

## One Size Fits All?

### Adjusting policing to local circumstances

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*General operational procedures and ideas about structures and strategies are often a vital part of police reform and community policing, yet neglect of local conditions has led to failures.*

*Four ideal types based on our research are presented here, to prepare new members of police forces for the fact that relationships between police forces and their surroundings vary.*

There has been a marked discussion over forms of institutions and repertoire of tasks for police forces in a variety of settings over the last decades. In countries such as Somalia, Mali and Afghanistan, new police forces have been challenged by issues like facing insurgency, being developed in contexts of weak state institutions, facing rival structures involved in justice provision, both in the form of jihadist organisations, and in the form of tribal/clan mechanisms, and in some cases facing overlaps between state institutions and criminal networks. The common denominator in all of these experiences was summed up by David Bayley and Robert Perito:

***“In mission after mission ... training programs have been put in place like canned food that is assumed to be universally nourishing. In complex environments, however, one size doesn’t fit all”<sup>1</sup>***

Yet variations need to be systematized, and consequences need to be mapped. The security situation and levels of violence should influence the organization of the police forces, so should the extent of parallel actors performing policing, as well as other networks that perform de-facto policing, such as clans, family networks and tribes. One also has to take into account the practical effects of a possible government withdrawal, either voluntary due to a wish to save funds, or involuntary because of lack of resources, specific tactics, geography or a combination of these. In some cases, the government might even face an enclave with an ‘anti-state’ and an organization that protests the government’s right to

rule, has established control and produces governance.

#### How can we plan for such situations?

How can one systematize thinking around variations in security, unclear borders of state structures, and parallel networks? One has to take into consideration that the government might delegate responsibility to criminal groups to handle issues of governance, or be integrated into the elite at the top of the state. Yet simplified responses to these situations are what is needed. In order to facilitate better planning we can operate with four different types of scenarios that entail a different set of challenges and a different set of solutions.

#### How can we plan for such situations?

Scenario planning can help us to organise police operations. Scenario planning could also help us understand and develop strategies in the cases on the border between each scenario, but what does each scenario entail and what does it mean for policing? One way of doing scenario planning is to introduce different scenarios based on variations over the type of territorial control state leaders can wield. Such leaders can wield territorial control for example by using nonstate actors such as armed criminal groups to control the local population. Yet a state might also operate relatively normally, with formal state institutions, where the state actually uses the police and the judiciary to implement justice, and where formal institutions function

according to their standard operational procedures, as for example in China, Japan, Europe, and North America. Very often the standard operational procedures (SOP) of the international police are based on this case.

A State might also operate in an environment where the state maintains control in the sense that none can defeat its military forces in open combat, and that military bases are relatively evenly distributed over a territory. Yet the presence of the security and law enforcement agencies might simultaneously be weak, closed to its citizens, with police and other state institutions isolating themselves, for example only sporadically visiting villages in the countryside with patrols and such being the only presence. We might also see a scenario where a rebel organisation actually wields relatively extensive control over a territory, and at times, exercising governance with its own institutions, its own taxing, even law enforcement.

These four scenarios present us with different challenges opportunities, and solutions. The first scenario is named the crime/state governance assemblage scenario, the second is named the 'state control' scenario, the third is named the semi-territorial scenario, and the fourth named the enclave scenario.

### **Crime/State governance assemblages**

Not all state leaders govern using formal state institutions; some state leaders will use networks, criminal actors, and armed non-state groups to exercise forms of governance. At times, crime has been integrated into the government structure, and government leaders might be directly involved in crime. In such a scenario, you have a state where the informal networks might be more important than the formal institutions. Examples of this situation could be for example the presidency of Mobutu Sese Seko in Congo (1965–1997), who supported armed gangs and rebel groups from neighbouring countries to provide security, while neglecting Congo's formal police forces. Similarly, Mali's Amadou Toumani Touré (president 2002 to 2012), used northern militias to attempt the rule of the north of Mali. In this scenario, the leaders of a state do not see police forces as important, and there are parallel structures that are more frequently used by the state leaders; some of which might even be illegal.

Such a scenario demands a proper mapping of which informal institutions are important for governance, and the legality of these institutions according to international law. Strengthening policing includes pressure for political change and taking the important decision of whether parallel governance

systems can be included in efficient policing or have to be dismantled or detached from governance.

### **'State Control'**

Global plans and standard operational procedures are often made based on the experiences from states that reassemble the case of the 'state control' scenario. In such a scenario, the state has a rough monopoly of violence, with formal state institutions that by and large have the monopoly of violence and that do handle most governance functions. This is the case in for example Western Europe, Eastern Asia, Oceania and North America.

However, plans and standards developed based on this scenario are not always suitable for other areas, and have historically taken time to develop in Western Europe, Eastern Asia, Oceania and North America.

### **Semi-territoriality**

In parts of Somalia outside the larger cities, or in southern Algeria, it is simply hard to identify any state institutions, let alone police forces; the state institution does have larger bases. Aside from the odd military campaign or patrols, they do not maintain a continuous presence amongst the civilian population. The lack of effective and continuous presence amongst the civilian population means that other armed groups and/or criminal groups have de facto freedom of operations. The civilian population thus has to protect itself from sanctions from non-state armed groups. Such strategies can include appeasement through providing recruits to insurgent outfits, paying them tax, or providing them with wives. Forced recruitment and marriage might be other strategies. In some cases, these armed groups even provide rudimentary police functions, in other cases they could be predatory.

New police institutions will face a set of challenges, the first and foremost is of course the lack of will and capacity to establish the state, including the police in these areas. When the state builds up a presence, it cannot be done piecemeal since insurgents and local power holders would have the power to fight off small police forces. In Somalia, for example the idea of three- to five-person police forces in the countryside had to be abandoned because of fears that Shabaab units would crush the Somali police. In Iraq, lightly armed community police units faced the same problems.<sup>2</sup>

Community contacts become important. Local communities will most likely face severe deprecations if seen supporting new police forces before a secure environment is created, and hostility from the local

communities, along with severe reprisals against ethnic groups supporting the police become likely. Steps to protect local allies have to be enhanced, and military units may become involved in creating a security environment more conducive to normal policing. Police units, also community police, have to be heavily coordinated with other security forces, in order to receive quick reinforcements if needed, along with having heavy armaments. The security of the civilians, especially from reprisals from armed groups that previously have dominated the area, needs to be of high importance, as does disentanglement; basically, to first study how the local community is integrated with the armed groups through recruits and marriage, and then find solutions to disentangle these ties.

### **The Enclave Scenario**

In some cases, as in Sri Lanka between 1983 and 2009, rebel groups seize territory (in the case of Sri Lanka the LTTE), and hold the territory over time, establishing mechanisms of governance. These types of governance structures can be relatively permanent and can bring forms of stability, as well as policing, to a local population. These rebel organisations can bring much needed aid to the local population but create many dilemmas when building police institutions. The first dilemma is political. A choice exists between building institutions that are effective service providers for the local population, and future state building. Supporting enclave policing based on the rebel faction in control might be the right thing to do to provide services locally, but also perhaps counteract state-building processes and create a perception of taking sides in a civil war situation. In some cases, the rebel ruler will also be unacceptable to the international community. This is similar to the self-declared state of Somaliland, and Somalia today, where the former, although not internationally recognized, produces more extensive and better services (including policing), than the latter.

The Somaliland/Somalia situation has by in large been solved by seeking the approval of Somalia for projects in Somaliland, and by standardizing equipment and education in projects targeting both the enclave, and forces outside of the enclave. In both the Kurdish self-governed areas, and in the case of pre-independence Kosovo, the West chose to enter and back police reform, in the first case as part of a more federal arrangement, but also accepting that the lack of trust in Iraq made national policing in the Kurdish areas impossible.

### **Conclusions**

The four scenarios enable more systematic planning for a variety of situations, and creation of general guidelines, at the same time taking into account local variations. It also enables us to understand that although there are local variations, some of these can be systematized in a better way during planning. Moreover, it illustrates that other cases with similar dynamics might be drawn upon for experience, rather than, as often is the case, only drawing on procedures that are based upon the 'State control scenario', a scenario that rudimentarily fits the situation of major donor countries in the world but seldom fits the situation in which their projects are launched.

The cases illustrate that one case does not necessarily fit all, and that perhaps it becomes unnatural to expect an end state similar to a 'State control scenario' in all cases.

### **Notes**

- i) David H. Bayley and Robert M. Perito (2010), *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime*, Boulder, Co: Lynne Rienner, 3.
- ii) Johanna Wright and Stig Jarle Hansen (2016), *An Overview of Trafficking in Persons (TiP) and Smuggling of Migrants (SoM) in Somalia and the Capacity of Criminal Justice Actors to Respond*, UNODC report; Jonathan Goodhand and Azis Akimi (2014), *Counterinsurgency, Local Militias and State Building in Afghanistan*, Peace Works, 90.

#### **Author Bio**

Prof. Stig Jarle Hansen is currently a professor of international relations at the Norwegian University of Life Sciences.

He led the university's master's program in international relations from 2010-2016 before taking up a fellowship at Harvard University's Belfer Center in 2016-2017, and then returning to Norway. He is a recognized expert on East Africa and organized crime and has appeared as an expert commenter on CNN, BBC, Al Jazeera, and Chinese TV 4, as well as serving as a policy advisor for the State Department, Pentagon, Foreign Office and European Commission

#### **The Project**

The ICT4COP research project seeks to understand human security in post-conflict settings by researching community-based policing and post-conflict police reform.

The Norwegian University of Life Sciences (NMBU) is the project coordinator.

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