



Africa Criminal Justice Reform Organisation pour la Réforme de la Justice Pénale en Afrique Organização para a Reforma da Justiça Criminal em África



# Democratic policing in Mozambique – challenges of training for professionalisation

Tina Lorizzo and Vanja Petrovic

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Africa Criminal Justice Reform c/o Dullah Omar Institute University of the Western Cape Private Bag X 17 Bellville 7535 SOUTH AFRICA

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REFORMAR – Research for Mozambique Avenida Sekou Touré 819 Maputo MOZAMBIQUE

Reformar.researchformozambique@gmail.com www.reformar.co.mz

REFORMAR is a research, training and advocacy organisation working on criminal justice and human rights in Mozambique and in other Portuguese speaking African countries. Founded in 2015, it has engaged in applied research, training of criminal justice stakeholders, and evidence-based advocacy, working closely with the government institutions, international and civil society organisations.

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### **Abstract**

Since 1990, the Mozambican police have undergone a number of reforms in support of human rights standards and a multi-party democracy. Implementation challenges and compliance with the new legal framework, have continuously affected policing in practice. This article reflects on these challenges through a desktop review, analysis and information shared by some 200 police officials who participated in workshops hosted by *REFORMAR* – *Research for Mozambique* between 2019 and 2021. Focusing particularly on training towards professionalisation, this article aims at stimulating debate and explores possibilities for improvement. While there are many obstacles to knowledge-based policing in the country, possibilities for improvements are seen within comprehensive policy formulation, which would centre on knowledge development. Implementation of such a policy framework would depend on the budget allocation and support from the donor community. The police will primarily need to transform itself into a professional and learning institution.

## Introduction

Mozambique introduced a democratic system of government after the first elections in 1994. Before that, an almost two-decade long civil war had a devastating impact on infrastructure, the economy, and an already weak state. Democracy, as Baker put it, had to be built from scratch and policing completely reformed and reorganised, due to their military nature and organisation during conflict years.<sup>1</sup>

This article draws on the conceptual framework for democratic policing developed by Muntingh *et al* to gain a better understanding of the state of policing in Mozambique and to identify the main challenges towards democratic policing.<sup>2</sup>

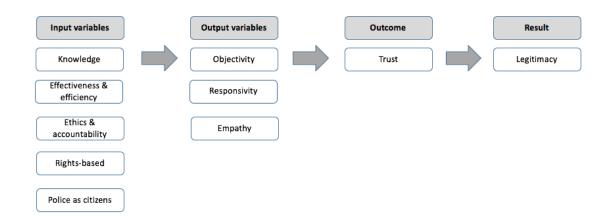
According to Muntingh *et al*, democratic policing refers to the police's abidance to the rule of law, accountability of the police, and procedural fairness by the police in service of the public. Muntingh *et al* identified nine dimensions of democratic policing. These dimensions (Figure 1) are linked and to some extent have causal and hierarchical relationships, even though in practice they are often intertwined, inter-dependent and frequently mutually reinforcing. As shown in Figure 1, the nine dimensions are: 1) knowledge; 2) effectiveness and efficiency; 3) ethics and accountability; 4) rights-based; 5) police as citizens; 6) objectivity; 7) responsivity; 8) empathy; 9) trust.

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<sup>&</sup>lt;sup>1</sup> Baker, B. (2003) 'Policing and the Rule of Law in Mozambique' *Policing & Society*, Vol. 13 No. 2, pp. 139-158.

<sup>&</sup>lt;sup>2</sup> Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development*, No. 25, pp. 121–55.

Figure 1 – The theoretical framework on democratic policing



The first five dimensions (knowledge, effectiveness and efficiency, ethics and accountability, right-based policing and police as citizens) represent input variables, meaning that these are the variables whose values affect the output, or response of the system. If positive, they will produce positive outputs (of objectivity, responsivity and empathy), leading to the final outcome, which is trust in the police. The result being sought, which is directly linked to trust, is the legitimacy of the police. Therefore, democratic policing is when the police is perceived as a legitimate authority, that works towards the greater common good.<sup>3</sup> The antithesis of democratic policing is regime policing, which protects and answers to the regime rather than the public, controls rather than protects populations, and remains separate from communities.<sup>4</sup>

Based on this theoretical framework, the legal reforms and support obtained from donors are analysed below with specific reference to people's trust in the police and the recurring issues for which the police have been criticised by international and national organisations.

# Historical background on the Mozambican Police

Mozambique gained independence from Portugal in 1975. The colonial police system aimed at defending Portuguese colonial institutions guaranteeing the security of the Portuguese

<sup>3</sup> Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development,* No. 25, pp. 121–55.

<sup>&</sup>lt;sup>4</sup> Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development,* No. 25, pp. 121–55.

citizens and their property. While this occurred in the most urbanised areas, in the rural areas, where the majority of the population lived, the mandate of the police (*cipaios*) was primarily repressive. The *cipaios* controlled mainly the movements of the population, but they also had the power to resolve crimes that occurred in those places. <sup>5</sup>

The present-day Mozambican National Police (*Polícia da República de Moçambique*, PRM), was established in 1992. The members of the PRM came from the military and the previous police force (*Polícia Popular de Moçambique*, PPM), both of which were firmly under the control of the ruling party, FRELIMO (*Frente de Libertação de Moçambique*). The mandate of the erstwhile PPM was to guarantee public order, security and peace towards the protection of peace and ideals of the revolution. It was in essence regime policing and not very different from the colonial police, focusing more on the protection of ruling party interests rather than citizens.

In 1992, with the transition to a free-market economy, democratic reforms and establishment of the rule of law, the PPM was replaced by the PRM. Still defined as a paramilitary force, its mission was safeguarding public order, security and peace, respect for the rule of law, and the strict observance of fundamental rights and freedoms.<sup>8</sup> This mandate is confirmed in the 2004 Constitution (*Constituição da Republica de Moçambique*, CRM),<sup>9</sup> which still sees police as a reactive service without a focus on crime prevention.<sup>10</sup> Given the paramilitary nature of the police, having its roots in the PPM, the colonial and war-time policing, it is necessary to reflect on how many of its vestiges remain, despite substantial legislative and institutional reforms.

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<sup>&</sup>lt;sup>5</sup> Ministério do Interior (2003) *Plano Estratégico da Polícia da República de Moçambique*– *PEPRM para o período 2003* – *2012*, p. 27.

<sup>&</sup>lt;sup>6</sup> Law 19/1992 of 31 December.

<sup>&</sup>lt;sup>7</sup> Law 5/1979 of 26 May.

<sup>&</sup>lt;sup>8</sup> Article 1 of Law 19/1992 of 31 December.

<sup>&</sup>lt;sup>9</sup> Article 253 of the Constitution of the Republic of Mozambique: 1. The function of the Police, in collaboration with other State institutions, shall be to guarantee law and order, to safeguard the security of persons and property, to keep public peace and to ensure respect for the democratic rule of law and the strict observance of the fundamental rights and freedoms of citizens. 2. The Police shall not adhere to any particular party. 3. In the exercise of its functions, the Police shall owe obedience to the law and shall serve citizens and public and private institutions with impartiality and independence.

<sup>&</sup>lt;sup>10</sup> Tsucana, F. F. (2014) Formação Superior de Oficiais da Polícia de Moçambique: Articulação entre os Fundamentos Teóricos e as Habilidades Práticas. Tese de Doutoramento. Pontifícia Universidade Católica de São Paulo Puc-Sp.

In 2013, the new Law on Police came into force.<sup>11</sup> It defines the PRM as a non-partisan and paramilitary public service. The legislature retained the definition of the PRM as "paramilitary", but the term "force" used in the previous law was replaced by the term "public service" and the requirement of non-partisanship of the police is expressly stated. The legislation also introduced a crime prevention mandate. The new law states, that:

Towards the prevention and fight for criminality, the PRM is guided by strict respect for legality, impartiality, objectivity, equality, respect for human rights, non-partisanship and involvement of all sectors of the State.<sup>12</sup>

Law reforms commencing in the early 1990s were programmatic and service reforms aimed at transforming the police into an efficient and accountable service. The Police Donor Group was created in 1996 and activities were coordinated by the United Nations Development Program (UNDP) as part of large-scale security sector reform. The Police Reform agenda was structured in three phases over ten years from 1997 and 2007, with a budget of US\$ 33.7 million. Some of the initiatives included police training and retraining, including the establishment of the Police Academy (*Academia de Ciências Policiais*, ACIPOL), The rehabilitation of some physical infrastructure, purchasing of equipment, revising basic regulations and strategies, and training towards police professionalisation and management modernisation.

Although the literature considers the policing reforms implemented as a "mixed record of success",<sup>17</sup> there is a general sense of disappointment about the impact. As Lalá stresses: "[police reform] failed to alter the patterns of police management, or modernise existing

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<sup>&</sup>lt;sup>11</sup> Law 16/2013 of 12 August.

<sup>&</sup>lt;sup>12</sup> Unofficial translation of the authors from Article 2(3) of Law 16/2013.

<sup>&</sup>lt;sup>13</sup> Lala, A. and Francisco, L. (2006) The difficulties of donor coordination: Police and judicial reform in Mozambique *Civil wars*, Vol. 8 No. 2, pp. 163-180.

<sup>&</sup>lt;sup>14</sup> UNDP had a managerial and coordination role in the Security Sector Reform. Their assistance was sought by the Spanish, Dutch and German Governments. Other support initiatives come from the governments of France, Germany, Portugal, South Africa and Tanzania, Egypt and Cuba.

<sup>&</sup>lt;sup>15</sup> The governments of Switzerland and Spain financed, with a total of approximately US\$ 1.8 million, the establishment of the Academy of Police Sciences, dedicated to the training of future senior staff of the PRM.

<sup>&</sup>lt;sup>16</sup> Lala, A. and Francisco, L. (2006) 'The difficulties of donor coordination: Police and judicial reform in Mozambique' *Civil wars*, Vol. 8 No. 2, pp. 163-180.

<sup>&</sup>lt;sup>17</sup> Lala, A. and Francisco, L. (2006) 'The difficulties of donor coordination: Police and judicial reform in Mozambique' *Civil wars*, Vol. 8 No. 2, pp. 163-180.

managerial processes and procedures" and corruption remains one of the main concerns, undermining public confidence and potential success of some of the reform initiatives. 19 Kyed pointed out some persistent problems in the PRM following the reforms, still defining the police as partisan, inefficient, under-resourced and violent, and tactically resembling the post-colonial policing culture.<sup>20</sup> This remains the case some ten years later.

In addition, police reforms did not robustly tackle policy development and formulation. A ten-year strategic plan (2003-2012) remains the only strategy document for the police and is now clearly dated.<sup>21</sup> This strategy broadly outlined the PRM's main objectives, but there is no action or monitoring plan to assess implementation. The PRM has not reported on the implementation of this ten-year strategic plan, nor has it developed a follow-up plan. To date there has been no comprehensive policy guiding the PRM. This is particularly problematic since policies should identify goals, methods and actions necessary to achieve them.

As noted above, democratic policing is ultimately about the legitimacy of the police, which is dependent on whether, and how much, the public trusts the police. In 2014, for example, 55% of the population were dissatisfied with the security provision in Maputo City. 22 In KaMaxakeni and Nhlamankulu, high-density and populous administrative areas close to the city centre, 72% and 64 % respectively evaluated the security provision as either 'bad' or 'very bad'. The same study pointed to low levels of confidence in police officers, as well as in the institution of the police itself, since only some 10 % of crimes are reported.<sup>23</sup>

A 2021 Afrobarometer survey found that more than 16% of the population had no confidence in the police. In response to the question on how much they trust the police,

<sup>&</sup>lt;sup>18</sup> Lala, A. and Francisco, L. (2006) 'The difficulties of donor coordination: Police and judicial reform in Mozambique' Civil wars, Vol. 8 No. 2, p. 171.

<sup>&</sup>lt;sup>19</sup> Lala, A. and Francisco, L. (2006) 'The difficulties of donor coordination: Police and judicial reform in Mozambique' Civil wars, Vol. 8 No. 2, p. 173.

<sup>&</sup>lt;sup>20</sup> Kyed, H. M. (2009) 'Community Policing in Post-War Mozambique' *Policing and Society*, Vol. 19 No. 4, pp. 354-371.

<sup>&</sup>lt;sup>21</sup> Ministério do Interior (2003) *Plano Estratégico da Polícia da República de Moçambique— PEPRM para o* 

período 2003 – 2012. <sup>22</sup> Bertelsen, B.E. and Chauque, A. (2015) *Policy Brief III. Crime and Security in Maputo, Mozambique*, Vol. 14 No. 3, https://www.cmi.no/publications/file/5579-policy-brief-iii-crime-and-security-in-maputo.pdf Accessed 3

<sup>&</sup>lt;sup>23</sup> Bertelsen, B.E. and Chauque, A. (2015) Policy Brief III. Crime and Security in Maputo, Mozambique, Vol. 14 No. 3, https://www.cmi.no/publications/file/5579-policy-brief-iii-crime-and-security-in-maputo.pdf Accessed 3 February 2022.

16.2% of respondents answered with "not at all", while 28% answered with "just a little". 24 Only 17.5% said "somewhat", with only 37% of respondents expressed full confidence in police. 25 In short, this means that two thirds of respondents had less than full confidence in the police. This was a substantial drop in confidence in the police compared to the 2013 study, when 65% of the population trusted the police. 26 The 2021 Afrobarometer survey found, that nearly one out of five respondents (22%) regarded all police officers, without exception, as corrupt, while 25.7% regarded "most of them" and 31.8% "some of them" as corrupt. 27 The results also showed that respondents from rural areas had somewhat more trust in the police than urban residents, and that men were slightly more trusting of the police than women. 28

Excessive use of force, unlawful and arbitrary detention, and corruption are recurring issues raised by rights defenders.<sup>29</sup> Local media report regularly on various rights violations implicating the police, including allegations of police involvement in serious criminal activities<sup>30</sup> and corruption.<sup>31</sup> In recent years, the police have reportedly harassed journalists

<sup>&</sup>lt;sup>24</sup> Ipsos Mozambique (2021) *Summary of results. Afrobarometer Round 8 survey in Mozambique*, p.43. https://afrobarometer.org/sites/default/files/publications/Summary%20of%20results/moz\_r8\_sor\_in\_english\_17nov21.pdf Accessed 10 February 2022.

<sup>&</sup>lt;sup>25</sup> Ipsos Mozambique (2021) Summary of results. Afrobarometer Round 8 survey in Mozambique, p.43. https://afrobarometer.org/sites/default/files/publications/Summary%20of%20results/moz\_r8\_sor\_in\_english\_17nov21.pdf Accessed 10 February 2022.

<sup>&</sup>lt;sup>26</sup>Wuambua, M. P. (2015) 'Police Corruption in Africa undermines trust, but support for law enforcement remains strong' *Afrobarometer Dispatch*, No. 56.

https://afrobarometer.org/sites/default/files/publications/Dispatches/ab r6 dispatchno56 police corruption in africa.pdf Accessed 10 February 2022.

<sup>&</sup>lt;sup>27</sup> Ipsos Mozambique (2021) Summary of results. Afrobarometer Round 8 survey in Mozambique, p.43. https://afrobarometer.org/sites/default/files/publications/Summary%20of%20results/moz\_r8\_sor\_in\_english\_17nov21.pdf Accessed 10 February 2022.

<sup>&</sup>lt;sup>28</sup> 41.2% of the rural population said that they trusted the police "a lot" compared to 30,1% people in the urban areas. Same answer was given by 38% of men, and 35,7% of women Ipsos. Mozambique (2021) Summary of results. Afrobarometer Round 8 survey in Mozambique, p.43.

https://afrobarometer.org/sites/default/files/publications/Summary%20of%20results/moz\_r8\_sor\_in\_english\_17nov21.pdf Accessed 10 February 2022.

For example, see publications of the Centre for Democracy and Development (*Centro para Democracia e Desenvolvimento*, CDD) and *Justiça Ambiental* (JÁ) available at the following sites: <a href="https://iustica-ambiental.org/sobre/">https://iustica-ambiental.org/sobre/</a> Accessed 5 February 2022. See, for exemple <a href="https://ja4change.org/2021/07/19/reports-of-police-violence-in-primeiro-de-maio-used-to-disperse-peasants-and-brickmakers-waiting-for-a-meeting-with-vale-and-the-government-and-the-lessons-we-should-have-already-learned-as/">https://ja4change.org/2021/07/19/reports-of-police-violence-in-primeiro-de-maio-used-to-disperse-peasants-and-brickmakers-waiting-for-a-meeting-with-vale-and-the-government-and-the-lessons-we-should-have-already-learned-as/">https://ja4change.org/2021/07/19/reports-of-police-violence-in-primeiro-de-maio-used-to-disperse-peasants-and-brickmakers-waiting-for-a-meeting-with-vale-and-the-government-and-the-lessons-we-should-have-already-learned-as/</a> (consultado a 5 de Fevereiro de 2022) e <a href="https://www.dw.com/pt-002/covid-19-cidad%C3%A3os-mo%C3%A7ambicanos-denunciam-abusos-da-pol%C3%ADcia/a-53343318">https://www.dw.com/pt-002/covid-19-cidad%C3%A3os-mo%C3%A7ambicanos-denunciam-abusos-da-pol%C3%ADcia/a-53343318</a> Accessed 10 February 2022.

<sup>&</sup>lt;sup>30</sup> In 2020, citizens in Nampula spoke out against the overall conduct of police, and expressed allegations of ties between the police and organised crime groups in the province, enabling their criminal activities. 'Consternação em Nampula com conduta da polícia' *Deutsche Welle*, 2 February 2020 <a href="https://www.dw.com/pt-002/consternação-em-nampula-com-conduta-da-pol%C3%ADcia/a-52451482">https://www.dw.com/pt-002/consternação-em-nampula-com-conduta-da-pol%C3%ADcia/a-52451482</a>

and human rights defenders, and also interfered in public protests, indicating that the vestiges of regime policing remain intact.<sup>32</sup>

A good example of regime policing is the protection of private companies against interests of the people. According to Justiça Ambiental (JÁ), a civil society organisation working on environment and Human Rights, the Police Rapid Intervention Unit (Unidade de Intervenção Rápida, UIR) used tear gas and rubber bullets, in July 2021 in Moatize (Tete province), to disperse peasants and brickmakers waiting for a meeting with the Brazilian company VALE and the government. They were demanding fair compensation from both VALE and the government for the loss of their land, loss of access to water and ultimately their means of subsistence.<sup>33</sup> Similar incidents have been reported from Cabo Delgado and Gaza provinces.<sup>34</sup>

Accessed 4 February 2022. In July 2021, three police officers from the Criminal Investigation Police (Servico de Investigação Criminal, SERNIC) were detained in Maputo for being involved in organized kidnappings. 'Sem purificar as fileiras da polícia não será possível combater raptos em Moçambique, analistas' Voa Portugues, 5 July 2021 https://www.voaportugues.com/a/sem-purificar-as-fileiras-da-pol%C3%ADcia-não-seráposs%C3%ADvel-combater-raptos-em-moçambique-analistas-/5954112.html Accessed 5 February 2022.

https://noticias.mmo.co.mz/2021/06/implementacao-de-megaprojetos-esta-a-violar-direitos-humanos-emgaza.html Accessed 10 September 2021.

<sup>&</sup>lt;sup>31</sup> Corruption involve non only low rank police but also commanders in higher position. In September 2020, a district police commander was found involved in a corruption case linked to illegal exploitation of natural resources in the central province of Manica. 'Moçambique: Comandante da polícia detido por suspeita de corrupção' Deutsche Welle, 11 September 2020 https://www.dw.com/pt-002/moçambique-comandante-dapol%C3%ADcia-detido-por-suspeita-de-corrupção/a-54898603 Accessed 5 February 2022.

32 In May 2021, the police stopped a demonstration organised by students against parliamentary privileges,

arresting a social activist. 'Mozambique: Heavily armed police prevent students' peaceful demonstration' Club of Mozambique, 11 May 2021 https://clubofmozambique.com/news/mozambique-heavily-armed-policeprevent-students-peaceful-demonstration-photos-o-pais-191769/ Accessed 5 February 2022). In September 2021, police officers in the Mozambique's northern province of Nampula harassed, beat and detained six journalists covering protests over alleged government delays in distributing financial aid in response to the COVID-19 pandemic. 'Polícia de Moçambique espanca e prende jornalistas que cobrem manifestações' Committee to Protect Journalists, 31 October 2021 https://cpj.org/pt/2021/10/policia-de-mocambique-

<sup>&</sup>lt;u>espanca-e-prende-jornalistas-que-cobrem-manifestacoes/</u> Accessed 5 February 2022.

33 Information available on the website of *Justiça Ambiental* <a href="https://ja4change.org/2021/07/19/reports-of-">https://ja4change.org/2021/07/19/reports-of-</a> police-violence-in-primeiro-de-maio-used-to-disperse-peasants-and-brickmakers-waiting-for-a-meeting-with-<u>vale-and-the-government-and-the-lessons-we-should-have-already-learned-as/</u> Accessed 8 September 2021. <sup>34</sup> Maquenzi, J. and Feijó, J. (2019) 'A maldição dos recursos naturais: mineração artesanal e conflitualidade em

Namanhumbir' Observador Rural, No. 75 https://omrmz.org/omrweb/wp-content/uploads/Observador-Rural-75.pdf Accessed 10 September 2021. On Gaza see 'Implementação de megaprojetos está a violar direitos humanos em Gaza' Moçambique Media Online, 30 June 2021

While members of the police have seldom been held accountable for their actions, a positive development in 2019 was when a court in Gaza province sentenced members of the Police Rapid Intervention Unit for the killing of the election activist Anastacio Matavel.<sup>35</sup>

In the context of COVID-19, many examples can be cited to illustrate how the police have abused their powers by, for example, the use of excessive force.<sup>36</sup> These incidents reflect the threats posed to the rule of law and basic human rights, such as the right to free speech and peaceful assembly and can be regarded as indicative of the underlying coercive character of the police and the state more broadly.<sup>37</sup>

## Methodology and limitations for the analysis

For the purpose of this article, desktop research on police and policing in Mozambique was conducted.

Data collected though workshops, training and other events organised with the members of the Mozambican police between 2019 and 2021 were also drawn upon. These events were organised and hosted by REFORMAR. Over the course of two years, seven workshops were hosted in Maputo, Beira and Nampula and some 200 police officials participated.<sup>38</sup>

To analyse the current state of the police against the framework for democratic policing would require access to a comprehensive set of data, which is unfortunately not available. It

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<sup>&</sup>lt;sup>35</sup> 'Caso Anastácio Matavele: Seis polícias condenados a prisão' *Deutsche Welle*, 18 June 2020 <a href="https://www.dw.com/pt-002/caso-anastácio-matavele-seis-pol%C3%ADcias-condenados-a-prisão/a-53863961">https://www.dw.com/pt-002/caso-anastácio-matavele-seis-pol%C3%ADcias-condenados-a-prisão/a-53863961</a> Accessed 10 September 2021.

<sup>&</sup>lt;sup>36</sup> 'Advogados moçambicanos denunciam detenções abusivas da polícia' *RTP Notícias*, 17 February 2021 <a href="https://www.rtp.pt/noticias/mundo/advogados-mocambicanos-denunciam-detencoes-abusivas-da-policia">https://www.rtp.pt/noticias/mundo/advogados-mocambicanos-denunciam-detencoes-abusivas-da-policia</a> n1298169 Accessed 10 September 2021. 'Moçambique: Detido polícia que baleou jovem por não usar máscara facial' *Deutsche Welle*, 19 July 2021 <a href="https://www.dw.com/pt-002/moçambique-detido-pol%C3%ADcia-que-baleou-jovem-por-não-usar-máscara-facial/a-58318500">https://www.dw.com/pt-002/moçambique-dois-cidadãos-fatalmente-baleados-pela-pol%C3%ADcia-na-zambézia/a-54805950</a> Accessed 10 November 2021.

<sup>37</sup> Canamala L. D. B. (2017) A contractió de minima detenções abusivas da polícia (RTP Notícias, 17 February 2021)

\*\*Total P

<sup>&</sup>lt;sup>37</sup> Canamala, J. D. B. (2017) *A study on the security implications of military conscription: the case of Mozambique*. Dissertation submitted to the Faculty of Social Sciences, Department of Political and Administrative Studies, for the degree of Masters in Defence and Strategic Studies. University of Botswana. <sup>38</sup> A total of seven events were organised over the period of 2019-2021. Three events were organised in Maputo, two events in Beira and two in Nampula. Participants were mainly police officers such as commanders of police stations and officials working in the provincial commands as well as trainers from the Matalane School, ESAPOL and ACIPOL.

is a central finding of this report that little information on policing is forthcoming from the police in Mozambique. The police do not publish annual crime statistics. Data published by other institutions (e.g., National Institute for Statistics and the Office of the Attorney General) show significant variation, meaning there is no reliable data on the incidence of crime. Poor record-keeping and lack of standardised data collection systems prevent a more accurate description.<sup>39</sup>

Consequently, the article focuses on one dimension of democratic policing, namely knowledge, which has also been a focus area of REFORMAR's research and advocacy activities in recent years. Knowledge is understood as the foundation of professionalism. To the same extent that we trust and consult doctors when we need medical help, or other professionals when we need to manage different risks in our lives, the police should be trusted to manage our safety and security risks in a way that upholds the rule of law, is accountable and in service of the public. <sup>40</sup> Professional police, therefore, entails not only holding the knowledge and being competent, but also being responsible, accountable, sympathetic and self-critical. It refrains from the common sense, intuition, or innate talent, preferring an expertise that is reflective and knowledge-based. <sup>41</sup>

# Problematising police training for professionalism

There are currently three centres for police training, namely the Basic School of Matalane (Escola Básica da Polícia de Matalane), the School for Police Sergeants (Escola de Sargentos da Polícia, ESAPOL) in Nhamatanda, and the Police Academy ACIPOL, in Maputo. The lowest rank in PRM is that of Constable, followed by Sergeant, while the more senior ranks are of Inspector, Superintendent, Commissioner and the Inspector General of Police (see Figure 2). The rank of Constable is attained through training at the Basic School of Matalane, while the rank of Sergeant is attained either through the School for Police Sergeants, or by years of

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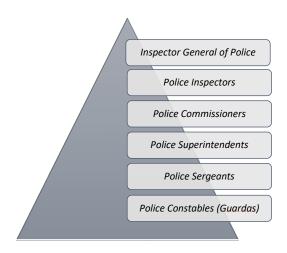
<sup>&</sup>lt;sup>39</sup> Reisman, L. and Lalá, A. (2012) *Assessment of crime and violence in Mozambique and Recommendations for Violence Prevention and Reduction,* Commissioned by the Open Society Foundation's Crime and Violence Prevention Initiative (CVPI) and the Open Society Initiative for Southern Africa (OSISA) OSISA.

<sup>&</sup>lt;sup>40</sup> Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development,* No. 25, p. 133.

<sup>&</sup>lt;sup>41</sup> Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development,* No. 25, p. 133.

service in the PRM and consequent appointment. The remaining ranks are obtained by appointment only. For example, it is the President who appoints the Inspector General of Police and Commissioners, and it is the Inspector General of the Police who appoints the Inspectors. ACIPOL is an academic, tertiary education institution, open to anyone interested in policing science. An ACIPOL degree ensures appointment within the PRM at the rank of Junior Inspector.

Figure 2 – Hierarchy of police ranks



#### Basic training

The course at Matalane School takes nine months to complete, providing the basic level police training. The entry requirement for the school is the tenth grade, while, for example, in South Africa the requirement is twelfth grade for entry into the basic program. The law states that a candidate shall pass a physical test, a medical inspection as well as a written test and a selection interview. After the interview follows a consultation on the civic and moral suitability of the candidate. This is carried out at the candidate's place of residence (neighbourhood). Workshop participants shared their concerns about the selection of the recruits for the Matalane School, highlighting that community vetting in practice often does not occur. Such vetting, however, is highly problematic because it focuses on the selection

<sup>42</sup> Note that within the ranks of Inspector-General of Police and the Commissioners, as well as the Superintendents and Inspectors of the Police of the Republic of Mozambique there are senior and junior officers.

<sup>&</sup>lt;sup>43</sup> See information available at <a href="https://www.saps.gov.za/careers/app">https://www.saps.gov.za/careers/app</a> process saps.php Accessed 10 November 2021.

<sup>&</sup>lt;sup>44</sup> Article 37 of Law 16/2013.

of the candidates based on their physical abilities and social standing rather than on knowledge. The need to improve the recruitment and selection of candidates has been noted by senior officials from the Ministry of the Interior.<sup>45</sup>

Investigations in 2015 by the Centre for Public Integrity (Centro de Integridade Publica, CIP) showed that while training at Matalane should last nine months, in practice, it was often concluded in less time, and even in as short as three months. 46 The legislation also requires a two-year internship at a police station to complete the training and be formally admitted to the police.<sup>47</sup> However, workshop participants confirmed that the internships are frequently shorter than two years and sometimes not offered at all. The reasons, reportedly, are that due to a shortage of human resources and the need for rapid deployment, the basic training and internships durations (and consequently intensity) are compromised.

The ratio of police to the population is well below international trends in this regard. Data from 2003 indicated that there was one police official for around every 1 000 people.<sup>48</sup> In 2012, Reisman and Lalá noted that:

The police are woefully understaffed and under-resourced with approximately 100 officers per 100,000 inhabitants, which is one of the lowest rates worldwide. Given the size of the country, and the limited police training capacity, a full police presence is unlikely in the near future.<sup>49</sup>

When recruits complete the training at the Basic School, they are enlisted as Protection Police (Polícia de Protecção, PP) or informally called guards (quardas) that are placed in the communities, to patrol the streets. By comparison, in South Africa, the duration of the Basic

*Centro de Integridade Pública*, Transparência Newsletter, No. 10, p. 9. <sup>47</sup> Article 50 of Decree n. 93/2014.

<sup>&</sup>lt;sup>45</sup> See information available at https://www.portaldogoverno.gov.mz/por/Imprensa/Noticias/Basilio-

Monteiro-quer-melhor-criterio-no-recrutamento Accessed 10 November 2021. <sup>46</sup> Nuvunga, A. Nhamirre, B. Matine, J. Lorizzo, T. (2016) *Militarização da Formação Policial é Preocupante,* 

<sup>&</sup>lt;sup>48</sup> Ministério do Interior (2003) *Plano Estratégico da Polícia da República de Moçambique— PEPRM para o período 2003 – 2012*, p. 31.

<sup>&</sup>lt;sup>49</sup> Reisman, L. and Lalá, A. (2012) Assessment of crime and violence in Mozambique and Recommendations for Violence Prevention and Reduction, Commissioned by the Open Society Foundation's Crime and Violence Prevention Initiative (CVPI) & the Open Society Initiative for Southern Africa (OSISA) CVPI & OSISA, p.20.

Police Development Learning Programme is 24 months, of which twelve months are at the Academy and twelve months at a police station.<sup>50</sup>

The curriculum of Matalane School is not publicly available despite requests being made for it. However, a 2016 study confirmed the military nature of the basic training curriculum. <sup>51</sup> Divided between classroom and practical activities, the majority of time is dedicated to paramilitary training. <sup>52</sup> Considering that new recruits trained at Matalane are placed in communities with the power to arrest without a warrant, questions must be raised about the adequacy of a nine-month course (or maybe even less) emphasising whether paramilitary outcomes are really suited if the objective is professionalism and to serve and protect the people in line with the human rights standards. Nuvunga *et al* noted that 91% (286 hours of the total 316 hours) of the training time at Matalane was allocated to paramilitary activities. <sup>53</sup> The behaviour and nature of interactions with members of the public by the police must therefore be seen against this background. That the police, as a matter of course, carry AK 47 assault rifles, does not engender a sense that the police is there to work in service of the public, but rather that the police is there as an armed force to police the public.

#### Sergeants' training

ESAPOL was established in 2016 and provides training for police sergeants (*Sargento*). It is only open to members of the PRM and the training takes 18 months for those that are already sergeants with a twelfth-grade qualification and 36 months for those with a tenth-grade qualification who are aspiring sergeants.<sup>54</sup> Particulars of their training and the school

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<sup>&</sup>lt;sup>50</sup> See information available <a href="https://www.saps.gov.za/careers/basic police program.php">https://www.saps.gov.za/careers/basic police program.php</a> Accessed 10 November 2021.

<sup>&</sup>lt;sup>51</sup> Nuvunga, A. Nhamirre, B. Matine, J. Lorizzo, T. (2016) *Militarização da Formação Policial é Preocupante, Centro de Integridade Pública*, Transparência Newsletter, No. 10, p. 9.

<sup>&</sup>lt;sup>52</sup> Nuvunga, A. Nhamirre, B. Matine, J. Lorizzo, T. (2016) *Militarização da Formação Policial é Preocupante, Centro de Integridade Pública*, Transparência Newsletter, No. 10.

<sup>&</sup>lt;sup>53</sup> Nuvunga, A. Nhamirre, B. Matine, J. Lorizzo, T. (2016) *Militarização da Formação Policial é Preocupante, Centro de Integridade Pública*, Transparência Newsletter, No. 10, p. 10.

<sup>&</sup>lt;sup>54</sup> Diploma Ministerial 47/2016 of 3 of August available at <a href="https://gazettes.africa/archive/mz/2016/mz-government-gazette-series-i-dated-2016-08-03-no-92.pdf">https://gazettes.africa/archive/mz/2016/mz-government-gazette-series-i-dated-2016-08-03-no-92.pdf</a> Accessed 10 November 2021.

curriculum are not publicly available, and could not be assessed for the purpose of this article.

#### Training at the Police Science Academy

ACIPOL is open to all Mozambicans with a twelfth-grade qualification that are between 18-and 23-years old if civilian, and up to 40-years old if they are members of the Mozambican Defence Forces, among other requirements. ACIPOL offers an LLB in Police Science and a Masters' degree in Police Science since 2012. There are also shorter courses (between five days and six months) for police officers who hold leadership positions and specialised training programmes. A college or university of policing is found to be an important step in professionalising police, for example in the UK, because it places the emphasis on knowledge and improved skills across all ranks and roles in the police. The ACIPOL curriculum is not publicly available, but Tsucana, the new Deputy Inspector General of the Police and a former ACIPOL Deputy Dean observed that the focus is largely theoretical and not strongly focussed on applied policing:

[...] excessive emphasis on crime control in an exclusively reactive police strategy, and directed mainly towards confrontation, pointing out deficiencies, in the area of preventive activity [...] there is also evidence of a clear insufficiency in the preparation of the police officers to deal with other demands and interests of the population that are not restricted to law enforcement, but which concern the maintenance of public order through partnerships, participation and negotiation. The pedagogical process is characterised [...] by the excessive use of the expository learning method, to the detriment of cooperation with sectors of real police activity.<sup>59</sup>

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<sup>&</sup>lt;sup>55</sup> The candidate shall have a minimum height of 1.65m for female candidates and 1.70m for male candidates; Not having been convicted of a crime that corresponds to a prison sentence, or for the practice of other crimes that are considered dishonourable and manifest incompatibility with the practice of public service; Enjoy mental health and physical fitness to perform police functions; and have a suitable civic and moral commitment. See <a href="https://embuscadosaber.com/edital-da-acipol-2022/">https://embuscadosaber.com/edital-da-acipol-2022/</a> Accessed 1 March 2022.

<sup>&</sup>lt;sup>56</sup> Nuvunga, A. Nhamirre, B. Matine, J. Lorizzo, T. (2016) *Militarização da Formação Policial é Preocupante, Centro de Integridade Pública*, Transparência Newsletter, No. 10.

<sup>&</sup>lt;sup>57</sup> Independent Police Commission (2013) *Policing for a better Britain,* UK Government.

<sup>&</sup>lt;sup>58</sup> 'Fernando Tsucana é o novo vice-Comandante-Geral da PRM' *O País,* 14 February 2022 <a href="https://www.opais.co.mz/fernando-tsucana-e-o-novo-vice-comandante-geral-da-prm/">https://www.opais.co.mz/fernando-tsucana-e-o-novo-vice-comandante-geral-da-prm/</a> Accessed 1 March 2022.

<sup>&</sup>lt;sup>59</sup> Tsucana, F. F. (2014) *Formação Superior de Oficiais da Polícia de Moçambique: Articulação entre os Fundamentos Teóricos e as Habilidades Práticas*. Tese de Doutoramento. Pontifícia Universidade Católica de São Paulo Puc-Sp., p.268.

Reflecting on the tension between more conservative and progressive approaches in policing, Tsucana noted that in Mozambique senior officers are supportive of more "rigid, doctrinal training" and a strong focus on discipline, whereas younger officers advocate for more inclusive training, "with content and methods that take into account the current social dynamics". The same author concluded that the current pedagogical approach is reproducing a markedly repressive and punitive ideology, removing the reflexive capacity of the police in complex situations, and without necessary attention to issues such as children in conflict with the law, adolescence, drugs, social discrimination, gender, etc. <sup>61</sup>

Tsucana also highlights the need for on-going training of police officers in order to counter previous approaches, beliefs and views on policing and open new ways of thinking and acting in which all citizens, including police officers, regardless of their social status, are seen as subjects of rights and recipients of police protection. However, such a paradigm shift should be reflected in the official ACIPOL curriculum where the new leadership is trained, and embraced by the senior management and officials.

#### Some observations

The training curriculum of the police should address the knowledge requirements in respect of the various dimensions of democratic policing. The above description raises several questions in this regard. Firstly, transparency is a concern since the curricula of the police training are not available, and this secrecy is seemingly justified under the guise of national security. It is therefore not possible to make an informed and objective assessment of how appropriate and effective the training is, seen against the requirements of policing. Moreover, even if assessed against its own standards, it is consequently not possible to

<sup>&</sup>lt;sup>60</sup> Tsucana, F. F. (2014) Formação Superior de Oficiais da Polícia de Moçambique: Articulação entre os Fundamentos Teóricos e as Habilidades Práticas. Tese de Doutoramento. Pontifícia Universidade Católica de São Paulo Puc-Sp., p. 269.

<sup>&</sup>lt;sup>61</sup> Tsucana, F. F. (2014) Formação Superior de Oficiais da Polícia de Moçambique: Articulação entre os Fundamentos Teóricos e as Habilidades Práticas. Tese de Doutoramento. Pontifícia Universidade Católica de São Paulo Puc-Sp., p. 270.

<sup>&</sup>lt;sup>62</sup> Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development,* No. 25, p. 134.

know how well or not trainees are performing following the training and whether they are indeed implementing what they were taught.

Secondly, this lack of transparency regarding police training is also indicative of a broader issue, namely the overall lack of transparency, and thus accountability, of the Mozambican police force. This directly affects the other dimensions of democratic policing, including ethics and rights-based policing.

Third, as noted above, the overall emphasis of the various training programs is that they have a strong focus on theoretical and practical paramilitary content, reflecting predemocratic punitive ideologies.<sup>63</sup> Police culture inherited from colonial times and the years of civil war are strongly entrenched in the current police culture and will not be eradicated overnight. But the change has to start by offering an alternative knowledge challenging currently held views. Fundamentally, the shift has to be from a police force to police in service of the public. While legal reforms embraced these ideas, adequate and supportive policies have not followed (yet), and legal concepts and a rights-language need to be translated into reality.

The following section unpacks the challenges to knowledge-based policing in more detail.

## Consequences of knowledge gaps

The preceding highlighted the need for policing to be knowledge-driven. Only merit-based recruiting resulting in well-trained and appropriately skilled police officials would be able to serve and protect communities in a safe, coordinated, rights-based and trustworthy manner. Knowledge shortcomings ultimately compromise all other input and output variables of democratic policing.

Knowledge gaps can affect the way police officials understand and apply the law, which can lead to rights violations of individuals in contact with police as victims, suspects, offenders, and broader society. Unlawful arrests and detention are good examples of violations that come as a consequence of such knowledge gaps.

63 Nuvunga, A. Nhamirre, B. Matine, J. Lorizzo, T. (2016) Militarização da Formação Policial é Preocupante,

Centro de Integridade Pública, Transparência Newsletter, No. 10.

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The Mozambican police has a poor reputation where it concerns legal compliance and their powers of arrest. Until 2013, international and national human rights organisations regularly reported on the high incidence of arbitrary and illegal detention, as well as other abuses by law enforcement officials.<sup>64</sup> Particularly vocal in this respect was the national organisation Human Rights League (*Liga dos Direitos Humanos*, LDH), which together with 2 000 national signatories, petitioned the Constitutional Court to challenge and limit the powers of arrest.<sup>65</sup> The decision by the Constitutional Council of Mozambique limits to judges the authority to order pre-trial detention for cases falling outside of *flagrante delito*.<sup>66</sup> Prior to the decision, this power was in the hands of many different actors including the police, which gave rise to frequent abuses and rights violations.<sup>67</sup>

Even though there is an indication that incidents of unlawful arrests and detentions have decreased, the problem has not disappeared. Reports show incidents of police officers lying about the charges and events, pretending as if the arrest was made in *flagrante delito*, or even arresting innocent people in order to extort money from them or their families in change of release. Police themselves acknowledged that, sometimes, unlawful acts are a consequence of ignorance of the law and changes thereto. One example is a limited understanding about what constitutes offences in or outside *flagrante delito*. 69

One way to quantify the levels of unlawful arrests would be to measure:

 the number of people released from police custody after prosecutors' monitoring visits compared to overall arrests made <sup>70</sup>

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<sup>&</sup>lt;sup>64</sup> Amnesty International (2012) *Mozambique: Arbitrary arrest, detention and treatment of detainees in Mozambique: Summary of findings* <a href="https://www.amnesty.org/en/documents/afr41/004/2012/en/">https://www.amnesty.org/en/documents/afr41/004/2012/en/</a> Accessed 17 September 2021.

<sup>&</sup>lt;sup>65</sup> Lorizzo, T. and Petrovic V. (2019) *Powers of arrest curtailed by Constitutional Council of Mozambique - the impact of the Decision 4/CC/2013*, Africa Criminal Justice Reform <a href="https://acjr.org.za/resource-centre/impact-of-2013-decsion.pdf">https://acjr.org.za/resource-centre/impact-of-2013-decsion.pdf</a> Accessed 19 September 2021.

<sup>&</sup>lt;sup>66</sup> Judgment 4/CC/2013 of 17 September.

<sup>&</sup>lt;sup>67</sup> Lorizzo, T. and Petrovic V. (2019) *Powers of arrest curtailed by Constitutional Council of Mozambique - the impact of the Decision 4/CC/2013*, Africa Criminal Justice Reform <a href="https://acjr.org.za/resource-centre/impact-of-2013-decsion.pdf">https://acjr.org.za/resource-centre/impact-of-2013-decsion.pdf</a> Accessed 19 September 2021.

<sup>&</sup>lt;sup>68</sup> Lorizzo, T. and Petrovic V. (2019) *Powers of arrest curtailed by Constitutional Council of Mozambique - the impact of the Decision 4/CC/2013*, Africa Criminal Justice Reform <a href="https://acjr.org.za/resource-centre/impact-of-2013-decsion.pdf">https://acjr.org.za/resource-centre/impact-of-2013-decsion.pdf</a> Accessed 19 September 2021.

<sup>69</sup> Lorizzo, T. and Petrovic V. (2019) *Powers of arrest curtailed by Constitutional Council of Mozambique - the* 

<sup>&</sup>lt;sup>69</sup> Lorizzo, T. and Petrovic V. (2019) *Powers of arrest curtailed by Constitutional Council of Mozambique - the impact of the Decision 4/CC/2013*, Africa Criminal Justice Reform <a href="https://acjr.org.za/resource-centre/impact-of-2013-decision.pdf">https://acjr.org.za/resource-centre/impact-of-2013-decision.pdf</a> Accessed 19 September 2021.

<sup>&</sup>lt;sup>70</sup> In Mozambique, prosecutors are mandated to monitor the legality of police detention.

- number of cases that are accepted by the prosecution compared to the overall number of cases presented by the police, and
- the conviction rate in relation to number of arrests and prosecutions.

Such data is, however, not publicly available. Answering these questions would reveal the police's compliance with arrest requirements and their capacity to investigate cases. Furthermore, unlawful arrests can result in civil claims against the police, which can be very costly for the police and the state. Such arrests are also deeply damaging to the reputation of the police. While civil claims against the state for wrongful arrests is common in South Africa,<sup>71</sup> in Mozambique, there are a number of obstacles in accessing justice for victims of human rights violations, including inadequate investigations into complaints, as well as legal costs.<sup>72</sup> Civil claims for compensation for unlawful arrests are not common, and the courts do not share data on such matters.

Ultimately, limits in the quantity and quality of training affect the police's performance. In South Africa, Salem argued that "poor training quality has negatively impacted South African police officers' performance, which in return has opened a road to corruption and poor quality of police investigations and work ethic." Poor performance, or perceptions of police performance are undermining trust in the police. Together with reports of police misconduct, abuse of power and violations of rights of individuals in contact with police, it is causing reputational damage and undermines the legitimacy of the police. Even if only a few police abuse their powers, the legitimacy of an entire police force can be damaged. <sup>74</sup>

# Obstacles to knowledge-based policing

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<sup>&</sup>lt;sup>71</sup> 'S. Mkhwanazi, R16bn: That is the amount police are facing in civil claims' *Iol News*, 6 October 2021 <a href="https://www.iol.co.za/news/politics/r16bn-that-is-the-amount-police-are-facing-in-civil-claims-339bc82a-1263-4cbc-ab25-841ee656d585">https://www.iol.co.za/news/politics/r16bn-that-is-the-amount-police-are-facing-in-civil-claims-339bc82a-1263-4cbc-ab25-841ee656d585</a> Accessed 1 March 2022.

<sup>&</sup>lt;sup>72</sup> Amnesty International, *Mozambique*. *Amnesty International submission to the UN Universal Periodic Review*. *Tenth session of the UPR Working Group*, January 2011 <a href="https://lib.ohchr.org/HRBodies/UPR/Documents/Session10/MZ/AI\_AmnestyInternational\_eng.pdf">https://lib.ohchr.org/HRBodies/UPR/Documents/Session10/MZ/AI\_AmnestyInternational\_eng.pdf</a> Accessed 11 September 2021.

<sup>&</sup>lt;sup>73</sup> Salem, A. (2019) *The effectiveness of training received by South African police officers and its impact on job performance*. Thesis submitted in partial fulfilment of the requirement for the degree of Master of Technology, Public Administration Faculty of Business and Management Sciences, Cape Peninsula University of Technology.

<sup>74</sup> Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development*, No. 25, pp. 121–55.

#### Perception of democracy

In 2021, Freedom House rated Mozambique as a partly free country (in terms civil and political liberties) with a score of 43 out of 100.75 In 2020, the score was 51 out of 100 and thus a decline<sup>76</sup> Mozambique rates 114 out of 176 countries on a democracy matrix, and is classified as a "hybrid regime" which simultaneously combine autocratic and democratic dimensions or institutions.<sup>77</sup> The framework on democratic policing uses the term "democratic" to describe the way of policing and it does not refer to institutions or society in general. The concern around democracy in the country, however, and how it affects democratic policing was a constant theme in workshops with the members of the police. The following questions were, for example, raised: What does democratic mean for the police and policing in Mozambique? Is Mozambican society sufficiently democratised and democratic to have democratic policing? How to create a democratic police institution where there are no solid democratic foundations in place and where deep socio-economic inequalities persist?

'Democratic' with reference to policing, in this article, refers to the adherence to the rule of law; transparency and accountability, and that institutions of state ought to work towards the greater common good. During the workshops, however, participants argued that democracy in the country is yet to be completed, and that both public institutions as well as citizens lack democratic foundations.

Participants in the workshops consistently pointed to the pressure of public opinion about the police. They specifically referred to community expectations that the police must be "tough on crime and criminals". These sentiments affirm Bayley's observation that "being 'tough on crime' is often exactly what the public wants, especially in the unsettled conditions of countries undergoing transitions from autocracy to democracy", 78 the investment towards the greater development of a legal culture among communities should be made. It also has to be acknowledged that "tough-on-crime" rhetoric often comes from

 $<sup>^{75}</sup>$  On the methodology used by Freedom House see <u>https://freedomhouse.org/reports/freedomh</u>

world/freedom-world-research-methodology Accessed 11 September 2021.

76 See information available <a href="https://freedomhouse.org/country/mozambique/freedom-world/2020">https://freedomhouse.org/country/mozambique/freedom-world/2020</a> Accessed 1 September 2021.

77 See information <a href="https://www.democracymatrix.com/ranking">https://www.democracymatrix.com/ranking</a> Accessed 5 September 2021.

 $<sup>^{78}</sup>$  Bayley, D. H. (2001) Democratizing the police abroad: What to do and how to do it . US Department of Justice, Office of Justice Programs, National Institute of Justice. p. 40.

political elites and is then accepted by the public.<sup>79</sup> In the context of Mozambique, changing this narrative would require a top-down approach.

The framework for democratic policing acknowledges that policing is context sensitive but not context dependent (often equated with resourcing levels). <sup>80</sup> Muntingh *et al* argue that "even in resource constrained environments it costs the State nothing not to torture suspects, or for a police officer to act with empathy and responsivity towards a victim of crime." While this sounds like an attainable standard to achieve, the way police treat victims, offenders and communities, largely depends, in the case of Mozambique, on an entrenched police culture born from the legacy of the colonial and post-colonial, punitive, and social control policing. <sup>81</sup>

#### Political commitment

The political commitment towards police professionalisation has repeatedly been affirmed by the current President, Filipe Nyusi. 82 Such intent has, however, not translated into policies and sustained actions, presenting an obstacle to knowledge-based policing. For example, government investment in police professionalisation can be seen in the budget allocations for the three police training institutions. The limited and declining budget for the Matalane School is presented in Table 1. Operating expenditure for the school nearly halved in seven years. With annual inflation rates and certain costs being constant (e.g. electricity and water), it means a shrinking allocation for salaries (or less teaching staff), cuts on office supplies, and reduced maintenance and repairs of the existing infrastructure. These cuts would undoubtedly affect the institutional performance and ultimately, quality of the training provided.

Other expenses include infrastructure, equipment and contracting experts for extracurricular or curricular activities. Matalane School did not receive any allocation for

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https://www.jornalnoticias.co.mz/politica/pr-quer-profissionalizacao-das-fadm/ Accessed 29 October 2021.

<sup>79 &#</sup>x27;New Study Shows "Tough on Crime" Generation Spent More Time in Prison Despite Falling Crime Rate'

Prison Legal News, 1 October 2020 <a href="https://www.prisonlegalnews.org/news/2020/oct/1/new-study-shows-tough-crime-generation-spent-more-time-prison-despite-falling-crime-rate/">https://www.prisonlegalnews.org/news/2020/oct/1/new-study-shows-tough-crime-generation-spent-more-time-prison-despite-falling-crime-rate/</a> Accessed 2 September 2021.

80 Muntingh L. Bodooth L. Foull A. S. Batter of the Control o

Muntingh, L., Redpath, J., Faull, A. & Petersen, K. (2021) 'Democratic Policing – a Conceptual Framework' *Law, Democracy and Development,* No. 25, pp. 121–55.

Baker, B. (2003) 'Policing and the Rule of Law in Mozambique' *Policing & Society*, Vol. 13 No. 2, pp. 139-158.
 'PR quer profissionalização das FADM' *Jornal Notícias*, 2 October 2021

this since 2013, and ESAPOL since 2016, the year it was established as shown in Table 1. The result is reduced investment in technology and innovation, contrary to what is required for education systems of the 21<sup>st</sup> century. However, ACIPOL received a substantial allocation for other expenditure, of around US\$ 600 000 in 2013 to around US\$ 80 000 in 2020. While this could indicate certain investments in the quality of ACIPOL education, it is not possible to analyse how this money was spent, in practice, for lack of public information.

Table 1<sup>83</sup>

	Operating expenses US\$			Other expenses – infrastructure, equipment, experts in US\$		
Year	Matalane	ESAPOL	ACIPOL	Matalane	ESAPOL	ACIPOL
2013	149 860		3 267 508			613 288
2015	130 964		4 329 930			125 150
2018	63 585		2 516 953			75 646
2020	41 582	1 149 107	3 251 304			82 174

#### Militarisation of the police

The literature has frequently noted the paramilitary character of the police and not only in relation to its training.<sup>84</sup> Since 2017, the police and defence force, have been deeply engaged in counter-terrorism actions in Cabo Delgado province in response to attacks by Al-Shabab militants who have burned villages, beheaded locals and forced them to leave their homes, fleeing to Nampula and Niassa provinces as well as neighbouring countries.<sup>85</sup> The need to engage in combat against Al-Shabab seems to have created the more immediate

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<sup>&</sup>lt;sup>83</sup> State Budget. https://www.mef.gov.mz Accessed 29 February 2022. The table was made considering the different yearly exchange rates US\$/Metical (1 January) <a href="https://freecurrencyrates.com/pt/exchange-rate-history/USD-MZN/2020/">https://freecurrencyrates.com/pt/exchange-rate-history/USD-MZN/2020/</a> Accessed 5 March 2022 See Annex 1 for the Table in Mozambican currency Metical (Mt). Information from 2017

<sup>&</sup>lt;sup>84</sup> Tsucana, F. F. (2014) Formação Superior de Oficiais da Polícia de Moçambique: Articulação entre os Fundamentos Teóricos e as Habilidades Práticas. Tese de Doutoramento. Pontifícia Universidade Católica de São Paulo Puc-Sp.

<sup>&#</sup>x27;Mozambique: Following the rise of Islamist group al-Shabab in Cabo Delgado' *The Africa Report*, 12 April 2021 <a href="https://www.theafricareport.com/78864/mozambique-following-the-rise-of-islamist-group-al-shabab-in-cabo-delgado/">https://www.theafricareport.com/78864/mozambique-following-the-rise-of-islamist-group-al-shabab-in-cabo-delgado/</a> Accessed 10 November 2021.

need for more military training in the shortest possible period and shifted the focus away from a focus on a civilian police.

#### A lack of transparency

The lack of transparency of the police places a further obstacle towards knowledge-based policing. The PRM does not publicly share information on the number of personnel, location of police stations and statistics on arrests. The PRM does not have a website and only general information about the police functions, mandate and structure are available on the website of the Ministry of Interior. <sup>86</sup> In comparison, the South African Police Service (SAPS) has its own website where the public can access information related to crime statistics, annual plans and reports, end-term reports, etc. For example, through a police station search function, the public can find information about police stations across the country with their telephone numbers and addresses. Legal and policy documents are also available online. <sup>87</sup> All submission that SAPS makes to Parliament re available on line, as well as transcripts of the meetings SAPS management has with parliamentary committees. In short, there is a fair amount of information available in the public domain on SAPS.

Overall, the PRM is not open to researchers and other organisations that want to gain insight into their work, performance, procedures, challenges and achievements. Research on the police and policing in Mozambique is rare, and generally dates back to the early 2000s. Authorisation to conduct research on the police is seldom granted by the Ministry of Interior outside of police circles. However, accessible and reliable data would be a reflection of the value an institution attaches to knowledge. Data gathered and analysed through research is important to ensure decisions are based on evidence.

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<sup>&</sup>lt;sup>86</sup> Information available

http://www.mint.gov.mz/index.php?option=com\_content&view=article&id=51&Itemid=405 Accessed on September 2021.

Information available <a href="https://www.saps.gov.za/about/about.php">https://www.saps.gov.za/about/about.php</a> Accessed 5 September 2021.

<sup>&</sup>lt;sup>88</sup> Lala, A., and Francisco, L. (2006) 'The difficulties of donor coordination: Police and judicial reform in Mozambique' *Civil wars*, Vol. 8 No. 2, pp. 163-180; Lalá, A. (2003) 'Security sector reform as a governance issue: the case of Mozambique' *Journal of Security Sector Management*, Vol. 1 No. 2, pp. 1-31; Baker, B. (2003) 'Policing and the rule of law in Mozambique' *Policing & Society*, Vol. 13 No.2, pp. 139-158.

<sup>&</sup>lt;sup>89</sup> Tsucana, F. F. (2014) Formação Superior de Oficiais da Polícia de Moçambique: Articulação entre os Fundamentos Teóricos e as Habilidades Práticas. Tese de Doutoramento. Pontifícia Universidade Católica de São Paulo Puc-Sp.

The lack of transparency extends to the training schools. Curricula were not made available even after several official requests were reportedly made by international and national organisations over the years to access them for the purpose of research. The fact that teaching staff at the police training schools is almost exclusively members of the police, is indicative of a closed and insulatory organisation. <sup>90</sup> In 2014, Feliciano Chongo, the former Director of the Matalane School stated:

only the police can train another policeman, so there is this need to have a teaching staff of our own. It's a logical question. And we have several colleagues being trained outside the country who, upon returning, will primarily be assigned to police schools in order to transmit the experience they have from other countries. <sup>91</sup>

On the one hand it is important that police officials train other police officials, especially on the practical and technical aspect of the work. On the other hand, civilians from different disciplines, such as law, human rights and sociology will make a valuable contribution to widening trainees' perspectives on the purpose of the police in society and what professionalisation means in the Mozambican context. A multi-disciplinary approach would bring different perspectives, deepening understanding and fostering critical examination.

#### Lack of resources

Lack of material resources was also mentioned as a debilitating obstacle. Participants shared anecdotes of the challenging conditions in which they work, often with no means of transport or essential equipment, such as handcuffs. The lack of handcuffs sometimes results in what could be perceived as the excessive use of force that officers need to use to "restrain the criminal". The media has reported on cases of arrestees being held down laying under the seats of police cars. 92

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<sup>&</sup>lt;sup>90</sup> One of the authors of this article has often been invited to teach specific matters on criminal justice and human rights at ACIPOL. A module on Penology was also taught at ACIPOL, in 2021 for the Master on Police Science

<sup>&</sup>lt;sup>91</sup> Nuvunga, A. Nhamirre, B. Matine, J. Lorizzo, T. (2016) *Militarização da Formação Policial é Preocupante, Centro de Integridade Pública*, Transparência Newsletter, No. 10, p. 11.

<sup>&</sup>lt;sup>92</sup> See videos available <a href="https://www.youtube.com/watch?v=A2eivtHEdDI">https://www.youtube.com/watch?v=A2eivtHEdDI</a>; https://www.youtube.com/watch?v= RXYXF-t ps Accessed 5 September 2021.

#### Police as citizens

It frequently transpired from the discussions with police officials at the workshops their discontent with working conditions (related to the dimension of "police as citizens", see Figure 1) and more particularly their remuneration and limited possibilities for promotion. For example, a protection police official (*guarda*) earns between around US\$ 80 and US\$ 100 per month.<sup>93</sup> Such low salaries could become a significant risk factor to engage in corruption and even extortion.<sup>94</sup> However, it important to note that salary is only one of the factors contributing to corruption, while other areas also include training, resources such as equipment and different benefits, accountability mechanisms, and overall culture. <sup>95</sup>

## Possibilities for improvements

The above description provides a platform for further discussion, analysis and research on how to develop and support a professional, trustworthy and legitimate police, which protect and serve the public. In line with the framework on democratic policing, it follows that the first step in is to transform the police into a learning organisation, where knowledge would be an explicit focus and inform decision-making, policy and practice.

The idea of police as a learning organisation should be embraced and promoted by the leadership. Government rhetoric on the professionalisation of the police must include a commitment to knowledge, and then be translated into practice. First, through policy formulation, followed by implementation, monitoring and evaluation. The Mozambican police lack policies, action plans and strategies. These documents are needed to guide the police towards democratic policing. From this, it follows that initial and continuous training must be at the core of the organisational philosophy and visible in its policy documents.

Training for professionalism would not be possible with at least some minimum standards in budget allocation. The budget needs to be adequate for all police training, with special

<sup>&</sup>lt;sup>93</sup> See information available <a href="https://meusalario.org/mocambique/salario/sector-publico-mocambique/salarios-da-policia">https://meusalario.org/mocambique/salario/sector-publico-mocambique/salarios-da-policia</a> Accessed 6 September 2021

da-policia Accessed 6 September 2021

94 Yesufu, S. (2014) 'Police corruption: a threat to South Africa's democracy' *Journal of Commonwealth Law and Legal Education*, Vol 9 No.1, pp. 69-70.

<sup>&</sup>lt;sup>95</sup> Williams, H. (2002) 'Core factors of police corruption across the world' *Forum on Crime and Society*, Vol. 2 No. 1, pp. 85-99.

attention to the Matalane school, which is currently severely underfunded. The budgetary provision also needs to cater for measuring impact of training, digitalisation and proper IT hardware. The budget would also need to enable better working conditions for police officers, improved salaries and adequate equipment to be able to effectively carry out their duties. Overall, the Mozambican government is resource-constrained, and these investments would, to a large extent, depend on donor support. Further on, the police would need to become a more open and transparent institution, willing to share existing data and knowledge. Investment in new knowledge generation through research is important aspect of knowledge development. External research findings should showcase what works and what doesn't work in practice. The police therefore, needs to be open to criticism and use evidence gathered through research to improve processes and actions.

## Conclusions

Relying on a conceptual framework for democratic policing, this article examined police training as the main tool to gain knowledge and professionalise police in Mozambique. Several obstacles to knowledge-based policing were identified, such as people's perception of democracy in the country, political commitment, militarisation of police, lack of transparency and poor conditions of employment for police officers. The Mozambican police need to be transformed into a learning institution. To do so, apart from the necessary budget requirements, it is important to develop and implement comprehensive policies, strategies and action plans which would centre on knowledge development.

In line with the democratic policing framework, knowledge is a crucial variable for achieving professional, efficient police service that serves the public and ultimately earns public trust and legitimacy. With relatively low levels of trust that Mozambican citizens place in their police, investment in knowledge would be the first necessary step in challenging and changing that perception.