Grey Areas: How Beninese Policemen Conduct Their Work and Shape the Police's Image

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1. Grey Areas: An Introduction

These street-level bureaucrats are the face of the state, they wear a blue uniform and are thus easy to differentiate from their fellow citizens: the Beninese policemen.[2] They represent law and order and intend rather unsuccessfully to appear as a protector of the weak and a persecutor of criminals. To a superficial observer a clear line divides the policemen from the civilians. However a closer look reveals a disseminating of this border into a grey area, where a rigid distinction of state and private, as well as formal and informal or even legal and illegal appears questionable. The police must be understood as working within multiple grey areas.

The basic intention of this paper is to illustrate how the Beninese police works within these areas, regarding the formality and legality of their actions. It furthermore states that not only the actions of individual policemen tend to wear away borders, but also the organization itself is moving in the shades of the clearly defined zones of public and private ownership. My term varies from Lund's "twilight zone" in the range it signifies: not only does it describe a smudgy line between private and state ownership, it also points to the undefined space between lawfulness and lawlessness (Lund 2009: 6). I prefer the term "grey areas" to twilight zone. In my eyes it illustrates better the permanency of these shady practices, as private and state-run elements combine themselves in the police work in an almost symbiotic fashion. The metaphor is meant to describe a phenomenon on a systemic level, while individual demarcations by the actors may well take place (Beek 2008: 34). The term also encompasses the informalization of police behaviour. Formalities are

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[2] The police as a state organization can be viewed as one of its executive bureaucracies, a street-level bureaucracy (Lipsky 1980).

circumvented in everyday work or suspended through the establishment of informal rules. However these informal rules are widely regarded to stabilize the functioning of an institution (Abraham und Büschges 2009: 134f.; Behr 2000: 240; Monjardet 1996: 34). Last but not least the term includes the informal actions and routines that tip into illegality, such as the corrupt strategies of the actors. I thus take corrupt actions to be strategies of the bureaucrats to deal with the inadequacies of their organization (Bierschenk 2004: 2).

The demarcation from civilians is not as evident as it should be. The police engages civilians and is thus very dependent on the population for its functioning. The police can be viewed as a "semi-autonomous field" (Falk Moore 2000: 57) that is influenced by its surroundings and in turn has its effects on them. The police is part of the executive authority of the state and has coercive power and guards law and order of the state and society. It works for the state and for its citizens. But even though it recruits its members from the public, it distinguishes itself from it (Chesshyre 1989: 168). The police and the public have a conflict-ridden relationship. It can be traced back to the grey area of informal practices, such as use of force, selective rule enforcement and corruption.

This paper is based on an ethnographic field research within the Beninese police in 2009. The research was part of the "States at Work" project, directed by Thomas Bierschenk (Bierschenk 2010a). It included a group research with members of the research institute LASDEL (*Laboratoire d'études et recherches sur les dynamiques sociales et le développement local*[3]) researchers in Natitingou following the "ECRIS" method (Bierschenk and Olivier de Sardan 1998b). I conducted research in three stations: the *commissariat central* and the *commissariat de* Fidjrossé in Cotonou and the *commissariat spécial* in Malanville. Cotonou with its one million inhabitants is situated on the coast in the south of the country. It is the economic capital of Benin and the seat of government. Malanville on the other hand has around 50.000 inhabitants and lies in the north of the country, on the border with Niger. It is a main frontier post on the trading route between Niger and Benin. My results are based on three pillars: semi-standardized interviews and informal talks with policemen of various grades and ages and journalists, participant observation at the police stations and essays from pupils.

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[3] http://www.lasdel.net/ [5.10.2010, 9:30]

Studies on the Police

Why should one study the police? I think it is vital to our understanding of states to study the functioning of the states' bureaucracies and its servants as they represent the daily contact of citizens with their state. It is their action that fundamentally constitutes what the state is. Their work, attitude and manners contribute towards how the state works and how it is perceived. This paper helps to understand how parts of a state work. It is necessary to study the powerful, in order to understand their actions and to make this information accessible to a wider public and to the powerless. Only in this way will an open dialogue and subsequent democracy be possible. If the state and its institutions and also big companies are allowed to obscure their activities and to create impermeable organizations, the very basis of democracy is at stake. This basis is knowledge. Only knowledge will give people the power to make the right decisions for themselves. Although it poses a threat to power elites, transparency and knowledge are the basis of democracy. Trust is needed to run a state, to use a fashionable word, efficiently. The need to "study up" has already been pronounced many years ago (Nader 1969). This paper is contributing to this approach as it is displaying a study of the powerful, in this case of the police.

Research on the police has its tradition above all in Europe and the USA. Extensive and widespread literature can be found on this topic. Social and political sciences and criminology have dealt with the police in various aspects. Early influential social research stems from the USA (Goldstein 1963; Reiss 1972; Skolnick 1975). The 1970s saw a research growth in Germany (Feest 1971; Feest and Blankenburg 1972; Lautmann 1971). However big the police research in "western" countries is, it is still a very underrepresented object of study in Africa. On the whole there are only few works that give a detailed analysis of the police. The majority of the studies is based on a comparative approach and surveys police in Africa in general (Brogden 2004; Hills 2000; Lefever 1970; Lock 1998; Marenin 1982).

Studies on Sub-Saharan Africa tend to focus on policing, vigilantism and corruption and have their regional focus on English-speaking countries, above all South Africa (Baker 2002; Buur and Jansen 2004; Faull 2008; Kynoch 2003; Hornberger 2004). Recent in-depth studies on the Ghanaian police have been conducted by Beek (2008) and Volk (2009). Volk gives an insight into the everyday workings of the police and details strategies of how policemen socialize their clients and how these clients can influence the police. Beek also presents the everyday interactions of civilians and policemen. He views police practices as sometimes

contradictory registers drawn by the officers depending on the situation. Beek emphasizes the externalization of police work to friends of the police, which is another example for the disseminating borders and a phenomenon I also observed in Benin. However, Beek takes the actors perspective and does not see blurred lines but clear situational demarcations taken by the actors themselves. While English-speaking Africa has been on the map of police researchers for quite some time, there is no published scientific work on the police in Benin up until now.

The work I conducted thus explores a rather untouched area of social science, as little has been published on the Beninese Police. A Master thesis on the history of the police can be found at the university of Abomey Calavi (Akodande 2002) and Agnès Badou is preparing a dissertation on the security forces of Benin. Works by students of the police school in Cotonou can only be found in its own library and are not accessible to a wider public. Otherwise there are only the works of my fellow student researchers on the police school and the self image of policemen (Bierschenk 2010b; Peth 2009; Schwarz 2009).

This paper will first address the question of how the police in Benin is organized and how it coexists with the whole security sector. Then the focus is turned to the problems of the police and the ways to maintain its functioning. These observations are followed by a contrasting of the ideals the police endorses and the reality of its relationship with the population.

2. Overview: Basic Information

The police in general is a state organization which has a contractual relation to the state on the one hand and to the citizens on the other. To fulfill its purpose it is legitimised by the state to the use of force (Hills 2000: 6f.; Marenin 1982: 379; Monjardet 1996: 9; Reemtsma 2003: 16). The monopoly of force belongs to the state which only delegates part of it to the police. This is a distinction seldom made (Behr 2000; Brodeur 2003: 26f.; Monjardet 1996: 18ff.). The task of the police is policing, which means the establishment of law and order by state or private actors (Baker 2002: 29; Reiner 2000: 206).

According to article 3 of its statute, the police in Benin is a paramilitary organization (Boya and Cohon 2007: 72). This means that it is a military-like state organization that does not belong to the military. The objective of the police is to serve the state's interest and to

offer protection for its citizens. It was founded in 1922 under French colonial rule. It has since undergone several alterations, while the most significant change regarding its status was the demilitarization: from 1980 to 1990 the police belonged to the military and was ruled by the same office as the gendarmerie. During the *Renouveau Démocratique* in 1990 the police was given autonomy from the military and became a paramilitary organization under the rule of the interior ministry.[4]

At the moment the police has its headquarters, the DGPN, in Cotonou. The police is headed by the highest ranking police officer, the directeur général, and hierarchically organized in four corps: *corps des gardiens et brigadiers de la paix*, *corps des officiers de paix*, *corps des inspecteurs de police* und *corps des commissaires de police*. The police has several units, such as the police of circulation, the criminal investigation department or the rapid action unit.[5] The police had 2.420 officers at the time of the research (DGPN 2009). Out of this number only 7 percent are female. Although women have the same rights as men and are now to be found even in the high ranks, the police is still dominated by men. This means a ratio of 1 policeman for 3.632 inhabitants.[6] Although it is the police's task to enforce the law in the city or towns of Benin and at its borders, it is just one security force enforcing the laws of the state.

Gendarmerie vs. Police

The gendarmerie is the other big security force. It is under the control of the Defence Ministry and closely related to the military. It is supposed to enforce the law in the countryside. However gendarmes are to be found all over the country, including the cities. Of late there is also a new force: the *police municipale*. It serves the town halls of Cotonou,

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[4] For information on the history of Benin see Soummoni 2008: 234; Bierschenk 2009; Sommer 200: 34ff..

[5] I will not further detail the organization of the different grades and recruitments. For more information see Witte 2010.

[6] I considered a population estimate of 8,791,832 Inhabitants (https://www.cia.gov/library/publications/the-world-factbook/geos/bn.html [5.10.2010, 10:20].) Of course to make a valid comparison e.g. to Germany, the number of gendarmes has to be accounted for as well. Including the gendarmes, there are 5.220 officers, which makes for a ratio of 1 officer to 1.684 citizens (figures based on Badou 2009). In Germany it is one to 311. The German figures are based on information of the interior ministry from 2009 (http://www.bmi.bund.de/cln_165/sid_0FA79FD8E807F196D860BF0326DBBAFE/DE/Themen/Sicherheit/Polizei/Ueberblick_Polizei/Ueberblick_Polizei_node.html [5.10.2010, 10:20]). These figures are however slightly outdated, as 1.000 new entrants were recruited shortly before I left. I have no information as to how many passed the exams and completed the training or the male-female-ratio. As usual the majority of the policemen are found in the lower grades

Porto-Novo and Parakou. The work of these policemen is to fulfill helping tasks to the police, such as to control the circulation. They are however at the disposal of the governor and independently organized from the police.

The relationship between the forces can be viewed as rather competitive. Though all interviewees emphasized the fact that the forces work together for example in mixed patrols. The overlapping of competences makes concurrence almost unavoidable, as the tasks of the two forces do not differentiate from each other. The mixing of territories may be due to urbanization of former peripheries. The passive development however is flanked by an active movement of gendarmes to police territories, such as the border. In Malanville I saw a stand of the gendarmerie right at the border, though according to the head of the police station, they were not allowed to be there.

> "We do practically the same work. And in practice, there is jealousy: "Why is it the policemen, when it should be us (the gendarmes, own comment) who should do the work. (…) So it's for the same reason, the same objectives that we are here, the gendarmerie and the police. We are here to guard the security of the goods and the people" (*Inspecteur de 1er classe* G., 22.4.2009).[7]

Tensions became evident in other ways as well. In all my interviews I could not get a definite answer if it is possible to re-open a case already treated by the other force. Some said it is forbidden, others said it is possible to do so. Judging by the conviction with which these statements have been made, it seems rather to depend on personal policy how to handle those cases. Even in the same police station officers had very different views on this topic. It seems to be a decision within the discretion of the policemen - a decision made in a grey area of formality. Consequently police and gendarmerie compete for cases. A fact that encourages "institution shopping" (Bierschenk and Olivier de Sardan 1998a: 38) on part of the clients. Another case might further illustrate the competitive relationship:

> I was driving on a moto-taxi together with a friend of mine as we came to a crossing controlled by a police officer. The taxi driver hesitated to cross the street as he would have had to pay a fine for overloading the motorcycle with two passengers. Suddenly a gendarme jumped out of the bushes to our left-hand side and motioned the driver to go round the block, passing the gendarmerie. The driver took this path, and was like this able to avoid the fine. He kept praising the gendarme for understanding his poor situation (Field notebook, 28.5.2009).

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[7] For a better readability of the text and a greater accessibility of it to all readers, I have translated all interview extracts from French to English. I have chosen not to disclose the names of my interview partners, to assure anonymity, as far as possible. The job titles are in French in order to avoid translation errors from one rank system to another.

This gendarme showed no intention of good cooperation, but rather overlooked an infringement to sabotage his police colleague. The journalists I talked to, have backed my observations. They spoke of an outright competition of the forces.

> "When there is a good operation, one wants to show, this is an operation of the gendarmerie. And the police also wants to show, this is us who arrested the bandits (…) each one wants to show he's the best" (Journalist H., 28.5.2009).

During my research the *police municipale* has not yet been viewed as a real rival to the police. It would be interesting to see how they have influenced the sector by now. Concerns have been raised about the training of these forces. Noticeable in the whole sector is a tendency of shrinking boundaries: for an outsider the different forces are hard to distinguish as they sometimes even wear the same uniform.

3. Functional Problems and Their Circumventions

This chapter deals with the question of how the police manages to function despite several severe problems. I will present how these issues are evaded and what difficulties arise from these circumventions.[8] Informal practices determine the real functioning of any organization. They pose a necessary counter weight to the formal structure (Abraham and Büschges 2009; Behr 2000: 240; Monjardet 1996: 34). Practices of informalization and privatization represent the by-pass used by bureaucrats to deal with the malfunctions of the organization (Bierschenk 2004: 4; Lipsky 1980: 19). While the terms informalization and privatization refer to the process going on at a systemic level, the strategies underneath these labels were invented to solve real problems. Policemen fend off unpractical rules and build up their own routine. This may be, but is not necessarily one outside the formal framework of rules (Lipsky 1980: 18f.). It is not possible to draw a definite line between formal and informal actions, as informal practices enjoy a wide acceptance and influence the everyday work of bureaucrats (Blundo and Olivier de Sardan 2006b:101).

Functional Problems

The malfunction of the police is caused by a lack of material, of personnel and of transparency. The organization is even to its members highly obscure in its decisions and

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[8] With this procedure I follow Bierschenk`s study on the Beninese justice (Bierschenk 2004).

actions. The lack of material is grave: there is neither enough money to pay decent salaries nor is there enough money to pay for necessary, even basic, utensils. There are not enough cars, almost no computers at all, no crime scene investigation teams, sometimes not even enough ventilators. For the policemen at the lower grades the only way to reach a convenient salary is to rise up in the ranks or to engage in corruption/extortion, as the long shifts impede them from taking up an additional job.[9]

The progression in the police confronts the policemen with the inscrutability of the organization: the officers do not know how they are evaluated and how this affects their promotion or transfer. Usually a transfer to another station or city takes place every three years. However, if this takes place and where to, it is said to be dependent on the behaviour of the policemen, but in reality it might be more dependant on his or her networks. Only a good network seems to offer some transparency in the "transfer poker".

The parallel existence of formal and informal rules creates uncertainty for the policemen. The proceeding along informal practices is generally tolerated and it is necessary for the police to remain operational. Still, falling back on these practices might be sanctioned (Beek 2008: 30). The policemen react to this uncertainty in limiting the grip of the state on their private life. An interesting observation I made on the side is that not only the organization is partially inscrutable, but also the policemen hide their private life and keep their secrets from the police, e.g. their actual age or marital status.

The inscrutable nature of the police is affecting its relationship with its main partners: the state and the population. The police shall serve the state, but the way the state treats the police (little material, few personnel, low wages) encourages the policemen to only look out for their own advantage, taking the road of corruption.

Yet another problem poses the police's resistance to reforms: it is a conservative organization that refuses exterior influence (Marenin 1982: 381; Mayntz 1977: 157). Resistance is not acted out openly; rather reforms get blocked on their way of implementation. Following the hierarchical logic of the police, reforms should be implemented top down (Falk Moore 2000: 58), but there was neither a central organ, which took care of reforms, nor were any reforms widely known. It seemed to me that communication between the ranks and branches of the police fails to promote them. Maybe

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[9] Overtime is often done, but less often paid.

they get even voluntarily stopped on their way, as they do not originate from needs at the bottom, but are wishes from the top (Behr 2000: 238).

The only reform comparably many officers were acquainted with was the one that intended to further community policing. This sort of policing tries to improve the relationship between the police and its surrounding community, in order to enable the police to fight crime more efficiently. The concerns of the people are to be taken more seriously and they should actively help in crime prevention (Moore 1992: 123ff.; Brodeur 2003: 214). Although this form of policing was known to a number of police officers, I have not seen any institutions or known of any education or training towards its establishment.

To recapitulate, the police suffers from lack of material and personnel, from an organizational intransparency and from a resistance to reform aided by a lack of internal communication.

Corruption

Another acute problem is corruption, which figures in the same vein as a circumvention of the lack of material.

> To deny the existence of such a phenomenon would be as if to hide the face behind ones little finger. It's an existing phenomenon" (*Controlleur general de police* S., 8.5.2009).

The corruption happens on the street, in the stations, at the borders and is thus more or less visible to the public eye. I agree with the definition of a corruption complex by Blundo and Olivier de Sardan (2006a) that takes corruption to be a social activity, which complex rules and norms control. The complex encompasses all abusive practices in an office, illegal or illegitimate according to the client or the rules that foster personal gain (Blundo and Olivier de Sardan 2006a: 5f.). I could identify four different corrupt practices during my research: the exigency of unofficial/illegal fees, the reception of gifts, provoked bribery or extortion and favouritism.[10] I do not wish to condemn the actors participating in corruption. I would rather like to cast a glance on why they turn to these strategies. Strategies that inevitably lead into a vicious circle of corruption (Blundo and Olivier de Sardan 2006a: 105f.).

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[10] For the different basic forms of corruption see Blundo and Olivier de Sardan 2006b: 81.

An obvious reason for officers to participate is to ameliorate their utterly insufficient salaries. There might even be social pressure on the officers to bring back home some extra money (Blundo and Olivier de Sardan 2006a: 83f.). But it is not just an egoistic motive that makes officers turn to corruption. I have seen the money made in extortion being used to buy suspects food and thus being channeled into the police. Also, the policemen use their own means for police ends: they use their own mobile phones or motorcycles while on duty. This however is to my view a very important point as it blurs the division between public and private goods. It can be viewed as an informal privatization of the police. This weakens the state from within, as it cannot even maintain its own workers on a satisfactory basis.

Besides one should not overlook the reasons for civilians to nourish the phenomenon: to them it is sometimes cheaper to pay the bribe than the real fee. Corruption is not a one-sided phenomenon. Civilians encourage it to maybe arrive at a personal bondage with the policeman that could be of later importance to them. And not only does the bribe-payer and the policeman gain from it, so does his social network. The corruption is being perpetuated as a system and maybe this goes as far as having new recruits being initiated into it (Blundo and Olivier de Sardan 2006b: 85). This process normalizes the corruption and offers security to its participators as there is safety in numbers

Another effect of corruption that counteracts what can be drawn positively of this by-pass of functional problems is the breeding of mistrust within the population. Justice appears to be only within the reach of those citizens who have the right connections and sufficient money. Corruption robs the state institutions of their legitimacy. The state has breached a "moral contract" (Bierschenk 2004: 29) with its citizens, as it is unable to provide justice. Trust in the police is not lost but rather conveyed to surrogates, such as material goods and personal connections (Sztompka 1999: 116f.). Trust is placed in the corruptibility of the state and its actors. This somehow stabilizes the relationship on a working-basis, but it also furthers the delegitimizing of the state and its institutions.

So while on the one level corruption has the effect of keeping alive the daily service of the state institutions, it is by the same means undermining their raison-d'être. How much longer will the state have the supremacy of keeping up the laws or how fast will it unwillingly yield its right of enforcement to private organizations? The way out of this dilemma is far above giving better wages; it is about how far we can trust any humans to fulfill the Weberian model of a bureaucracy (Weber 2009). Is it not rather that corruption

also takes place when money is aplenty? Maybe it is not a question of morale, but of control and enforcement. The riddle to be solved then is how to make all the high and philosophical ideals livable and operable by humans in current society.

Circumventions

The policemen have several informal strategies to counter the inadequacies of their organization. The strategies are enabled by the wide discretion each policeman enjoys. Discretion means a process of selection by the police officer, in which he defines his tasks (Monjardet 1996: 37ff.; Reemtsma 2003: 16). Brodeur compares it to a blank cheque being issued by the superiors, as their orders and the general rules are so vague or far from reality, that the policeman is almost officially encouraged to find his own interpretation (Brodeur 2003: 40). Within his discretion the policeman may apply informal rules as the surveillance of his behaviour is rather low (Lautmann 1972: 107ff.; Feest and Blankenburg 1972: 27ff.; Lipsky 1980: 14). The aim of these strategies is to be able to operate with few resources under an enormous work load (Becker 1963: 159f.).

The daily work of the policemen includes many loopholes and much leeway for discretion. Policemen display strategies bordering on informality, such as selective rule enforcement, the individualized rule interpretation and the trespassing of competences. This can be regarded as a grey area, as the so-called actions are not always straightforwardly informal or illegal, but in many cases extend and smear the boundaries of legality and formality. The line between legal and illegal police actions is but a thin one. Maltreatment of prisoners is illegal, but practiced anyhow as a way of coercion and to obtain information. These actions are covered by the largely opaque police organization.

I term it individualized rule interpretation when a policeman refuses to act upon crimes or help in accidents when off duty. He thus interprets his recreation as of higher importance than the rule of him being on standby all the time. Selective rule enforcement slightly differs from this as rules are applied correctly, but not all the time. The policeman decides whether to apply a rule or to call it a precedent case (Reemtmsa 2003: 16).

The selective rule enforcement becomes very evident on the roads. For example an infringement is treated with advice rather than a fine: I was present when a pregnant woman, who had crossed a red light, was sent away with good advice rather than paying the usual fine. As another example, the traffic police rarely enforce rules, as this would be

impossible anyway, according to a traffic officer. Actually every motorcyclist should wear a helmet, but no one does. So the officer concludes that to enforce the rule, they would have to stop every cyclist, which would not be feasible. So he and his unit agree not to enforce the rule.

A crossing of competences is a special case of widening one's own discretion. I have seen a *brigadier de paix* (BPx) taking up the investigations of an higher ranked *inspecteur* (IP), which should not be the case, but was explained by the fact that the IP had too much work to do and besides that, the BPx was already acquainted with the case. I will show further below that competence lines get not only crossed within the police, but even by outsiders.

The aforementioned problems of the police are countered by police officers through recourse to informal practices, such as the individual rule interpretation, selective rule enforcement and blurring of competences.

Privatization

Another strategy to meet insufficiencies is the internal privatization of the police. While I have already alluded to the use of private means within the service, more can be added. The immersion of private money and goods into the police may cause a shift in perception as the police becomes more dependent on them. The officers may come to regard themselves as junior partners in the security enterprise "police" and raise claims on it. Along these lines, they get back "their share" through corruption. This privatization is an internal debilitation of the state.

Furthermore, police officers decorate their offices to their own taste. This includes providing themselves with basic equipment, such as comfortable chairs, ventilators or computers. But it goes further by giving it a personal touch with notes, pictures, religious symbols and alike all over the office. Especially this detail seemed odd in the official rooms of a secular state (Constitution of Benin, Art. 23).

Another form of privatization is the employment of civilians within the police. While this may seem rather unusual for posts such as a secretary, the delegation of investigations to civilians touches the very core of what police work is.[11] I have witnessed a private detective taking over an investigation in one commissariat. He acted arbitrarily but authorized by the

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[11] Though it is neither the only nor the main task of the police (Marenin 1982: 381).

commissaire and he told me he had been doing this before. I believed him, judging on how he behaved at the station and how he ordered the younger officers. His authority however did not reach very far. At the commissariat central he acted timidly, even refusing to set his foot on its territory. I cannot detail my experience as bait in this investigation, but only give the important conclusion to draw from it. Small stations seem to have a need for investigators they cannot cover using normal personnel. This informal strategy is not well viewed upon, but certainly tolerated. The evident difficulty connected with this procedure is that the police shares its monopoly on coercion with civil actors. The police cannot control effectively the actions taken by these untrained forces. Notwithstanding the fact that the allocation of these cases to private detectives, to *ami de la police*[12], is also a gateway for corruption and thus further weakening the institution from within. Considering these practices, images of a sharp dividing line between police officers and civilians get worn away (Beek 2008: 17; Blundo 2006: 59f.).

Reflections

The findings I draw from these problems and bypasses is that first of all it is not useful to condemn police practices in ignorance of the reasons and implications of them. I think it is important to notice the way actual police officers see and explain their actions. The names I have given these actions, selective rule enforcement, individual rule interpretation, blurring of competences, may be disputed as not originating from the actors themselves. To me they are a means to categorize different individual actions.

On a systemic level I see these problems and circumventions, including the routine use of informal practices, the turn to corruption and privatization, lead the police into a shady area between right and wrong, the good and the bad, public and private. The problem with these grey areas is that they make the police less transparent, less understandable to policemen and to outsiders alike and weaken the legitimacy of this state institution.

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[12] The phenomenon of outsourcing tasks to friends of the police has been documented by Beek for Ghana (Beek 2008).

4. The Police and the People

The Beninese police has an ideal, which numerous vows, signs and paintings endorse. According to these displays the ideal police is an open, virtuous, just, fair, incorrupt and friendly organization that is close to the people. A police that hunts the evil and to which citizens come in search for help. It can be viewed as a corporate identity created by the police leaders (Spector 1962; Zinkhan 1993; Behr 2000: 229ff.). This ideal has been repeated to me over and over again.

I consider these statements as genuine and did perceive in some policemen a real vocation for the job and in some a paternalistic will to help their people. However, the ideal is little more than this and a rather estranged one from the realities of the day-to-day life of policemen. The following vows are taught young recruits at the police school in Cotonou:

> 1. Be ready to serve faithfully and without fear at no matter what time of day and night.
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> 2. Guard the rights of each individual following the law.
>
> 3. Respect your uniform. Do not stain it by your behaviour.
>
> 4. Be honest and upright.
>
> 5. Be polite, welcoming to all. In general the only contact with the law, the authority, the justice consists in receiving or giving information.
>
> 6. Avoid favouritism: race, belief, power do not have a place in the balance of justice.
>
> 7. Be a model to the young. Help them to become good citizens.
>
> 8. Keep yourself in good health. A healthy spirit in a healthy body gives an excellent benefit.
>
> 9. Inform yourself about your profession. The field of knowledge is unlimited.
>
> 10. Be loyal to yourself, to your corps of Police, your country. (Rules of Ethic/ Conduct, Material of the Police School ENP

This vow assesses that the single police officer represents the whole police and must consider this in his conduct (Chesshyre 1989: 167). He represents one of the few levels of justice that citizens come into contact with.

However as Behr pointed out the corporate identity can be contested from within by an alternative cop culture (Behr 2000: 18). And as a matter of fact, the ideal of the Beninese police is confronted with informal behaviour patterns, which lie in a grey area of legality. The police is viewed as a lazy, corrupt and unjust bunch.[13] Although some support the police

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[13] The following observations are based on essays pupils at highschool level wrote for me, anonymously. I asked them to describe their opinion or experience with the police. They match with my general perception I

and some at least see the deficiencies causing malfunctions, many discard the police altogether. The problem seems to be that many people have had negative experience with the police – even if it only has been extortion in the traffic. As far as I found out, the ideal of the police differs starkly from what clients experience and how they perceive the police.

It must be added at this point though, that some people do not seem to be able to distinguish between the forces (Göpfert 2009: 6). A matter I have already alluded to above. While the people do understand the difficult work of the policemen, they are generally not satisfied with how the work is done. The people do not reject the police altogether but rather wish it to function better and to be more just and active.

> "The police is the security force that protects us in our country. She is recruited from young people educated to defend our country against theft, violence, banditry and other things. Today the police is no longer in development. The police stations or centers of security start to regress due to injustice, fraud and above all corruption which is to be found at least in small scale in every police center. After my parents and my family have suffered incredible experiences, I know what the police represents in reality. One day policemen came to arrest innocent people in our village and took them away to their commissariat. There, those who went to visit the arrested ones, were arrested without proof. They confiscated the motorcycles of the visitors and pretended they were accomplices. They asked for money from my parents saying that without money nothing could be done. And the worst, their boss went after the wife of my uncle. I don't know what to say, it was a total disorder: arresting people without proof, confiscating their motorcycles, going after the woman of another man. Actually, the police does not do its work. There are even people that flee from the robbers, before their responsibility and do the ostrich" (Essay 23).

> "The population thinks that the police is trying very hard, but that it is not sufficient. (…) The population thinks that it should put more effort into it. The population also thinks that the policemen are too corrupt, that means "the little money". (…) The agents make money on the back of the people" (Journalist O., 7.5.2009).

The policemen on the other hand also do not endorse too kind an image of the people: they regard them as corrupt, brutal and ignorant brutes that need help and advice. They take the majority to be illiterate.[14] These opinions influence the actions of the policemen (Lipsky 1980: 151ff.). An informal discrimination favouring the socially privileged is at work as they are hold to be more decent and not suspicious (Feest and Blankenburg 1972: 55, 85; Lautmann 1971: 19f.). But they also have more means to resist and to cause the policeman problems (Beek 2009 47; Feest and Blankenburg 1972: 117).

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received during informal chats with friends, hosts and acquaintances and the interviews I conducted with two journalists.
[14] A similar observation has been made by Volk and Beek for Ghana, where policemen describe the population as not "enlightened" (Amo Antwi et al 2009: 1f.; Volk 2009: 76). According to Beek the population is even viewed as dangerous (Beek 2008: 36ff.)

> "First of all, the problem we have facing the population. Because we, our population in Benin is ignorant. Naturally our population is ignorant. Because we have at least 60% illiterates. So the people do not understand. Sometimes we intervene and the insult us, they throw stones at us. Without even knowing the reason why we are there" (GPx/Stg B., 12.5.2009).

Most policemen do not think the people hold an ideal image of the police. Some do believe the relationship has improved and that the people are grateful for the service. Many however think they are viewed badly by the population.[15] They believe the main reasons for this is the lack of understanding for the work they do.

> "Soussou: It's normal, representing the public force, representing the public order, that the police officer should be respected. But respect is not fear. Respecting is not the synonym of fearing. No. The populations should know that each time they come to the police, they will find the necessary audience, the necessary help, the necessary attention to express themselves, to express their complaints, express their doubts and to have, to benefit from, this assistance. The police, that is the assistance. The police, that are open arms to welcome.
> Witte: Do you also believe this is the image which the population holds of the police?
> Soussou: It is certainly not the image that the police reflects in what it does. As well in our country as in many other countries. And to this point I believe, and I believe it sincerely, the police should communicate about itself, about what it does. It should better communicate and open up itself to the population. Keeping itself closed it leaves nothing but the image. The image of brutality, of injustice" (Extract from an interview with the *controlleur general de police* S., 8.5.2009).

Against this backdrop of mutual views, one understands how difficult the relationship between policemen and citizens is. Their interactions further demonstrate this difficulty. Interactions with the citizens take place at three different locations: spaces of the people, open spaces and spaces of the police. These spaces differ in the degree of control the police possess over them. In the station the police is at sway and structures all interactions and thus influences them.[16] Several signs indicate the client how to behave. This might be a reason why the police is rather passive and reactive. Policemen barely embark on missions and prefer clients to come to the station.[17] They leave mainly to pick someone up that has failed to show up three times to an investigation. Patrols are run by special units, if they exist, as in Cotonou, but are rather rare in small towns. If at all, one patrol car does its rounds at night. The police thus cannot be regarded as a neighbourhood police, a "police de proximité", but rather a police of "long distance".

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[15] This holds also true for other countries (Hills 2000: 7; Kynoch 2003: 299; Marenin 1982: 387; Ruteere and Pommerolle 2003: 594; Schmid 2007: 198).
[16] Lipsky describes how street-level bureaucrats structure the interactions with their clients, however he leaves the component of the place of the interaction aside (Lipsky 1980: 61).
[17] This reluctance to leave the station has also been discovered by Volk for Ghana (Volk 2009: 63).

Respect is a basic component of the interactions. Being respected is of utmost importance to policemen (Lautmann 1971: 23f.). A decline of respect is punished as an offense as this openly questions the legitimacy of the policemen and reduces his potential to menace (Becker 1963: 158; Lipsky 1980: 66; Monjardet 1996: 151). This potential is based on the power of policemen to direct menaces or to use force on anybody and to define, within a certain range, who and what is the object of their work (Popitz 1992: 81ff.). Respect is continually negotiated between policemen and civilians in their interactions. The interactions are also negotiations of power relationships, in which each actor uses his specific resources. Policemen usually have a wider repertoire, as they have the force monopoly and the right to sanction, but it may not be the more powerful repertoire (Popitz 1992: 244ff.). The accumulation of resources, such as status, money and knowledge, or their strength can influence the temporary end of this negotiation process. Citizens, especially those better off, are not at the mercy of the policemen. They can mobilize their own resources to win the negotiation for themselves (Beek 2008: 91). They can work towards selective rule enforcement by the policeman, playing into their hands. At private encounters in small towns policemen tend to use their profession as a social capital and a power resource (Monjardet 1996: 107). A young officer recounted to me an example of faltering respect:

> "That is why you can interpellate a client and he will speak ill to you. He can be in plain offense and he will speak ill to you. (…) Now, the individual, he is at the steering wheel and he calls (on the phone), he calls happily for several minutes. He does not know that behind him, there is the police. We follow him for 500m, for at least one or two minutes before he realizes that there is the police behind him. We pass him and we tell him "Sir, please stop the vehicle!" He stops the vehicle. He gets out of his vehicle. He says, he starts to shout. The police man is in front of him "Sir, can I have the papers of your car?" He begins to shout. He says: "But what is the problem? In what country are we? What sort of officer are you? What sort of officer are you? I do not understand anything anymore. One is not even allowed to make a call for one minute." "You know it is forbidden. Even if you call for one minute, forbidden is forbidden. And you call for one minute…?" He starts to shout, that he is not a small one, off with us, he won't show us the papers" (*Gardien de la paix stagiaire* B., 12.5.2009).

The use of force is not unusual and is also partially supported by the population. However force against an innocent person is rejected.[18] A big problem between the police and the people arises out of a misunderstanding. The most problematic in the treatment of people in custody seemed to me that they were never treated on the basis of doubt. Rather than considering someone innocent until proven guilty, it seemed the other way around.

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[18] To the use of force see Stanley 2004: 99f.

Social status seemed to play widely into the treatment of a person. This runs counter to the ideal of treating people indifferently and in a friendly way.

Force, opaqueness of decisions and corruption are three informal behaviour patterns of policemen in their interactions with civilians. The opacity of the organization not only troubles the policemen trying to find their foothold within it. It also poses a problem to its clients. To them the police functions like a black box.[19] Rules are not known, if they are they differ from observed and endured police behaviour. The informalization adds to the unpredictability of the police. At least the possibility to talk to the superior officer offers some room for justice.

However much in the service of the people the police might want to be, it is rather a service on the back of the people. Though many might find help and justice here, many others will find only despair and have wasted a lot of time. The border to the population is drawn by mutual detest. The line is frequently crossed by the policemen themselves. When off duty, they style themselves as completely civilian. This also reflects the wish not be known or recognized as a police officer whilst not on duty, so as not to have to deal with any problems. I noticed this behaviour mainly in policemen in the capital, who even just for lunch changed their clothes. In a smaller town like Malanville the officers seemed concerned to hide their job, perhaps because it would be futile anyway. It was also here that I could see policemen use their status as a social weight in interactions when off duty, e.g. to get a better service in a bar. The line between police and civilians is more confounded by the fact that civilians work for the police and take up exclusive police tasks, such as criminal investigations, as I have detailed above.

5. Conclusion

This paper can only give a brief insight into the work, organization and image of the Beninese policemen and their relationship with the Beninese people.[20]

It shows how the Beninese police works and what the relationship with the people looks like. An important finding is that the policemen and the organization itself work in various

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[19] A black box is a system whose internal structure is unknown. Only input and output are visible (Fuchs-Heinritz et al 2007: 104).

[19] For more detailed information see Witte 2010.

grey areas. The functioning of the Beninese police lies on a continuum of formal to informal, legal to illegal partially turning into corruption. The functioning of the police is dependent on informal and even corrupt practices and the partial privatization of police tasks. Within the police private means are used for the service and civilians are employed to fulfill police tasks, from organizational work and translating up to crime investigation. This means that the police is increasingly dependant on private means and the delegation of law enforcement and thus the monopoly of force. It lowers the demarcation to the civil population. This delegation is a perfect vehicle for corruption and favouritism.

Policemen use strategies of circumvention to deal with the various problems of the police. They adapt unpractical formal orders to the needs of reality and by-pass them. The regulations also leave loopholes for interpretation. Strategies to overcome the problems are selective rule enforcement, individualized rule interpretation, trespassing of competences and corrupt practices. These strategies are covered by the discretion each officer enjoys in performing his work. The difficult relationship with its principal is weighed down by a perceived breach of contract. The state neither pays its workers adequately, nor does it offer sufficient material for them to fulfill their task.

The relationship between police officers and the people and many police methods contradict the official guidelines of the police. The image of an open, just, virtuous and friendly organization that is close to the people is mainly restricted to a theoretical level. It rarely depicts the perception of the police. This is formed by the real contact of citizens with officers. The interactions are dominated by informal practices, corruption and a mutual negotiation of respect and power. The widely intricate co-relation of effects is maybe a reason why corruption is so difficult to combat. The real problem of corruption however is that it delegitimizes the police and the state as the people lose their trust in the impartiality and righteousness of this institution. Trust has been transferred on the partiality and venality of the police. Bribery and patronage have become surrogates of trust.

It is important that the study of police and other state bureaucracies be continued, as they give a clear insight into the actual workings of the state. And they prepare the grounds for a rethinking of state models or at least for improvements. In Benin a more elaborate look at the image of the police within the population and the relationship to other security forces remains to be taken. In addition the connection to the political level could be a vital field of research, connecting the dots between police action and the government, however

delicate this task may be. I can only encourage future researchers to engage in studies on the police and security forces.

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