59] and this mechanism offers an entry point into communities. In line with this objective, the Police Administration launched a Community Policing Unit in 2002 to bridge the communication and interaction gap between the police and the communities they serve.[60] Consequently, the police routinely advise the committee leadership on crime prevention strategies and issues of

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[59] Ghana Police Service (2008)
[60] *ibid*

mutual interest, though they do not get involved in the administration of the watch committees.

There is also considerable collaboration between committees from different zones in a particular community, as well as with committees from other suburbs of the towns and cities, particularly in Accra, to the extent that joint patrols and operations are sometimes carried out. For example, there is a significant level of collaboration between the committee members in Nima-Mamobi and those in Madina, another suburb of Accra.[61] Such collaboration usually takes the form of information sharing and joint patrols, particularly when the spate of crime in a particular area is so high that the local watch committee is overwhelmed and needs support and backup from other committees. In other instances, the police seek assistance from them in locating and apprehending criminal suspects.

Related to these community mechanisms is a phenomenon where neighbors and family members, particularly in low-income neighborhoods, act as guardians over households, particularly in the absence of household members. This is particularly common in 'compound-houses,' where families live in single housing units that contain several individual rooms, but with shared facilities such as kitchens and bathrooms. Such services are mutually offered as and when the need arises, in the spirit of good neighborliness.

Traditional Systems

Despite the limited role that the constitution gives them, traditional authorities, particularly chiefs, play an important role in the provision of security and administration of justice in the country. Within the Greater Accra region, in Adoteiman, a village on the outskirts of Accra, there operates a traditional system of security

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[61] Interview with Committee Leader, 27 July 2009

provision with similarities to the NWC concept in terms of membership criteria and activities, with the major difference being found in the source of authority. In this case, the chief is the overall undisputed leader, whereas for NWCs the choice of leadership involves a consensus by members. Another major difference is that, being on the outskirts of the city, apart from the common security issues of theft and armed robbery, the community has to frequently deal with the activities of land-guards in the village, and this sometimes results in heavy clashes with them. Consequently, the traditional groups here are armed with more deadly weapons like cutlasses and machetes, and even shotguns.

Also, although membership is voluntary, the members report to the chief, and the leadership is appointed by the chief, thus there is a greater influence of traditional systems of authority on their activities, and this is even more so with regards to the resolution of disputes in the community. However, with regards to dispute resolution, although there is a common perception that community justice delivery is generally faster, in some cases, they take longer to resolve, partly because the investigative mechanisms of the traditional authorities are not as efficient and professional as the police. This sometimes leads to the miscarriage of justice.

Traditional authority influence on security is more pervasive and deeper in Tamale, which is the capital of the Northern Region of Ghana and one of the paramountcies of the Dagbon traditional area. Before proceeding, it is important to note that there is an ongoing chieftaincy conflict in this area, involving succession to position of the *Yaa Naa's*.[62] Two factions are involved in this; the Abudu and the Andani factions, and the conflict resulted in the murder in 2002 of the *Yaa Naa* and some of his followers. Pending the resolution of this conflict, a regent has been installed to run the affairs of the traditional area in an acting capacity.

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[62]The traditional title of the paramount chief of the Dagbon Traditional area

In Tamale, in addition to neighborhood watch committees, there exists an older and more traditional community security arrangement, known as the *Nachimba* (youth) organisation, which operates under the authority of chiefs. Traditionally, the Tamale paramountcy is divided into seven sub-paramountcies; *Gulpkegu, Zogbeli, Dakpema, Bamvim, Lamashegu, Choggu* and *Woreshee,* each with a chief, whilst the *Yaa-Naa* is the overlord of the Dagbon traditional area and is based in Yendi, the traditional capital.

Each sub-paramount area has a *Nachimba* group, and membership is open to only male residents of the area between the ages of 20 and 40 years who are of good character. Membership is voluntary. The leader of each group, called the *Nachinaa*, is not elected but is appointed by the respective chiefs of each area, to whom they are accountable. Appointment of the *Nachinaa* is usually based on competence, character and an ability to mobilize, organize and control the youth in the area.

The activities of the *Nachimba* include the conduct of night patrols in their respective communities, the arrest of suspects, debt collection, settlement of minor land disputes, and provision of security and protection for chiefs. They also resolve conflicts between members of the community and engage in other justice-related activities like mediation and arbitration of domestic issues. In dealing with disputes, cases that are deemed to be of a serious nature are referred to the chief, and where the chief feels that a case is too complex or serious for him to deal with, such cases are referred to the police.[63] Murder and rape cases are however always referred straight to the police. Also, chiefs sometimes withdraw civil cases involving residents that are pending before formal justice systems, usually at the request of complainants or when they feel they can resolve such cases more amicably.[64]

Force and physical violence were previously employed by the youth to arrest

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[63] Interview with a Nachinaa, 12 July 2009
[64] Interview with a Chief, 14 July 2009

suspects and settle cases, and this resulted in a lot of residents referring their problems and disputes to the police rather than the traditional authorities, but that practice was officially outlawed by the chiefs in 2004.[65] However, physical violence is still sometimes employed unofficially to arrest suspects, though the accepted practice is to invite suspects to either the *Nachinaa's* place or the chief's palace. The services are provided to every resident in the community, irrespective of ethnic origin. Different ethnic groups from other parts of the country, as well as from different countries in the sub-region like Burkina Faso, who are resident in the town have their own chiefs, who sometimes resolve disputes amongst members. These other non-indigenous chiefs also collaborate with the indigenous chiefs of the various communities in which their members reside, to resolve disputes involving residents of their ethnic groups.

No particular training is given to members, apart from the *Nachinaa* who receives instructions periodically from the chief about specific duties. Most cases involving young people are handled by the *Nachinaa*, and when a case involving a young person is referred to the chief, it is the parents or guardians of the person who appears before the chief, since traditionally, a young person cannot appear before a chief to answer questions.

There is collaboration with the police through the chiefs, as well as between the youth groups of the different paramountcies, especially when criminal activities involve residents from different areas, or when suspects or complainants move from one locality to another. The youth groups do not carry any special equipment apart from items like torchlights for night patrols and privately owned cell phones. On being appointed by the chief however, the *Nachinaa* is given a traditional whip as a symbol of the authority vested in him.

Members do not receive any payment for their services, but association with the

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[65] *ibid*

chief enables the *Nachinaa* to benefit from patronage and some privileges associated with access to the chief. This arrangement in Tamale is replicated through other towns and villages in the northern region of Ghana.

Land-guards

The phenomenon of land-guards in the country is a relatively recent one, and public perceptions about it are generally ambivalent. Basically, land-guards are individuals and groups who are hired by citizens to guard and secure either land or landed property. They are extralegal groups and settle private disputes, usually by resort to violence and intimidation. The practice is more prevalent in big urban centers than in smaller towns and communities, with the research revealing that land-guards operate in Accra but not in Tamale.

The land-guards in Accra vary in character and level of organisation. Membership criteria also vary depending on the nature and level of organisation, but generally include courage, bravery and hard-work, and members generally hail from particular areas, namely *Nima-Mamobi, Teshie-Nungua, Lashibi, Mallam, Kasoa, Madina and Ashaiman*, which are generally low-income suburbs of the city. Though members are typically residents of suburbs in which groups are located, some groups have non-resident members, and in such cases, other criteria such as sympathy to the aims of the group, or affiliation through friendship or kinship with group members are taken into consideration. The background of members is also diverse depending on the group, ranging from the illiterate and unemployed, to people employed in vocations like carpentry and masonry, and to serving as well as retired personnel of the various state security agencies. Some groups have initiation rituals such as swearing of oaths of allegiance, and blood-letting ceremonies, whilst a majority have less colorful rituals. Group leaders are usually chosen based on criteria such as charisma, influence and

networks, and the ability to get 'jobs.' The more organized groups have group norms, and where a group member goes against such norms, they are either suspended or expelled.

Clients of land-guards are individuals with land or landed property, chiefs with custodial lands, real estate developers and building contractors. They are usually involved in contestation over ownership of land or property, a situation prevalent in the country due to multiple sales of land by landowners who exploit lapses in the land administration process.

Their services include physical protection of land and property, and the prevention of access to the site of their clients by competing parties. In general however, they would perform whatever tasks their clients demand, and this varies depending on whether the client is an individual with a parcel of land to protect, or a chief or an organisation with vested interest in a piece of land. For individuals, they usually provide the services until a building project is completed, whilst for chiefs or commercial real estate developers, their services are usually employed until a legal case is determined or a piece of land or property is legally documented.

Members of the groups do not have any formal training or recruitment process, though many engage in physical training and bodybuilding exercises, and those with illegal access to weapons, particularly locally manufactured guns and pistols train in their use. There is no collaboration with state security agencies, though inter-group collaboration exists, as well as some collaboration with influential members of their communities in some cases. Some groups also have networks in other suburbs of Accra, and call for assistance when necessary.

Before undertaking operations for clients in any area, groups usually find out if other groups are operating in that area or on the piece of land in dispute. If another group is involved and the two groups are on good terms or part of a network, they try

to resolve the dispute between their clients amicably, failing which one group would refuse to take on the job. This is done so as not to upset inter-group dynamics in particular networks. Some of the clients also engage the services of law firms and surveyors, and where this is the case, such firms work with or advise the land-guards. Some group members ask for 'spiritual protection' from pastors and imams before carrying out some tasks, particularly if there is a high likelihood of a confrontation with other groups or people. Though they do not generally collaborate with the state security and law enforcement agencies, the sometimes assist with information, particularly regarding investigations, and this cooperation is usually out of fear of retribution for illegal activities, rather than voluntary assistance.

It should be noted, however, that not all groups always resort to violence in the performance of their duties, they sometimes arbitrate in land disputes between clients, and as previously stated, may sometimes refuse to take on some jobs if it would involve confrontation with other groups. In some cases, the guards arrest suspects and hand them over to the police. Most of the guards do not live in the areas where work as guards; they go to perform their duties at these sites, usually on the outskirts of Accra where a significant amount of building construction is ongoing. Thus, they either commute daily to the sites or stay at the sites for protracted periods until the property is secured or any litigation resolved.

Whilst the notion of protection of one's property by whatever legal means necessary is not contested, it is the means by which the land-guards perform their duties which is controversial. This is because a lot of physical violence is employed, and their regular tools and accoutrements include pickaxes, cutlasses, cudgels, crowbars and other improvised equipment, which are sometimes used to pull down structures. Some groups which are better organized have weapons like shotguns and vehicles to transport their members to group sites. Also, some chiefs and clients with registered

arms sometimes give these to the guards to use, although the practice is illegal. Due to the violence, casualties and insecurity caused by their activities, they have been declared illegal and their activities criminalized by the state. That notwithstanding, people still patronize their services, and their continued existence suggests that they have a significant amount of utility.

A related phenomenon to 'land-guardism' which however does not involve the violence usually associated with land-guards involves poor people who are unable to find accommodation in the city, being allowed by property owners to occupy their vacant properties, either by living in their completed or uncompleted but unoccupied buildings, or occupying makeshift structures on the premises for free. In exchange for this, the occupants provide security by their presence, and in some cases are paid a monthly allowance by property owners. This form of guarding is not as controversial as land-guards, and is also more widespread throughout the country.

NGOs and Civil Society Groups

Despite the limited number of experts and civil society organisations interested in the field of security, and with the requisite expertise,[66] a number of local and international NGOs and civil society groups play a significant role in the security of the country. They are primarily involved in research, conflict management, human rights campaigns and dispute resolution, with some local organisations collaborating with parliament on security sector governance.[67]

Organisations such as the West African Network for Peace (WANEP), an Accra-based West African network of civil society organisations involved in peace building, has played, and continues to play significant mediation roles in two ongoing conflicts in

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[66] Aning (2006), p.14
[67] *ibid*

the northern part of the country, in Bawku and Dagbon traditional area. Others such as Wassa Association of Communities Affected by Mining (WACAM) are actively involved in negotiations and conflict resolution between multinational companies operating in mining areas, and the residents of such communities in which the operations take place and who suffer environmental degradation and other negative socio-economic impacts of mining.[68]

Due to the high cost of access to legal services in the formalized court systems, as well as a general lack of understanding of court rules and procedures, civil society organisations such as the Ghana Legal Aid Board and private organisations like the Legal Resources Center play an important role in providing legal representation to the public, particularly the poor. The coverage area of their activities however is not nationwide, with low representation in rural areas whilst access to justice is geographically skewed to favor areas of high economic activity rather than high population density.[69]

Other key national and international NGOs and civil society organisations that directly and indirectly influence and contribute to security thinking and practice in the country through training, seminars and workshops include the African Security Sector Network, African Security Dialogue and Research, the Ghana Center for Democratic Development and West African Action Network on Small Arms.

Ad-hoc Groups and 'Macho-men'

There are other ad-hoc and transient groups that form in response to specific situations, such as villagers in some parts of the country mobilizing on a temporary basis to deal with periodic theft and cattle rustling by nomadic Fulani herdsmen from the Sahel

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[68] WACAM (2008)
[69] Open Society for West Africa (2007), p. 17

region of West Africa. Another common group of non-state security actors are referred to as 'macho-men.' These are individuals, usually young men, who are used by citizens and particularly politicians and political party functionaries, to perform duties along party lines. They are privately organized and operate outside the law, with their membership drawn from political parties. Their main activities include mainly protecting prominent members of their respective political parties against perceived threats, organizing escorts and receptions for visiting party functionaries, intimidating voters during elections and settling personal disputes and vendettas. They are often present at pre-election rallies of political parties, performing in essence 'protection' duties.

Whilst in Accra, the research did not reveal any overtly political 'macho-men,' two such groups operate in Tamale and have been frequently used by the two main political parties in the country, the National Democratic Congress (NDC) and the New Patriotic Party (NPP). The 'Azorka Boys' are aligned to the NDC whilst the 'Addow Boys' are aligned to the NPP. These two groups are also aligned to the two factions involved in the Dagbon chieftaincy conflict, the Azorkas to the Andanis and the Addows to Abudus. These groups receive financial and material support from politicians, particularly for specific duties and activities, but this remuneration is not on a regular basis. In other instances, their services are procured by basically anybody with a grievance and the resources to pay for their services. Thus, some of these 'macho-men' perform similar duties to land-guards in some instances.

Chapter Conclusion

What this chapter has shown is that the various non-state security actors in the country provide services that generally improve the security and perception of security among their clients and subjects. The mechanisms largely fill in security lapses and gaps in the

country. With the exception of the activities of 'macho-men' and some land-guards and PSCs, a majority of the general population see the activities of these groups as contributing positively to security in the country.

CHAPTER 5

ANALYSIS AND CONCLUSION

This chapter analyses the roles and impacts of the activities of the identified non-state actors. This is first done for each group of actors, before an overall analysis of all the actors is done. The chapter then concludes with recommendations on how the state could benefit from utilizing some of the contributions and advantages offered by these groups, to improve upon overall security in the country.

Roles and Impacts of Identified Non-State Security Actors

The actors on the security terrain in the country can be broadly categorized into public and legal such as the police, public and illegal such as police officers and state security officials operating outside their legal mandate, private and legal such as registered PSCs, neighborhood watch committees and watchmen, and private and illegal, such as unlicensed PSCs, land-guards and 'macho-men.'[70]

Traditional Systems

The traditional forms of security provisioning, despite being largely relegated to the background, provide effective security solutions to a large constituency of Ghanaians dissatisfied with the formal security and justice systems. Chiefs play essential leadership roles, with responsibility for the safety, welfare and well-being of their subjects and communities. The Chieftaincy Act 759, passed by Parliament in 2008, gives traditional chiefs the power to mediate local matters and enforce customary tribal laws dealing with civil and non-criminal matters such as divorce, child custody, and

property disputes.[71] In the arena of justice delivery, traditional systems are able to provide culturally relevant resolutions to complex issues that involve witchcraft, taboos and other cultural norms and values which the formal courts are not equipped to deal with.

Thus, though the constitution does not explicitly recognize traditional court institutions in criminal justice delivery, and limits the role of chiefs to mediation of customary disputes, nevertheless chiefs and traditional authorities continue to play an important role in security, and extend their jurisdiction beyond chieftaincy related matters to family and property disputes, divorce and child custody. The result is the existence of two parallel legal systems, a dominant state system based on inherited colonial laws and values, and a second system that reflects the values and customs of local people.

Chiefs and traditional rulers are also frequently involved in the development of their communities, with the Asantehene for instance being proactive and showing its relevance by establishing an Educational Trust Fund to assist brilliant but needy students. Given their prominent role in society, it is thus little wonder that a lot of people continue to turn to traditional authorities for the resolution of their security and justice issues, especially in the face of rising crime, a corrupt and ineffective police service and a corrupt and slow judiciary characterized by culturally strange and ill-understood practices.

Apart from the community level, chiefs and traditional authorities also play an important role at the national level, particularly with regards to arbitration and reconciliation. The ongoing chieftaincy conflict in Dagbon is a case in point where traditional authority, through a Council of Eminent Chiefs, is actively engaged in a

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[70] Atuguba, (2009)
[71] Ghana News Agency (2008)

process aimed at the amicable resolution of the conflict.

These positive roles and contributions notwithstanding, traditional institutions in the country are sometimes a source of insecurity. There are numerous chieftaincy disputes in the country. Over the years, chieftaincy systems in the country have become transformed for different reasons, mainly political and economic. In the northern parts of the country, particularly in Dagbon, the system is now divided and affiliated to the different factions in the chieftaincy conflict. This is similar in Accra, though a variation here is that the conflicts are more influenced by economic reasons. A lot of the disputes and violence associated with land-guards are usually the result of the double sale of land by chiefs in Accra. These activities by chiefs have resulted in disunity and conflicts in some parts of the country.

Some practices by traditional authorities also infringe upon the human rights, not only of the subjects of such traditional authorities, but also of the general population. A case in point is the annual celebration of the *Homowo* festival by the *Gas* in the Greater Accra region. This festival entails a month long ban on drumming prior to the celebration of the festival. All residents of Accra, irrespective of religious affiliation, are expected to abide by the ban, even if it goes against their own religious or cultural beliefs; this is despite the fact that the Constitution guarantees freedom of religious practice.

Also, most traditional and community systems do not offer human rights training to their members. Realizing however the importance of such mechanisms in delivering justice, institutions like the World Bank have supported training of chiefs in basic law and alternative dispute resolution mechanisms.[72] These shortcomings notwithstanding, traditional modes of security provisioning remain effective and relevant, especially where the communities view legitimate authority to be vested in

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[72] Open Society for West Africa (2007), p.18

these institutions, and not in state institutions.

PSCs and PMCS

With regard to PSCs, their activities help to reduce the security deficit, particularly in urban centers. In the face of the police inefficiencies and incapacities, they perform roles that would either not have been performed by the police, such as guarding residential areas or providing CCTV operations or, if the police were to perform such tasks, like guarding airports and other critical national infrastructure, that would have further overstretched their limited capacity. Thus, PSCs complement the police, and with increased cooperation and collaboration between them, can serve to make the police more effective by enabling them to concentrate on other more essential duties such as criminal investigations. A Presidential Commission in 1997 looking into the functions of the Police Service thus recommended the empowerment of PSCs to take over some mundane activities that were being carried out by the police, such as guarding banks, and in this vein, recommended an amendment to L.I. 1571 to permit guards to handle weapons.[73] The recommendation has still not been implemented. Such cooperation will be further enhanced with the operationalisation of the aforementioned hotline between the Police Headquarters Operations Room and PSCs.

The downside of PSC operations in the country is that since it is only the wealthy who are able to afford their services, crime is displaced from the wealthy neighborhoods to poorer communities, thus further increasing and reinforcing existing inequalities. With neither minimum training standards nor a legal obligation for PSCs to train their guards before deploying them, coupled with the low remuneration of guards, some PSCs and employees also constitute more of a security risk than act as providers of security. Their profit motivation could supersede moral and ethical

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[73] Aning (2006), p. 11

considerations, leading to an exploitation of employees through underpayment, and cutting down on quality service delivery to clients. This situation is made possible due to the lack of effective oversight of their operations by the Ministry of the Interior,

The involvement of PMCs in training some of the Ghanaian security agencies like the military has both positive and negative implications for security in the country. On the positive side, it could be argued that by training such agencies to be more tactically and operationally competent, PMCs contribute indirectly to security by ensuring that state agencies are able to provide efficient security services as their mandates dictate. On the downside however, their lack of expertise in broader aspects of security such as human rights and justice issues, which are significantly relevant to security provision, and their focus on counter-insurgency operations, make their services less beneficial to the majority of Ghanaians. Additionally, since there is no parliamentary oversight of their activities, the effectiveness of their services cannot be benchmarked, and this situation is made worse by their lack of accountability to the Ghanaian state. However, international PMCs basically see the world as a global marketplace to sell their expertise, which unfortunately is not in the interest of building peace and security in stable states such as Ghana. As such, their involvement in the country has minimal benefits to a majority of the population, as their occasional involvement in the country aims to simply to make money from whoever is able to pay them, in this case the US government.

NWCs

The NWC concept, sometimes referred to as vigilantism, is common not only in Ghana and other developing countries, but even in some developed countries.[74] These groups offer the most relevant security solutions to a lot of Ghanaians. Being formed by

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[74] Button (2002), p. 91

residents to address their specific security concerns, they are able to deliver relevant security solutions whilst simultaneously helping to foster a culture of security among residents by empowering them to make their own security decisions.

Notwithstanding these positive contributions, some committee members are involved in human rights abuses and extortion of monies from residents as a result of the lack of effective oversight by the police. Such activities create insecurity in the communities. The Private Security Act is silent on the oversight and supervision of this mechanism, making it susceptible to abuse, particularly as the lack of assured means of remuneration for committee members could make them collude with criminals and armed robbers, negatively affecting security.

At the same time, they are more suited for physical safety and security, and cannot nor should they, deliver justice solutions, not least because they are neither trained in the legal aspects of security delivery nor in alternate dispute resolution mechanisms.

Land-guards

Land-guards provide security and are an alternate means for individuals, groups and organisations to secure their land and property in the face of a complex and inefficient land administration policy, coupled with a corrupt and overburdened judicial and security system. They also occasionally arbitrate in disputes over land, and thus help preserve peace and security. They thus fill in the gap of the state's inability to secure the property rights of its citizens, in the absence of effective alternatives.

One reason for the continued existence of land-guards is that the state is unable to secure the property rights of individuals, who are forced to seek security elsewhere. A more plausible explanation is that it provides a source of livelihood and employment for some youth. This partly explains the reason why there have been two responses to

the same issue to land and property title and disputes in Accra and Tamale. In Accra, due to rapid urbanization and population growth, land is scarce and more expensive, thus there are more economic benefits to being a land-guard, whilst the lower competition for land and lower socio-economic development of Tamale reduces the market for land-guards. Additionally, due to the large influence of urbanization in Accra, traditional mechanisms and values are diminished, such that the traditional rulers and authority have little authority and influence among the more cosmopolitan people, whereas the converse is true for Tamale.

Generally however, the activities of land-guards are a source of fear and insecurity due to the level of violence employed and the destruction of property. Their continued existence can also be seen as a manifestation of the weakness of the state to enforce its own laws, since their activities have been criminalized.

'Macho-men' and Ad-hoc Groups

The phenomenon of 'macho-men' is a political creation that has no positive contribution to security in the country. Its continuous existence attests to the lack of political will by the political elite to clamp down on illegal activities so long as such activities benefit them, and help them achieve their parochial interests. In view of the increased use of the country as a transit point for drug trafficking to Europe and North America,[75] as well as the manufacture and large presence of small arms in the country,[76] the phenomenon of macho-men has the explosive potential of negatively impacting on security in the country, particularly if such groups are recruited by drug traffickers for their networks and expertise. Such a prospect is particularly high in the economically deprived areas, and would threaten the security and stability of the country through the

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[75] Akyeampong (2005), p. 431
[76] Aning (2005), p.79

formation of gangs and the attendant turf wars that would ensue.

Ad-hoc groups that form in reaction to specific threats, such as villagers mobilizing against cattle rustling by nomadic Fulani herdsmen, can generally be said to contribute positively to security as they enable a rapid response to an immediate security threat, and can serve to provide temporary solutions whilst longer-term solutions are sought.

NGOs and Civil Society Groups

Civil society groups and NGOs play diverse roles in conflict prevention and resolution, peace building and reconciliation programs to enhance security in the country. Through advocacy and the promotion of good governance, they serve to exert pressure on the state to provide security beyond a state-centric focus, to cover issues of human security such as the rule of law and promotion of human rights, economic empowerment and access to health and education, among others. They have been actively engaged in the reform of and improved access to the judicial sector and security agencies, and the promotion of good practices in the natural resource sector of the country, particularly in mining areas. Their advocacy role in promoting responsible practices in the extraction of natural resources will be much more pertinent in light of the recent discovery of oil in the country, to prevent a situation similar to the Niger Delta crisis in Nigeria. Their activities are further promoted by the presence of a vibrant media that promotes freedom of expression in the country.

NGO and civil society engagements in the security sector however, are sometimes weakened due to limited knowledge, a lack of skills and expertise in the field of security and limited resources particularly in the case of the local organisations. There is also an increasing proliferation and consequent competition among some groups clamoring for relevance and funding from various donor groups.

In general, it can be said that these non-state groups have impacted on security in the country in both positive and negative ways. Indeed, with the exception of the macho men and some land-guards, the other non-state actors positively contribute to security in the country in one form or another. The general population perceive their activities, apart from the macho men as positively contributing to security, for reasons ranging from safety offered by patrols, protection of property, ease of access, a faster delivery of justice, and the use of easily understood and culturally relevant procedures, as opposed to the legal jargon employed in state court-rooms.

Additionally, the membership of a majority of these groups are the youth, and this largely debunks the thinking which often associates the activities of unemployed youth in Africa with conflict violence and insecurity.[77] A lot of youth contribute to security in their countries by joining such mechanisms, even though they are often unpaid for their services. It also reveals that, rather than being passive recipients of government policies and solutions, in Ghana, the youth are actively shaping issues that affect their safety and security.

Theoretically, the evolution of non-state security in the country can be explained by the two main theories of private security provisioning, with growth of PSCs representing the liberal democratic strand within the fiscal constraints theory, whilst traditional mechanisms and neighborhood watch committees are a manifestation of the structuralist theory. The relationship between the state security systems and these non-state actors is however complex, sometimes involving cooperation and at other times, competition. Whilst there is cooperation and collaboration with some PSCs, neighborhood watch committees and some traditional authorities, the relationship

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[77] Collier (2000), p.94

between the state institutions on the one hand, and land-guards and macho men on the other, is more antagonistic, with interactions usually being restricted to the arrest of members by the police, whilst there is sometimes competition between the state and traditional authority, especially in the area of justice delivery.

Conclusion

This study has revealed that despite its relative peace and stability, there is an increase in crime and a feeling of insecurity among the general population in Ghana. The state security and justice institutions, due to historical reasons and parochial interests, have largely been unable to offer security to a large section of the population, with services being inordinately focused on hard security and the maintenance of regimes and the political and economic elite in power. The use of state police to provide security to banks and other commercial organisations, for example, makes even more problematic the public and private distribution of security, and reduces the already insufficient number of personnel available for public policing duties. This further deprives those already marginalized and unable to purchase commercial security services, of state police services.

Largely unable to access adequate security from the state, a large section of Ghanaians have resorted to non-state and self-help mechanisms to address the gap in security provisioning. These mechanisms include PSCs, communal arrangements like NWCs, traditional mechanisms, and less reputable mechanisms such as land-guards and the use of 'macho-men'.

Some of the benefits of the use of these non-state mechanisms include the provision of safety at a low cost, faster delivery of justice, and the delivery of culturally relevant solutions. To an extent, actors such as PSCs, NWCs and traditional mechanisms can be seen as the logical extension of the public security agencies, but

have no powers of prosecution. They thus make up for the lapses of the state agencies, and are largely seen by the public to have a positive impact on security in the country.

Whilst acknowledging their positive contribution to peace and security in the country, and despite the legitimacy conferred on them by their various clients, certain activities and operations of some groups have negative effects on security and the socio-economic development of the country. The operations of PSCs, for example displaces crime to poorer sections of the society and serve to further deepen socio-economic inequalities, whilst land-guards cause destruction, and through the use of violence, create fear and insecurity in the communities where they operate. The lack of effective control and enforcement to deal with the illegal activities of land-guards and macho-men for hire, in particular, is a huge threat to the security of the country.

On this note, whilst accepting the notion that ideally the state should be the most effective guarantor of the security of all its citizens, it has largely been unable to do so, partly due to the lack of resources and capacity. It is thus imperative that it harnesses the potential and capabilities of other actors, including non-state actors, to achieve the effective delivery of security and justice in the country. As stated by Abrahamsen and Williams, in Africa, the contemporary security landscape is complex and fluid, involving cooperation, competition and numerous interactions between public and private agents.[78] To this end, the following recommendations are made for the effective utilization of such potential by the state:

- The state needs to improve upon its monitoring and oversight responsibilities over the activities of all non-state security actors, banning the activities of some such as macho men where necessary and vigorously enforcing such bans.
- There should be increased collaboration and cooperation between the state and

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[78] Abrahamsen &Williams (2008), p. 546

non-state actors within the policing and justice terrain of the country.

- A national strategy should be formulated that allows ordinary citizens to provide input into security and policing decisions in their communities.

From the foregoing, it can be said that, notwithstanding some of the problems associated with certain activities of some groups, non-state security actors in Ghana generally play the role of filling in the gaps in the delivery of security and justice by state institutions, and in the process, have a positive impact on security provision in the country.

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