



THE FUTURE OF SECURITY SECTOR REFORM



Edited by Mark Sedra

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Mark Sedra, Editor



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FOREWORD

Clare Short

It was just 10 years ago that I made my speech on security sector reform (SSR) at the Centre for Defence Studies in King's College London. It feels like much longer. Those were much more hopeful times.

The Cold War was over. The international system had been thrown into disarray by the ending of 40 years of division between the West and the Communist world, which had shaped every division and conflict in the world. The confusion resulting from this lack of structure had resulted in total failure in Somalia, Rwanda and the former Yugoslavia. But new hope was emerging. With no great conflict dividing the world, there was an increasing possibility that reducing poverty and creating a more equitable world order might become the focus of international policy.

If this new beginning was to be achieved, we needed to re-examine all the instruments of policy. Aid could no longer be an instrument of Cold War policy propping up kleptocratic dictators such as Mobutu simply because they were firmly pro-Western. Arms sales, and export credits and military assistance programs needed re-examination. And the propaganda, which stressed the provision of aid as an act of charity for the poor and hopeless, also needed reconsideration. If we meant to seize this historical opportunity, we needed to re-examine all the old assumptions and develop policy focused on helping end conflict and building competent state institutions that would encourage economic growth and human development in the poorest countries. This was a big challenge to the thinking on foreign policy, aid, trade, environment, international institutions and military cooperation among the countries of the Organisation for Economic Co-operation and Development. But it was an exciting challenge with enormous possibilities for the advancement of human civilization. It would also increase the possibility of global agreement and cooperation in dealing with mounting environmental threats facing humanity.

Of course, all big historical opportunities are held back by old thinking in the bureaucracies and among intellectual and political elites. In Africa, the first consequence of the end of the Cold War had been a large reduction of aid

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spending and an outbreak of internal conflict as the great powers retreated from supporting and constraining their surrogates. By 1999, 20 of the poorest countries were thus either involved in conflict or had recently emerged from conflict.

My whole approach to SSR was to link the security and development agendas. I was working closely with officials in the Conflict and Humanitarian Sector of the United Kingdom's (UK) Department for International Development (DFID). Traditionally, development workers had wanted no relationship with the military. But we had come to understand that one of the principal obstacles to progress in development was the existence of bloated, repressive, undemocratic and poorly structured security services in many developing countries. We recognized that all countries have legitimate security needs and that a security sector that was well tasked and managed served the interests of all. We were also well aware from participative poverty assessments, which give the poor the chance to voice their own concerns, that safety and security both at home and in the wider society were among their major priorities.

In addition, in many countries a bloated security sector soaked up resources that could be better used elsewhere. Resources spent on excessive procurement and perks for the military meant the denial of basic services to the poor. Beyond this, in many developing countries elements in the security sector were a source of insecurity and human rights abuses. This could lead to the militarization of society and mean that tensions tended to be resolved through violence. And of course repressive security sectors can often trigger violent resistance. There were particular problems in post-conflict societies such as Sierra Leone, where the army and police were broken and large numbers of ex-soldiers without employment and marooned in demobilization camps, threatened a return to violence.

It was easy to conceptualize the problem. Turning this understanding into a shift of policy across the UK government and the international system was going to be more difficult.

Our first challenge was Sierra Leone. I had outlined in a 1999 speech how badly the international system had failed Sierra Leone by its failure to prevent a return to violence. We were therefore focused on carrying forward disarmament, demobilization and reintegration — trying to disarm and find employment for former fighters — and helping restore government systems despite a flawed peace agreement, which, for example, put ex-rebel leader Foday Sankoh in charge of mineral extraction. The weakness of the initial peace agreement led to United Nations (UN) peacekeepers being taken hostage in large numbers and

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UK forces being deployed to evacuate the Europeans. Given the relatively good outcome in Sierra Leone, in terms of stability but not yet in human development, it is worth reminding all who are interested in SSR that UK policy was initially written on the back of an envelope. Elsewhere in Africa, I was desperately ringing Tony Blair to say that if the UK troops evacuated the Europeans and left the country, Freetown would fall again and the UK would be shamed. Because his father had worked in Sierra Leone and the first African he had met had been from Sierra Leone, Tony was particularly sympathetic, so the soldiers stayed without a clear mandate. Then, 11 of them were taken hostage and special forces were deployed to rescue them. In the course of the rescue, significant numbers of rebels were killed and one UK soldier lost his life. The UK thus became committed and the prime minister and the army became persuaded that we must stand firm with Sierra Leone.

The decision to set up the Africa Conflict Pool and Global Conflict Prevention Pool was also made ad hoc. In the course of a spending review, the Treasury floated, to all departments, the idea that it would provide £25 million to encourage interdepartmental cooperation if departments committed matching funds. By this time, I had become more sympathetic to the desire of the MI6 to work with DFID. It is worth remembering that before the declaration of the “war on terror,” the budgets of intelligence agencies and the military had been slashed. They were desperate for a new role. To this end “C,” as the head of MI6 is known, had called on me more than once to try to persuade me that we should work with them in Africa. I was not convinced until a more junior agent explained to me that whenever he travelled in Africa, presidents were keen to meet him. The agent explained that throughout Africa, presidents were anxious to keep a firm grip on their military and anxious to develop networks of competent spies and informants so that they would know what was going on. My initial distaste for the idea of potentially spying on governments with which we were working was transformed by this discussion. DFID therefore proposed to the Treasury that we establish an African Conflict Prevention fund that would encourage the Foreign & Commonwealth Office (FCO), Ministry of Defence, security agencies and DFID to work together. We proposed that DFID should take the chair and the focus should be on preventing and resolving conflict in Africa. The permanent secretary at the Foreign Office was furious that his officials had not thought of this; therefore, they put enormous effort into launching a global conflict prevention fund with the FCO in the chair. In my time, the Africa pool led to increasingly shared thinking and effort. The global fund supported a series of one-off projects scattered through the world.

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In the case of Bosnia, Kosovo and East Timor, there was a much closer working relationship between the military and DFID, such as in our funding of quick impact projects in Bosnia and in Kosovo, working together to build camps for fleeing refugees, which were promptly handed over to UN High Commissioner for Refugees. In the case of Uganda, a country that received relatively high levels of aid, we were troubled by excessive military expenditure and evidence of corruption in defence procurement, but we had a good track record in reducing poverty. We were also troubled by the failure of the government to bring an end to the attacks of the Lord's Resistance Army in the north and the consequent failure to spread development to northern Uganda. Cuts in aid allocations were a less effective remedy to these problems than a shared commitment to SSR. Similarly in Rwanda, there was a need for a strong military because of the threat from the *génocidaires* in the eastern Democratic Republic of the Congo, but we were keen to include defence spending in our shared efforts to improve public sector financial management and public procurement.

At DFID, our SSR thinking was thus entirely shaped by our development aspirations. But then came the attack on the Twin Towers and the subsequent invasion of Afghanistan. DFID had been engaged in Afghanistan in previous years in supporting efforts to ensure that everyone had food in the many years of drought that preceded the November 2001 North Atlantic Treaty Organisation (NATO) operation. The military action was initially limited, the resistance faded away and the UN led a national consultation to establish a new system of government. We in DFID were very keen to support the building of government capacity and advised strongly that there should be a major commitment to disarming the warlords and training a new Afghan army. We also advised that the only way to tackle the drug problem was to offer a better life to those who turned to alternative livelihoods. However, the focus of US policy was to catch Osama bin Laden and Mullah Omar. Shortcuts were taken and warlords incorporated into the government. The approach of NATO policy in Afghanistan was flawed from the beginning. The lessons we had learned on post-conflict SSR were put to one side. We will never know if Afghanistan would be in a better position now if a more committed effort to building state capacity and SSR had been attempted from the start. The situation is now very difficult, however, and reform driven by NATO policy in the midst of a growing armed insurgency is a challenge that is completely different from that which gave rise to our initial thinking on SSR.

Subsequently, the invasion of Iraq and the declaration of the "war on terror" infected the debate on SSR with deep ulterior motives. The way for the US to begin to withdraw from Iraq depended on building up the Iraqi armed forces. A similar case is being made about the conditions necessary to make withdrawal

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from Afghanistan possible. The proposed numbers for the armed forces are completely unaffordable for the Afghan economy. Similarly, the armed forces in Pakistan consume half of the government budget. Here we have bloated military spending and terrible problems of corruption as a consequence of Western policy. This is a far cry from our original thinking on SSR.

This collection of chapters provides a rich and challenging account of the current discussion of SSR. I am afraid that even in the development context, the concept has become more of a fashionable tick-box endeavour than part of a long-term partnership to help build developmental states. But the discussion remains very important and this collection provides a rich feast for further reflection.

Clare Short
August 2009

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INTRODUCTION: THE FUTURE OF SECURITY SECTOR REFORM

Mark Sedra

Security sector reform (SSR) has come a long way since it first emerged on the international security and development policy scene in the late 1990s. This model of security assistance is now a mainstay in state-building policy and practice, widely perceived as a precondition for stability and sustainable development in countries recovering from conflict or making transitions from authoritarianism, fragility or collapse. After all, the SSR process is built to confer one of the basic building blocks of the Weberian state, a monopoly over the use of coercive force. But SSR is much more than that. The main innovation of the SSR model as compared to previous forms of security assistance in the Cold War and before, is its focus on governance. The professionalism and effectiveness of the security sector is not just measured by the capacity of the security forces, but how well they are managed, monitored and held accountable. Moreover, the SSR model conceives of the security sector as more than its blunt, hard security instruments, recognizing that the security forces cannot perform their duties effectively in the absence of competent legal frameworks and judicial bodies as well as correctional institutions and government oversight bodies.

This holistic understanding of the security sector, one whose main object is human rather than regime security, would not have been possible during the Cold War when bilateral and multilateral security support was perceived as an instrument of ideologically-driven *realpolitik*, rather than as a mechanism to advance development and peace-building. Although this holistic vision would become the bedrock of the SSR conceptual framework that would find form in core documents like the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee's (DAC) *SSR Handbook* and the UN secretary-general's report on SSR, SSR stakeholders have encountered difficulty applying it programmatically.¹ Here lies the crux of the challenge that

1 OECD DAC (2007). *OECD DAC Handbook on Security System Reform*. Paris: OECD; UN (2008). "Securing Peace and Development: The Role of the United Nations in Supporting SSR." Report of the Secretary-General. A/62/659-S/2008/39. January 23.

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has confronted the SSR concept; bridging the gap between policy and practice and translating its ambitious principles into effective programs that can be implemented in a range of complex and difficult contexts. Most SSR practitioners and analysts would readily admit that while the international community of practice has achieved high marks in developing and institutionalizing the SSR concept, it has received a failing grade on implementation.

Interrogating the reasons for the policy-practice or conceptual-contextual gap reveals both a supply and demand side problem. In terms of supply, donor states tend to lack the necessary political wherewithal, institutional frameworks, and long-term outlook to undertake the type of transformative agenda entailed in SSR. Fundamentally speaking, successfully applying the SSR model requires a radical change in the modus operandi of donor states in how they provide assistance, something they have been unable or indeed unwilling to embrace. On the demand side, the SSR model presupposes that reform recipients desire or are willing to accept the transformation that the donors are selling, a questionable assumption in many cases. This challenges the principle of ownership, held as crucial and inviolable in both SSR and wider development orthodoxy.

While recipient demand for SSR may be tepid or variable in some contexts, the importance and utility of SSR goes largely unquestioned in most donor agencies and states. With the emergence of a firm belief in the ubiquitous threat posed by failed and fragile states over the past decade, coupled with a still largely untempered enthusiasm for international interventionism in conflict zones and unstable regions, the SSR concept has grown in stature. SSR provides peacekeepers, occupiers and trustees alike with a tangible blueprint for stabilization and, perhaps most importantly, an exit strategy. On the flip side, SSR also provides some donor states with a convenient façade for the continuation of more traditional interest-based security assistance programs, justified under banners like counter-terrorism or counter-narcotics.

While SSR is implemented in a range of contexts, from stable transition states like Indonesia to post-conflict states like Afghanistan, it is the latter that tends to dominate SSR analysis and occupies a large share of the attention of this volume. There is something to be said for the logic that understanding the most problematic cases can reveal more about the sturdiness and capability of a concept or model than the more straight-forward ones, clearly exposing its strengths, weaknesses and inconsistencies. It is important to be mindful though that the challenges prevalent in the “basket cases” are not just more severe, but fundamentally different than those in more “normal” political and security environments. Accordingly, it can be dangerous to assess or define SSR on the basis of its performance in the most broken states.

Some patterns and trends in the implementation of SSR do, however, span all cases, regardless of their category or level of difficulty. For instance, whether in Iraq, East Timor or Pakistan, when SSR programs have faltered, reformers have tended to retreat to a familiar fallback position; the train-and-equip paradigm. While this represents the compromising of some of the model's core principles, it is not surprising considering that training armies and police in tactics and strategy is what Western donor states know and do best. Their track record in instilling democratic norms and promoting good governance is decidedly spottier. In other words, donors will invariably revert to what they know, what is easier and what they have the capacity to accomplish in short time frames when faced with major challenges. This goes to the very heart of the conceptual-contextual divide; donors, in many respects, simply lack the resolve to implement the ambitious SSR model.

Narrowing this divide is one of the primary purposes of this volume, which accumulates more than a decade's worth of lessons learned and best practices on SSR. The chapters were first presented as papers in an e-conference on "The Future of Security Sector Reform" held in the spring of 2009.² The virtual dialogue engaged over 300 practitioners, policy makers and analysts on SSR from more than 50 countries. The book is divided into three parts: The first part on the "Origins and Evolution of the SSR Concept" charts the development of SSR over the past decade and details the variety of approaches to it that have emerged over that period. Nicole Ball notes the significant shift that the emergence of the concept entailed, most notably because it was championed by the development assistance community, "which had consistently avoided addressing issues related to security, and frequently justice, for much of the post-1945 period." The concept was, and is, a poster child of the development-security nexus, reflecting the growing awareness of the interconnectivity and complementarity of the security and development fields. The SSR model was rapidly formalized and institutionalized through bodies like the OECD DAC and UN, as well as key donor champions like the UK and the Netherlands, leading to the implementation of a plethora of SSR activities over the past decade. Ball nonetheless urges readers "to view the current enthusiasm for SSR with caution, as a work in progress." Many existing SSR initiatives, as Ball argues, do not conform to the SSR model at all, and are in actuality more akin to traditional forms of security assistance "devoid of governance content" that have merely been "rehabbed" as SSR. This trend raises the fundamental question of whose security these programs are chiefly concerned with. Ball interrogates this notion

2 For a detailed report on the conference findings, see CIGI (2009). *e-Conference Report: The Future of Security Sector Reform*. Waterloo. Available at: www.cigionline.org/sites/default/files/e-Conference%20%20Report%20Final.pdf

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of local ownership, explaining that “to fulfill the promise of the original SSR concept” donors need to understand that all support should be based on “local demand” and driven by local stakeholders.

Adedeji Ebo and Kristiana Powell of the UN support the view that SSR programming should be focused on the locals, arguing that “for security to be sustainable and viable, SSR [should be] targeted at the security of the individual citizen, communities and the state, all of which are interlinked.” Much of their chapter draws on the UN Secretary-General’s report on SSR, which outlines a UN approach to the concept. While they recognize some of the limitations of the UN in the SSR field, such as its lack of technical capacity in some key areas, they nonetheless see the institution as “uniquely positioned to support national authorities in some of the most challenging, albeit essential, political-strategic dimensions of SSR.” Indeed, the UN has tremendous potential to fill the void of political and policy coordination that has encumbered so many reform processes.

Ball and Jake Sherman concur in their chapters that the September 11 attack on the US was, in many ways, a watershed for the SSR model, opening up a new phase in its conceptual development and implementation. Sherman describes a resulting “securitization” in the US approach to SSR under the auspices of the “war on terror,” with foundational tenets of the SSR concept like “democratic governance, accountability and transparency” being shunted aside in favour of a more militarized form of “security and development assistance [that] has often undermined or contradicted principles of democratic governance...” This trend has, to a certain degree, been halted under the Obama administration, which has shown some commitment to actualizing a truer vision of SSR, as indicated by the publication of a US government policy statement on SSR that largely conforms to the OECD DAC SSR framework, and the inclusion of language on SSR in the 2010 National Security Strategy.³ Nonetheless, any examination of US security assistance over the past decade, including many existing programs, would inevitably point to a more traditional train-and-equip mentality that contradicts the holism of SSR. This has been a major dilemma for SSR implementation in multilateral international interventions around the world, because the US is, more often than not, a big player and must work alongside European states that have wholly adopted the orthodox SSR approach.

3 US Agency for International Development (USAID), US Department of State, US Department of Defense (2009). Security Sector Reform. Washington; White House (2010). National Security Strategy. Washington.

Despite some variations in European approaches, Peter Albrecht, Finn Stepputat and Louise Andersen argue that a general European approach to SSR has taken shape. That approach is defined by its focus on “the governability of a country’s internal and external security institutions and democratic accountability,” as well as its “opposition to a narrow focus on individual (often military) institutions and reforms that are technical in nature...” The European approach can be defined as much by what it is not — influenced and inspired by a cold war train-and-equip mindset, like the US — as by what it is — in close alignment with the orthodox SSR model. Nonetheless, the authors contend that in Europe, SSR has been characterized as much by a “developmentalization of the security agenda as the other way around,” implying that the dominant influence on SSR thinking continues to be the development community as opposed to the conventional security establishment, which in some donor states has mounted an effort to reclaim the security assistance space.

In the eyes of Luc van de Goor and Erwin van Veen, the developmentalization of the SSR concept to which Albrecht, Stepputat and Andersen refer has distorted the outlook of donors toward security assistance, causing them to examine SSR contexts in an apolitical fashion. SSR does not take place in a vacuum where politics and interests, both local and external, are dormant or absent altogether, though that is seemingly how the model is advanced in many contexts. The authors call for greater realism in the application of the model, arguing that SSR may not be feasible or possible in post-conflict settings and could, in fact, be a better fit in more normalized development environments “where SSR can more easily link up with the governance agenda.” They also question the appropriateness of one of the guiding axioms of SSR, the need for whole of government (WoG) approaches, arguing that it “risks confusing means with ends.” Rather, “the level of WoG required depends on what SSR efforts seek to achieve” and the particular conditions present in the reform context. Although they question the applicability of the SSR concept in many settings, they are clear that “it is not appropriate to discard the SSR concept” altogether in favour of “new approaches, such as armed violence reduction,” to which Robert Muggah and Mark Downes refer later in the volume. However, they do argue “that considerable strategic, political and practical work is still needed to make SSR a development concept and create a toolkit useful and acceptable to the wide range of SSR settings and actors involved.”

In his chapter, Mark Sedra also questions the applicability of the conventional SSR model in challenging reform settings like collapsed, post-conflict, and even conflict settings. Calling for a more politically attuned approach that is both more modest and contextually oriented, he offers some suggestions on how to develop more nuanced and effective implementation strategies. His

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prescriptions lead into the second part of the volume, "From Concept to Context: The Implementation of SSR," which shifts from analyzing wider trends in the concept's development to the practical challenges surrounding its application in the field.

Using the example of Sierra Leone, an oft-cited success story of post-conflict SSR, Paul Jackson challenges some of the prevailing "mythology" of SSR. Jackson recognizes the eloquent nature and good intent of the various expositions of SSR orthodoxy, but questions their lack of what he calls an "upstream view," or understanding of the challenges of actual implementation. He cites the need to widen the discourse on SSR "to encompass the politics of what it means to carry out SSR and, by extension, what it means to construct a liberal state." SSR programs, particularly in post conflict contexts, are too often carried out without an adequate understanding of "local definitions of security," power dynamics and modes of violence. As a result, the solutions and strategies applied tend to be external and abstract in nature, implemented not by those who are most qualified, but those that are available.

Robert Muggah and Mark Downes take as a starting point for their chapter the growing skepticism over "conventional" security promotion activities, like SSR in post-conflict contexts, which they contend are "often freighted with assumptions that may not align with realities on the ground." They go as far as to conclude that "SSR may not be the most appropriate approach in such contexts." Part of the problem is timing. SSR initiatives may only become feasible once post-conflict peace-building and state-building processes have had time to consolidate and achieve certain key outcomes. In that interim period, before conventional security interventions are both possible and appropriate, "international actors may be better served by adopting a more pragmatic and demand-driven approach...including support for interim stabilization measures to facilitate security sector transformation." Such approaches are already being tried and tested in challenging environments across the globe, but in an ad hoc fashion. It may be time to institutionalize such measures as a part of SSR strategies, particularly in the more challenging environments.

SSR is rarely the only donor process being implemented in a post-conflict or transition space. Rather, it lives alongside broader processes of development, stabilization and peace-building, overlapping and intersecting with them. Ann Fitz-Gerald examines the cohabitation and relationship between SSR programs and stabilization operations. She argues that commonalities between the two processes are poorly understood and potential synergies untapped or underdeveloped. Preventing the development of closer ties have been "a number of capacity gaps and divides across the human, organizational and

knowledge-based resources of both communities,” which can only be resolved through the nurturing of an emergent international institutional architecture, taking shape with the emergence of bodies like the non-governmental International Security Sector Advisory Team (ISSAT) and the UN’s Office of the Rule of Law and Security Institutions. Despite these nascent advancements, the main problem in this area may be a lack of innovation that would allow these processes and their best practices to evolve and break out of existing implementation modalities. As Fitz-Gerald states; “thinking supporting this subject remains very tied to its original experiences and not geared towards embracing a new paradigm.”

Some parts of the SSR model have not smoothly integrated into SSR implementation agendas in the field. Justice reform is one of those parts. Although understood as an indivisible element of the SSR model by documents like the *OECD DAC Handbook on Security System Reform*, in implementation settings the justice sector often appears out of place within the SSR agenda. The imposing challenges to the implementation of justice sector reform initiatives that Kirsti Samuels cites in her chapter can partially be attributed to the failures of SSR stakeholders to adequately prioritize, resource and assimilate justice sector activities within the broader SSR agenda, reflecting again the policy-practice disconnect.

Alice Hills reminds us that SSR is not solely a facet of post-conflict stabilization enterprises, but is also a key to post-authoritarian transitions. Moreover, SSR is hardly “a technical project or ideologically neutral process” as some SSR policy specialists would have us believe. Rather, it is heavily laden with Western liberal values, cultural perceptions and particularistic interests. Drawing on the experiences of several African cases, Hills argues that “SSR is too normative, prescriptive and ethnocentric to be easily transplanted to the South” and will only succeed if it becomes more culturally aware, politically sensitive and locally relevant. In other words, context is everything and politics is a key to change — two realities that are frequently ignored in SSR programming, whether in transitional or post-conflict situations.

Africa in many ways is ground zero for SSR, the continent with the greatest concentration of fragile, failed and post-conflict states and an attendant number of international interventions. It provides an ideal mix of test cases for the concept, including post-authoritarian transition states like Nigeria, post-conflict states like Sierra Leone, conflict states like the Democratic Republic of Congo, collapsed states like Somalia, fragile states like Guinea Bissau and more advanced democratizing states like South Africa. If SSR can’t work in Africa, it can’t work anywhere. Drawing on this rich diversity of cases, Hutton

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argues that SSR will be hard-pressed to succeed on the continent unless there is “a change in the conceptualization of security and a change in the manner in which the role of the state security sector is envisaged.” The primary goal of SSR should be to precipitate “a broader change in the relationship between state security and citizens,” as regimes rather than citizens remain the locus of security in most African states and public space for citizens to engage security issues is highly constrained. Demanding a new social contract between state and society in the security sphere, which Hutton implies is needed, is nothing short of transformative, yet that is the task that the SSR model lays before reform stakeholders.

Bruce Baker turns the logic of Hutton and SSR orthodoxy on its head, arguing that in Africa and elsewhere, SSR initiatives are too preoccupied with the state and “the future lies in addressing the remaining majority — the non-state agencies.” Drawing on a growing consensus in the SSR field that a majority of security and justice services in post-conflict and fragile state settings, particularly in Africa, are delivered by non-state actors — up to 80 percent according to some estimates — it is not only illogical to focus almost exclusively on state actors but “untenable.” Using policing as a microcosm for the wider SSR field, Baker argues that “in a hybrid governance context where most policing is delivered by non-state actors, policing reform that places a focus exclusively on either state or non-state institutions is unlikely to be effective.” Accordingly, as was suggested by Hills and others in this volume, SSR implementers must design programs on the basis of local realities and perceptions of security and justice, not irrespective of them. In other words, they must work through local actors, norms and structures, not around them. Such an approach will inevitably be more cost-effective, politically viable and impactful.

The last third of the book identifies and breaks down the myriad challenges that confront SSR programs, with the issues of local ownership and civil society engagement chief among them. While Eirin Mobekk and Marina Caparini recognize the intrinsic importance to SSR of local ownership and civil society engagement respectively, they agree that neither has been consistently achieved in SSR contexts. Mobekk outlines the ambiguity of actualizing local ownership in reform contexts, pointing out the “vast gap between policy and practice” that surrounds the idea. Caparini remarks that civil society actors are routinely sidelined in SSR initiatives: despite the fact that “indigenous community-based civil society groups...have much to contribute to SSR...they remain undervalued and marginalized in many SSR initiatives.” The remedies to these gaps offered by the authors display distinct commonalities, namely a more nuanced understanding of the recipient societies by external reformers and

greater responsiveness to the actual needs of local citizens and communities. Indeed these are common threads that run throughout the book.

This enhanced understanding and responsiveness should be inclusive in nature, encompassing and benefiting a wide range of actors and groups within society, not just majority communities, elites or like-minded actors. One group that has characteristically received inadequate attention in SSR planning and implementation is women, who, as Jennifer Salahub and Krista Nerland point out, have unique needs in the security sector. As a result, “the effective inclusion of gender-based analysis [in SSR programming] is crucial to the realization of a security sector that respects democratic and human rights principles.” However, gender tends to be perceived as a secondary issue in SSR program design and implementation and, for that matter, has been “treated as a late add-on to... [the] pre-existing model of SSR.” Addressing this gap will require paradigmatic change in donor approaches that will not be achieved today or tomorrow, but over the long term.

Nicholas Galletti and Michael Wodzicki similarly call for a significant shift in the SSR paradigm, not solely towards a process more inclusive of ignored or marginalized groups, but one embracing an overarching “human rights perspective” that would bring the goal of securing human rights to the forefront of the SSR agenda. Human rights principles already suffuse the SSR model, but Galletti and Wodzicki argue that SSR should be more comprehensively tied to human rights norms and objectives. Doing so, they argue, requires a clear focus on strengthening state rather than non-state entities, as the state “is the primary duty-bearer” for the fulfillment of international human rights principles. Such an approach is consistent with the statist framework of the SSR model that many contributors to this volume have challenged. Galletti and Wodzicki, as well as Salahub and Nerland, illustrate the potential pitfalls of dispensing with that framework, both for the status and protection of marginalized groups and for the advancement of key international norms and standards like human rights.

One of the most distinctive features of contemporary international interventions in post-conflict, fragile and failed states is the proliferation of external actors and stakeholders. A set of actors that have become increasingly engaged in SSR programming over the past five years, overcoming institutional obstacles and questions of mandates, have been the international financial institutions, most notably the World Bank. Their engagement has primarily revolved around the manner in which public funds have been expended in the security sector, an issue often clouded by both legitimate issues of state secrecy, as well as illegitimate problems of graft, corruption and mismanagement. The SSR model calls for the strict application of good governance principles like accountability

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and transparency in security sector finances, as well as the rationalization of budgets. However, frameworks and strategies to effectively translate these notions into sound fiscal and budgetary policies and practices have been slow to emerge, something that has driven bodies like the World Bank to carve out a role in the SSR space. William Byrd, a veteran World Bank official, cites the urgent need for the application of public finance management (PFM) practices and standards in the security sector as they are applied across the rest of the public sector; previously, the security sector was seemingly treated as a special case, exempt from detailed oversight. Attention to PFM, as well as the imperative of long-term fiscal sustainability, must be “built into a country’s SSR strategy and program design from the beginning — even while recognizing...short-term imperatives...”

Another category of actors that has begun to assert a critical role in the SSR sphere has been the private sector, ranging from private security companies (PSCs) to management consultancies. While much controversy has greeted the increased engagement of these groups — primarily the PSCs — rooted to issues of accountability, professional conduct and effectiveness, they are already, as Alex Martin and Peter Wilson show, facts on the ground in SSR settings. The private sector after all has been drawn into SSR and broader stabilization interventions by donor states to make up for their own lack of human capacity to meet the demands of SSR programs. Since “governmental and multinational donors do not have a ‘standing army’ of serving civil servants and military and security officers who are equipped with both technical and consulting skills and are willing to deploy (often at short notice) to support capacity building in host countries,” they have increasingly begun to outsource those tasks to the private sector. The challenge now, as Martin and Wilson describe, is to devise a “division of labour between donors and the private sector in supporting a locally owned political process of reform that builds both accountability and effectiveness.” This is no easy task considering the differing and often divergent cultures, attitudes, approaches and interests of this wide group of actors, coupled with immature mechanisms and structures to monitor their behaviour and effectiveness.

Jeffrey Isima takes on the challenge of rationalizing the increasingly wide and heterogeneous field of actors that now populate SSR implementation contexts. Coordinating these groups and sequencing their reform efforts is crucial to actualizing the holistic vision of the SSR model. Looking at the African context, it is “clear that the sheer multiplicity of external actors in most ongoing SSR projects...many of which have similar mandates and operate in the same areas, creates the grounds for what has been referred to as ‘turf wars’ among the main (particularly external) actors.” The SSR model speaks in terms of common

visions, joined-up strategic approaches, coordination frameworks and whole-of-government action — buzzwords and catchphrases that in many contexts have meant little in terms of substance. Indeed, the failure to meet the imperatives of coordination and sequencing have, in some cases, led reform implementers to “muddle through” with “minimal results,” while in others it has created major “setbacks.” In either scenario, a critical element of the SSR model has been left unfulfilled. Addressing this gap requires more empirical analysis of past and existing case studies, not merely theoretical speculation and wishful thinking.

Across all of the chapters of this volume the intrinsic value of SSR is rarely questioned; the authors don’t call for the current model to be wholly dismantled and a new one to be created from the rubble. However, there also tends to be agreement among the contributors that the model in its current form has achieved few clear successes and that a systematic rethink of how it is applied in the field is urgently needed. As stated repeatedly in this introduction and throughout the book, a conceptual-contextual or policy-practice divide lies at the heart of the dilemma facing SSR. While there seems to be a consensus on the need for change to the model, what that change should entail remains disputed. Two distinct approaches seem to coalesce in the course of the book, with a number of variations and sub-approaches identifiable therein. What differentiates those approaches is the level to which they conceive the future of the concept as remaining rooted to a Western, statist conception of security. There are those who believe that the concept’s preoccupation with the state and Western liberal principles is unrealistic and counterproductive, and that reforms stakeholders must seek to shape programs around local dynamics and perceptions of security. This school of thought, the post-liberal state school, holds that the SSR model, as currently constructed, is principally geared to advancing the security of external actors rather than reform recipients, a formula that needs to be reversed.

The other school of thought, the orthodox school, sees the problem with SSR as the inability, and in some cases unwillingness or disinterest, of donors to follow the model’s Western, statist principles. Advocates of this position hold that by expanding the institutional and human capacity of donors to advance reform, and nurturing more robust donor political resolve to apply that capacity adroitly, the core principles of the model can be fulfilled. At the core of this mindset is the belief that the state is the only actor capable of meeting the human security needs of the population, thus SSR should focus on its attention on expanding its scope and capacity and reframing its relationship with wider society.

These two schools of thought represent very different paths for the SSR model going forward, but they are not wholly irreconcilable. In fact, a second generation SSR model can draw on elements of both. This new model should be

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based on empirical analysis of past SSR cases rather than merely theoretical and normative constructions, and should feature a number of broad characteristics advocated by numerous contributors to this volume: it must be more nuanced, reflecting the variety of contexts, actors and threats present in most reform contexts; flexible, in order to accommodate different approaches depending on contextual conditions and available resources; and more politically attuned, grasping the need to engage political realities and seek to shape them rather than work above or around them. One can also make a case for modesty in the implementation of SSR, considering the failings of the model over the past decade. Contributors, though, were mixed on this point, with some calling for more ambitious engagement to overcome the model's shortcomings, while others prescribed a more cautious and selective approach, questioning the capability of the donor community to implement such a transformative project in the first instance.

With SSR now widely accepted as a critical part of the development and security policy scape it is a crucial time to revise and remodel the concept and develop the national and international machinery to appropriately implement it. The existing SSR gospel, best represented by the *OECD DAC Handbook on Security System Reform*, provides a good normative base for the development of effective implementation approaches. It does not, however, provide a step-by-step reform blueprint as the title "Handbook" would imply. This has been one of the primary problems with the SSR model; a phase in its development has seemingly been missed, with the expression of basic principles being portrayed as a field manual for reformers rather than a stepping stone to, or foundation for the development of more refined and textured implementation doctrines. Contemporary reform contexts are just too messy and volatile to neatly apply normative frameworks. The problem is that attempting to do so in a clumsy and overbearing fashion can provoke a backlash among local actors, and not only set back reform processes, but do harm, something we have seen time and time again.

This volume hopes to initiate a debate within the SSR community of policy and practice on the future of the concept, developing new ideas on the form and content of a second-generation model. If nothing else, it hopes to give shape to a new research agenda that can harness the many lessons learned from a decade of implementation to foster a more informed debate on the future of SSR.



PART I — THE ORIGINS AND EVOLUTION OF THE SSR CONCEPT

1

THE EVOLUTION OF THE SECURITY SECTOR REFORM AGENDA

Nicole Ball

Introduction

The security sector reform (SSR) agenda emerged within development and security policy circles in the late 1990s in recognition of the need for a broader approach to security assistance and an alternative way of thinking about the role of the security services in the political and economic lives of countries. Somewhat surprisingly, the development assistance community, which had consistently avoided addressing issues related to security and frequently justice, for much of the post-1945 period, came to champion the concept of SSR. Indeed, without the advocacy of then UK Secretary of State for Development Clare Short, it is conceivable that the dominant strain of the SSR agenda as expressed in various policy statements and papers of the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD) — with its emphasis on democratic governance of the security sector — would not exist today. However, it is important not to confuse support for SSR at the rhetorical and, in some cases, the policy level with an understanding of the concept, an awareness of its importance or a commitment to promoting its agenda — either at home or abroad.

Before There was SSR...

Throughout the Cold War period, the major powers of both East and West had no interest in using security and development assistance to promote democratic governance in the countries receiving their aid. Rather, their assistance was intended solely to foster strategic relationships with key allies, many of whom were ruled by military governments or had civilian-led governments with extremely close ties to the military and other security services.

In consequence, highly autonomous security services consistently undermined opportunities for developing participatory forms of government, societies based on the rule of law and a strong civilian capacity to manage and monitor the security sector. Excessive, inefficient and inappropriate security expenditure reduced the resources available for development and weakened the ability of the security services to carry out their assigned tasks. Security for the elite and the regime flourished at the expense of the security for citizens, communities and often the state.

While a good deal of work was carried out within academia and think tanks during the Cold War on military involvement in politics, much of this literature relied on inadequate data and inappropriate methodologies,⁴ and relatively few comprehensive case studies of individual countries were undertaken. In general, comparatively little effort was made to understand the complex political, social and economic dynamics that shaped the relationships between civilian and security elites; this affected the capacity of states to provide the broad-based security their populations required for sustainable political and socio-economic development (Ball, 1981; Ball and Hendrickson, 2009).

However, during the 1980s, as military-led or -supported authoritarianism began to give way to more participatory forms of government, there was an increase in publications examining the military's role in governance, particularly very detailed case studies of transition countries (Hutchful and Luckham, undated). During this period, the literature on the impact of the broader security sector on development also began to emerge (Ball, 1988). Additionally, the peace research community examined issues such as prevention of violent inter-group conflict (internal and trans-border), prevention of state violence against populations and post-conflict reconciliation, all of which provided inputs into the concept of SSR as it began to develop during the late 1990s.

4 During the late 1960s, political scientists began to use macrostatistical analyses to examine the relationship between critical variables in a large number of countries across a period of years in order to discern patterns in these relationships. This technique was eventually applied to variables such as the level of military spending or military *coups d'état* on the one hand, and economic growth in developing countries on the other hand. In addition to the problems of attempting to model complex political phenomena, such studies suffered from a number of other shortcomings: quality of data; choice and definition of variables; sample size; variability among countries that make comparisons difficult; and difficulties in attributing causality. At best, this approach can point to possible relationships among variables. A better understanding of the linkages between security and development requires careful, detailed case study work by researchers with a deep familiarity with the cases under study and a solid appreciation of political realities.

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Before SSR could emerge as a concept, a number of important building blocks had to be put in place during the 1990s: fundamental changes in global political and security relations; evolution of the concepts of development and security; input from reformers in developing countries; and practical input from ongoing transitions in Eastern and Central Europe and the former Soviet Union.

The Building Blocks of SSR

End of the Cold War

Starting in the early 1990s, the strategic priorities of the major powers began to change with the break up of the Soviet Union and the shift towards political liberalization in Eastern Europe. This shift in priorities had a number of consequences. Probably most important was the space that the changes in the geopolitical landscape provided for the integration of security into political and economic development, the reform of public institutions and the promotion of efforts to change elite attitudes and behaviours in both developing and transition countries.

Changes in the Concepts of Development and Security

The break up of the bipolar world also created space for issues such as governance, poverty reduction and conflict prevention to enter the development and security assistance agendas of OECD countries. This, in turn, enabled development donors to begin to discuss the linkages between security and development, and the appropriate role of development assistance in strengthening security in developing and transition countries. It also allowed for some modification in security assistance policies and saw the beginning of a dialogue between development and security donors.

In the early 1990s, however, the development donors focused on how much developing and transition countries were spending on the military. This was because governance had not yet embedded itself in the development agenda and, at least partly as a consequence, the rather simplistic view held sway that donors could pressure governments to change resource allocation patterns without tackling any of the deep-rooted and highly political reasons as to why resources are allocated as they are (Brzoska, 2003: 5–10).

By the end of the 1990s, governance was a legitimate subject of discourse for development donors, opening the door for discussions of security sector governance and collaboration with security actors. What is more, participatory poverty assessments, undertaken since the 1990s, consistently identified a lack of security as a major concern for poor people, especially pertaining to: crime and violence; civil conflict and war; persecution by the police; and lack of justice (Narayan et al., 2000: 155). The research carried out under the auspices of the World Bank “Voices of the Poor” program was particularly influential in helping the donors understand that physical insecurity was a major impediment to poverty reduction. This implied a need for effective security services and justice systems, which in turn required a certain outlay of state resources. The donors were deeply involved in peacebuilding efforts in conflict-affected countries and gradually came to the realization that conflict prevention is less expensive than recovery. This was an added incentive to begin to tackle the problem of unaccountable and ineffective security services and justice systems.

The concept of SSR was also influenced by the broader “human security” agenda, which is based on two key ideas: first, that the protection of individuals is critical to both national and international security; and second, that the security conditions required by people for their development are not limited to traditional matters such as national defence and law and order, but rather incorporate broader political, economic and social issues that ensure a life free from risk and ill-being (Cawthra, 1997: 7–26).

Inputs from Reformers in the Developing World

The end of the Cold War and the dissolution of the apartheid regime in South Africa created space for discussions on the quality of development, governance and security among local actors in the non-OECD countries themselves. It also enabled the emergence of civil society organizations and coalitions that pressed for people-centred approaches to security and the application of democratic governance principles. Pro-reformers in civil society in the developing countries helped to define what came to be known as the SSR agenda by undertaking practical work aimed at educating security service personnel, civil authorities and members of civil society on their various roles and responsibilities in democratic societies and carrying out research on ongoing political transition processes. Additionally, civil society actors contributed to the evolution of South African security policies.

Both of these strands of work, in turn, strongly influenced other reform, research and policy advocacy work in Africa and other parts of the world, as well as

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the conceptual work underpinning the emergence of the SSR agenda. Other elements of the South African security reform processes that had an important bearing on the subsequent evolution of the SSR concept include: the emphasis on process; the grounding in democratic governance; the strong normative approach; and the emphasis on participation. That said, when it set out on its path of transforming its security bodies and relations between these bodies and the population, South Africa did not have a concept of “security sector reform.” Rather, South Africans viewed themselves as carrying out defence reforms, intelligence reforms, policing reforms and so on.

Input from Ongoing Transitions in Eastern and Central Europe and the Former Soviet Union

Another early influence was work on democratic civil–military relations in the transition countries of Eastern Europe and the former Soviet Union, which got underway in the mid-1990s. Because NATO and the European Union (EU) made adherence to principles of democratic civil–military relations a condition for membership, candidate countries had an enormous incentive to begin to apply these principles. For their part, NATO and EU members had an incentive to develop the capacity to support efforts that strengthened the accountability of the armed forces in candidate countries and to improve the capacity of the civil authorities to manage the defence sector (Hendrickson and Karkoszka, 2002: 175–202; NATO, 1995; 2002; Organization for Security and Co-operation in Europe [OSCE], 1994). However, the situation in the transition countries was somewhat different from that of the developing world. In transition countries, the development donors played a secondary role behind political and security actors. Nonetheless, the principles and objectives were the same as those espoused by pro-reformers in the developing countries (Geneva Centre for the Democratic Control of the Armed Forces [DCAF], undated; Centre for European Security Studies [CESS], undated).

SSR Emerges on the Donor Agenda

SSR was initially championed by the UK Department for International Development (DFID) following the election of the Labour Party in 1997. By early 1999, DFID had produced a policy note on poverty and the security sector that outlined the conditions under which development assistance could be used to engage in SSR and the specific criteria for DFID engagement (DFID, 1999; Short, 1999). DFID’s SSR policy initially did not include “police carrying out their

normal law enforcement activities.” It did, however, include “those responsible for policing and the administration of justice.” The reason given for this artificial distinction — which was in direct contradiction to the new thinking on security that had emerged about a decade earlier — was: “Improved policing is already covered in DFID’s good governance work” (DFID, 1999).

DFID could, of course, have chosen to integrate SSR into its ongoing governance work. Instead, the secretary of state gave responsibility for SSR to the Conflict and Humanitarian Affairs Department, which is now the Conflict, Humanitarian and Security Department. DFID’s SSR policy initially focused on the defence sector. DFID’s Governance Department (since disbanded in an administrative restructuring) developed a parallel policy on safety, security and access to justice (DFID, 2000; 2002). This not only established the basis for a turf war within DFID, but it also delayed meaningful dialogue within the British government — especially among DFID, the Ministry of Defence (MOD) and the Foreign & Commonwealth Office (FCO) — on how to address insecurity most effectively through the UK’s foreign, defence and development policies.

Within a few years, however, it became evident to the British government that the security sector includes large portions of the justice system and should ideally be dealt with as a whole. DFID, FCO and MOD agreed on a policy brief that defined the security sector as: “Bodies authorised to use force (the armed forces, police, and paramilitary units) [and] [j]udicial and public security bodies (the judiciary, justice ministries, defence and prosecution services, prisons and corrections services, human rights commissions and customary and traditional justice systems)” (UK, 2003: 3).

The UK’s pooled funding mechanisms, the Global Conflict Prevention Pool and the Africa Conflict Prevention Pool (combined in 2008 into the Conflict Prevention Pool) provided a major source of SSR-related funding for the UK. This reflected another early choice by DFID to engage in SSR-related work primarily in conflict-affected countries. This decision has coloured not only the UK’s subsequent SSR work, but also work within much of the international community.

This is because, for many years, the UK was the main proponent of SSR and a major proponent of the strategic thinking that has emerged over the last decade through the OECD DAC. The UK frequently works through multilateral forums to promote its policy objectives. DFID decided to promote its SSR agenda internationally by helping the DAC to develop donor thinking on SSR.

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More recently, DFID has begun to speak of the need to promote peace and state building in both conflict-affected and fragile states (DFID, 2009: 69–88). The *2009 DFID White Paper* recognizes that these objectives will be unattainable in societies where there is violent conflict or where crime and violence (including transnational crime) are rampant. This means, according to the *White Paper*, that DFID “must make security and justice a priority” (DFID, 2009: 70). Specifically, DFID commits itself to: treating security and justice as basic services, significantly increasing direct project funding; giving priority to measures that address violence against women; and building an international partnership to promote security and justice. It is, therefore, likely that the international community will increasingly focus on security and justice reform.

The DAC Agenda

In 2004, DAC members agreed on a policy statement and paper on SSR and governance. In the policy paper, SSR is defined as:

the transformation of the “security system” — which includes all the actors, their roles, responsibilities and actions — working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance (OECD DAC, 2004a: 20).

The DAC articulates the objective of SSR as follows: “to increase *partner countries’* ability to meet the range of security needs within their societies in a manner consistent with democratic norms and sound principles of governance, transparency and the rule of law. SSR includes, but extends well beyond, the narrower focus of more traditional security assistance on defence, intelligence and policing” (OECD DAC, 2004b: 1).

The DAC SSR agenda is built on four main pillars:

- developing a clear institutional framework for providing security that integrates security and development policy and includes all relevant actors and focuses on the vulnerable, such as women, children and minority groups;
- strengthening the governance and oversight of security institutions;
- building capable and professional security forces that are accountable to civil authorities and open to dialogue with civil society organizations; and

- promoting the sustainability of justice and security service delivery (OECD DAC, 2004b: 2; 2007).

Implementing the SSR Agenda

Since OECD DAC members approved the SSR policy paper and statement in 2004, there has been additional formalization of thinking relating to SSR. While some of it draws heavily on the DAC approach (OECD, 2007; UN, 2008; US Department of the Army [USDOA], 2007: 6-1–6-22; US Agency for International Development [USAID], US Department of Defense [USDOD] and US Department of State [USDOS], 2009), there is still no agreement on either terminology or approach within the international community. Terms used include security sector reform, security system reform, security and justice reform, security sector development and security sector transformation. Each term represents a somewhat different view of what is to be changed and how. That said, there is a fair amount of agreement that these various approaches should address two main problems: the ineffective and inefficient provision of security and, increasingly, justice, in part because the providers may themselves be a source of insecurity; and the inadequacy of accountability and oversight in the security sector. There is also a fair amount of agreement that the objective is to promote the effective and efficient provision of security and justice to people and the communities and states in which they live within a framework of democratic governance, rule of law and respect for human rights.

On the practical side, the UK has undertaken numerous activities under the heading of “SSR” (Ball et al., 2007; Ball and van de Goor, 2008). The US has also undertaken activities that it characterizes as “SSR” — for example, the restructuring of the Liberian Army and Ministry of Defence. The Netherlands inaugurated a major multi-year security sector development program in 2009. A number of donors have funded an International Security Sector Advisory Team (based at the Geneva Centre for the Democratic Control of the Armed Forces) to establish a standing capacity for operational support to their SSR activities. The UN now provides peace support missions with SSR mandates and is strengthening its capacity to deliver activities in this area.

But one has to question what all this activity means. At best, one should view the current enthusiasm for SSR with caution, as a work in progress.

SSR: A Work in Progress

Despite clear evidence that the DAC agenda is known to the traditional providers of security assistance, there continues to be a strong preference for train-and-equip programs that are very light on the governance aspects of SSR, if they take them into account at all. There are a number of reasons why this is so, but a major reason is the advent of the “war on terror” in late 2001, starting at a point when the SSR agenda was in its infancy. Where the US interests are greatest — Iraq and Afghanistan — there is no pretence of concern about an SSR agenda. Even in countries of less strategic interest to the US — such as Liberia — there is a distressingly traditional approach to security assistance masquerading as SSR. The governance elements of SSR, which is what makes SSR different from traditional security sector assistance, are hard to find.

It is not, however, just the US approach that is the problem. In other countries where efforts are being made to incorporate the DAC principles into security assistance — notably the UK and the Netherlands — the process is taking time and, under the current financial constraints facing the UK in particular, it is in danger of stagnation, if not reversal. There are, of course, countries where no DAC principles of any variety appear to have taken hold — notably China.

All too often, the term SSR is applied to a wide range of security-related activities. In fact, in many cases “SSR” entails rehatting existing programs or initiating activities that are largely devoid of governance content. The US program in Liberia is a case in point. Employees of DynCorp — the US private security company that was hired in 2005 by the US government to reconstitute the Liberian Army and restructure the Liberian Ministry of Defence — drove around Monrovia in cars with licence plates that read SSR1, SSR2 and so on. Their caps bore the logo “SSR,” but the work they were doing was more in line with old-style security assistance than with SSR. The point is not that this work should not be done. There may be very good reasons for adopting a more traditional approach. There are serious questions about what is possible in the early post-conflict period, which happens to be where most “SSR” has been attempted by the international community to date. The point is, call it what it is.

Another interesting example involves an assessment that a major development donor commissioned in Chad in 2007. The work was occasioned by the news that the government of Chad had spent its entire defence budget in the first quarter of the fiscal year. Since the government was unlikely to stop funding security-related activities for the remainder of the fiscal year, a massive

overspend on the military was predicted. The donor in question thought that perhaps, since security is essential for development, it would be acceptable to ignore this inconvenient fact and continue business as usual. The question that had to be asked, of course, was: whose security was the donor concerned about? If the donor was concerned about the security of the ruling elite — the president and his closest advisers — then maybe, but only maybe, continuing down the same path was acceptable. (The uncertainty was due to the fact that much of the defence spending was wasted and not likely to provide anyone with much genuine security.) However, if the donor was concerned about the security of ordinary Chadians, as well as the security of the hundreds of thousands of refugees in the country, then a change was crucial.

As this example suggests, it is always essential to ask: whose security are donors concerned about? The answer depends, of course, on the respondent. There are distinct views on what constitutes security and what needs to be done to enhance the delivery of security. This is why it is important to interrogate the concept of local ownership closely.

Whose Security?

SSR tends to be viewed as something that occurs in the global South. A strong case can be made that SSR is just as important and necessary in the global North. Even if one limits oneself to the global South, there are multiple answers to the question: whose security is at stake?

External Actors

Among external actors, development officials tend to focus on the security and justice needs of ordinary people in the countries receiving development assistance. This often involves focusing to a very large extent on improving access to justice, including policing. Development donors in general remain reticent about supporting reforms in the military sector. Even for the original champion of SSR, the UK, some security-related work has been financed through DFID in countries such as Uganda and Sierra Leone; however, the fit is not comfortable and there are unresolved issues about the degree to which DFID should be engaged in the security arena. There are even DFID officials who are uncomfortable engaging with the police. It will be interesting to see if the new approach heralded in the *2009 White Paper* produces a significant change in this regard.

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Officials concerned with security, including intelligence and counterterrorism actors, tend to focus on the security of their own country and of its major allies. This generally involves strengthening the effectiveness of security bodies in recipient countries so that they can carry out peacekeeping and counterterrorism functions. These same security bodies often have a legacy of activities that undermine, rather than support, security and justice for ordinary people; indeed, they tend to support authoritarian governments. Consequently, development agencies have concerns about working with the security sector and tension — often a good deal of tension — emerges between the development and security communities both at headquarters and in the field. What is more, the focus on counterterrorism and “hard security” occasioned by the “war on terror” has helped to increase concerns among development actors and many in countries undergoing reforms.

It is important to realize that resolving this tension within donor governments is not an either/or proposition. Most governments, as a whole, want to achieve both outcomes — improved security and access to justice for ordinary people in partner countries *and* a reduction of threats to their citizens at home and abroad. One way to minimize the tension between the security and development focuses, thereby maximizing the ability to achieve both objectives, is to acknowledge that the security of donor countries and their closest allies depends not only on effective security bodies (in countries such as Nigeria, Afghanistan or Yemen) that are capable of combating groups that can, in one way or another, threaten the security of countries in Europe or North America. Security of donor countries and their closest allies also depends on key partner countries having a security sector that is accountable to civil authorities and ordinary people, that is structured in a way that is appropriate to meet all the security threats to people, communities and the country in which they live (as opposed to the government of the day) *and* that is affordable.

The picture outlined here is somewhat stylized — the gaps and lack of communication are not always as extreme as painted above. For example, the UK has been working on a joined-up approach to SSR for the last seven or eight years; this work has produced interesting examples of a growing understanding of how to combine a focus on security with a focus on development (Ball and van de Goor, 2008). But, by and large, the potential for maximizing the synergies between these two approaches is not well understood. This is partly because the development assistance agencies have yet to understand the role that they can and should play in strengthening accountability, not only in the justice sector, but also in the security and intelligence sectors.

From an operational point of view, what all this suggests is that it is extremely important to put effort into developing good-quality joined-up approaches that can identify the areas where a development approach to security and justice reform overlaps with security work and how the two can become mutually reinforcing, rather than pulling in opposite directions. It is with this effort that what is truly unique in the SSR concept — the emphasis on democratic governance of the security sector — can be realized. Until that time, policy statements can be approved, handbooks written and training courses given, but if there are no ways to reconcile the inevitably competing objectives of the countries that promote SSR internationally, these policy statements, handbooks and training courses will not make that much difference.

National Actors

It is clear that nothing approximating SSR will occur without the active participation of national actors in countries undergoing SSR. In this context, the question “whose security?” also demands an answer: the regime in power? The state? The communities? The individuals? Ideally, external actors could help local actors address these questions. In reality, much external assistance is directed towards national authorities and discussions about SSR occur with a relatively small number of political or security elites.

There is a sense that “SSR” is an externally imposed concept that does not respond to the needs of non-OECD countries. While there is a good deal of truth to the external imposition argument, an examination of civil society activities around the world demonstrates that the principles behind SSR — transparency, accountability, inclusiveness — are widely supported and that there is an understanding that effective security services and justice institutions that are accountable to elected officials and citizens are critical to economic and social well-being. The recently created Global Consortium on Security Transformation (GCST) aims to encourage existing South–South and South–North security and development debates by working through existing regional networks (GCST, undated). Member institutions represent regional consortia and networks in all parts of the world that have been working on issues of security and development and “SSR” for many years, and even decades. Member institutions include: the African Security Sector Network, the Arab Reform Initiative, FLACSO–Chile, the Institute for Strategic and Development Studies–Philippines, the Institute for Development Studies (UK) and the Southern Africa Security and Defence Management Network. Not only do these networks and institutions bring together civil society actors, but they also count as members, associates and individuals who possess government and security sector experience.

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Some donors are supporting these networks and institutions and some, notably the UK and the Netherlands, are also beginning to make use of these actors to help design and deliver SSR programs. Coupled with an inclusive approach to national actors that aims at fostering national consensus on the desirability of SSR, in particular strengthening democratic security sector governance, the potential exists to develop an approach to SSR that fulfills the promise of the original concept.

The Way Forward

In order to fulfill the promise of the original SSR concept, assistance provided by the international community should be grounded in the following principles:

- All support should be based on the understanding that a security sector that is accountable to civil authorities and ordinary people is structured to meet security threats to individuals, their communities and their country, and is affordable, promoting not only the security of the country in question, but also the security of the region in which it is located and that of the international community.
- All support should be based on a solid understanding of security needs at the individual, subnational and national levels. This understanding is likely to be built up over time, which has implications for the way in which programming will develop.
- All support should be based on local demand. This implies a willingness to provide support to needs identified by local stakeholders at the individual, subnational and national levels. This also implies a willingness to help develop a reform-friendly environment by engaging in dialogue with national authorities, and by helping civil society in its various manifestations to articulate needs and propose constructive approaches.
- External actors should accept that locally conceived and driven reform processes will take time and require an iterative approach. Entry points are likely to be far from perfect and local actors will be learning by doing. Progress is likely to be measured in small steps. Patience and a willingness to take risks will be essential.

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WHY IS SSR IMPORTANT? A UNITED NATIONS PERSPECTIVE

Adedeji Ebo and Kristiana Powell

Introduction

Security sector reform (SSR) is not a new activity for the UN. The UN began assisting national authorities in this area as early as 1989, when, in Namibia, the organization supported national authorities in reforming the armed forces and building a new national army. Since then, the UN has been developing a range of expertise to assist national authorities in undertaking SSR or SSR-related activities. Yet despite this experience, much of the UN's support to national and international stakeholders in many SSR areas has remained ad hoc. Until recently, the UN lacked a common framework and general strategy; the organization still has only limited (albeit expanding) institutional capacities and structures at headquarters and in the field to guide engagement on the ground.

It was only recently that practitioners at the UN embarked on the development of a coherent and comprehensive approach to SSR as requested by member states through the General Assembly and the Security Council. The organization achieved a major milestone in addressing these shortcomings, together with member states and regional organizations. In January 2008, the secretary-general released a report entitled *Securing Peace and Development: The Role of the United Nations in Supporting Security Sector Reform*.

The report of the secretary-general provides an overarching framework to guide the development of UN policy and technical guidance, and to orient programming to ensure that the system is capable of meeting the specific needs of national authorities and international partners in their efforts to undertake sustainable SSR. This chapter offers an overview of the emerging UN approach to SSR, including the organization's guiding principles, examples of UN support for SSR and the UN's value added in this area. In so doing, it provides insight into

why SSR is so important for the UN and its membership. The chapter concludes by identifying a number of potential challenges facing the organization in this critical endeavour, including enhancing national ownership, facilitating coordination and engaging non-state actors.

What Constitutes the “Security Sector” and Why is There a Need for Reform?

While debates about conceptual definitions are not the focus of this chapter, it is important to be clear about what is meant when the UN speaks of the security sector in order to better appreciate the importance of SSR. According to the secretary-general’s report on SSR:

“Security sector” is a broad term often used to describe the structures, institutions and personnel responsible for the management, provision and oversight of security in a country. It is generally accepted that the security sector includes defence, law enforcement, corrections, intelligence services and institutions responsible for border management, customs and civil emergencies. Elements of the judicial sector responsible for the adjudication of cases of alleged criminal conduct and misuse of force are, in many instances, also included. Furthermore, the security sector includes actors that play a role in managing and overseeing the design and implementation of security, such as ministries, legislative bodies and civil society groups. Other non-state actors that could be considered part of the security sector include customary or informal authorities and private security services (United Nations, 2008: para. 14).

The first important point relates to the scope of the subject — the security sector. There is a widespread misconception that security agencies (statutory uniformed personnel such as police and military) constitute and are synonymous with the security sector. Indeed, *les gens d’armes* such as the police and the military are a central part of the security sector, but they do not represent its entirety. In addition to official security management and oversight actors, such as parliament, a country’s security sector may — if so defined by national authorities — consist of non-statutory and informal security organizations and civil society bodies that directly and indirectly influence the delivery and governance of security in many parts of the world.

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The second point is, for the UN, no single security sector model exists. The experience of the UN and its member states has highlighted that each country has its own particular history, culture and experiences of security and, therefore, has its own uniquely structured security sector. Indeed, as the UN Security Council (UNSC) recognized in its May 2008 Presidential Statement on SSR: “it is the sovereign right and primary responsibility of the country concerned to determine its national approach and priorities for security sector reform” (UNSC, 2008: 1).

This being the case, the secretary-general’s report on SSR recognizes that effective and accountable security sectors have a number of common features, including:

- **a legal and/or constitutional framework:** providing for the legitimate and accountable use of force in accordance with universally accepted human rights norms and standards, including sanctioning mechanisms for the use of force and setting out the roles and responsibilities of different actors;
- **an institutionalized system of governance and management:** mechanisms for the direction and oversight of security provided by authorities and institutions, including systems for financial management and review as well as the protection of human rights; **capacities:** structures, personnel, equipment and resources to provide effective security;
- **mechanisms for interaction among security actors:** establishing transparent modalities for coordination and cooperation among different actors, based on their respective constitutional or legal roles and responsibilities; and
- **a culture of service:** promoting unity, integrity, discipline, impartiality and respect for human rights among security actors and shaping the manner in which they carry out their duties.

These five features of an effective and accountable security sector are useful in addressing another widely held misconception: that SSR is a set of simplistic activities consisting of narrow exercises such as “rightsizing” the security services or “training and equipping” uniformed personnel. To be sure, rightsizing, training and professionalization represent critical aspects of SSR, but they do not constitute the entire subject and focus of SSR. For the UN, in essence, SSR relates to the combination of effectiveness and accountability in all security structures and processes. SSR is therefore defined in the secretary-general’s report on SSR

as:

a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law (UN, 2008: para. 17).

Whose Security are We Talking About and Why Is Reform So Important?

For security to be sustainable and viable, SSR is targeted at the security of the individual citizen, communities and the state, all of which are interlinked. In some contexts, there is a considerable gap between security agencies and ordinary citizens. In his opening remarks at the African Regional Workshop on SSR co-hosted by the African Union (AU) and the UN in Addis Ababa in March 2009, AU Commissioner for Peace and Security, Ambassador Ramtane Lamamra, provided a frank assessment of these gaps and emphasized why SSR matters in the African context:

despite the definite advances achieved in Africa in the area of peace and security, in particular those derived from the clear political will and efforts by Member States, working through the African Union, challenges remain in the form of continued conflicts, a relapse into conflict even after peace has been brokered, and weak states unable to secure either their territory or their citizenry. Some Member States face huge challenges that make it difficult for them to fulfill their security obligations to their own citizens. In other Member States, the security forces have, for one reason or another, become a threat to ordinary citizens. For these reasons, some African Member States clearly need to reform their security sectors (Lamamra, 2009).

The rationale of SSR, according to a number of key SSR actors, is that a reformed security sector — efficient, democratically governed and based on transparency and accountability — is a major tool for conflict prevention, stability, peacebuilding and sustainable development. In societies recovering from war, SSR is an essential element for the timely withdrawal of a peacekeeping operation, early recovery, sustainable peacebuilding and longer-term development. In other contexts, it is a conflict-prevention mechanism. Put simply, SSR contributes to

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the security of states and citizens, without which there can be no sustainable economic or political development.

However, it is crucial to appreciate that SSR is part of a broader governance reform agenda. There can be no “oasis” of successful SSR within a broader governance framework that runs counter to the principles of transparency and accountability. Effective SSR seeks to make people, communities and states more secure by emphasizing constitutionalism and civil supremacy, by instilling a sense of service among security providers and by locating the functioning elements of the entire security system within the broad framework of rule of law and respect for universally accepted human rights.

What is the UN Approach to SSR?

Building on these conceptual foundations, the UN has identified a set of 10 principles that should guide and set the parameters for SSR support:

- 1) The goal of the UN in SSR is to support states and societies in developing effective, inclusive and accountable security institutions, so as to contribute to international peace and security, sustainable development and the enjoyment of human rights by all.
- 2) SSR should be undertaken on the basis of a national decision, a Security Council mandate and/or a General Assembly resolution, the Charter of the United Nations and human rights laws and standards.
- 3) In order to be successful and sustainable, support in the area of SSR must be anchored on national ownership and the commitment of involved states and societies.
- 4) A UN approach to SSR must be flexible and tailored to the country, region and/or specific environment in which reform is taking place, as well as to the different needs of all stakeholders.
- 5) A UN approach to SSR must be gender-sensitive throughout its planning, design, implementation, monitoring and evaluation phases. It must also include the reform of recruitment processes and improvement in the delivery of security services to address and prevent sexual and gender-based violence.

- 6) A SSR framework is essential in the planning and implementation of post-conflict activities. Ideally, SSR should begin at the outset of a peace process and should be incorporated into early recovery and development strategies.
- 7) A clearly defined strategy, including the identification of priorities, indicative timelines and partnerships, is required for the implementation of a SSR process.
- 8) The effectiveness of international support for SSR will be shaped by the integrity of motive, the level of accountability and the amount of resources provided.
- 9) Coordination of national and international partners' efforts is essential. Lead national entities and a designated international counterpart should be identified wherever possible.
- 10) Monitoring and regular evaluation against established principles and specific benchmarks are essential to track and maintain progress in SSR (UN, 2008: para. 45).

At the core of these principles is the notion that SSR must be a nationally owned process. This has been stressed by UN member states and practitioners. For example, the Security Council's May 2008 Presidential Statement notes that SSR "should be a nationally owned process that is rooted in the particular needs and conditions of the country in question" (UNSC, 2008: 1). This approach to national ownership is a practical one and is based on the understanding that — as articulated by Laurie Nathan (2007: 3) — national ownership is "both a matter of respect and a pragmatic necessity." In essence, if the design and implementation of SSR policies and programmes are not led by national actors, they are unlikely to succeed.

In light of these conceptual foundations, it is important to consider the value added of the UN in the area of SSR. Numerous UN departments, offices, funds and programs have provided diverse support at the request of national governments or the Security Council. In the course of this work, different parts of the UN system have developed specific expertise and capacities. For example, the Department of Political Affairs (DPA) has focused on SSR in peacemaking processes and in the context of offices or missions led by DPA, while the Department of Peacekeeping Operations (DPKO) concentrates on support for defence, police, corrections and — in a peacekeeping context — legal and judicial institutions.

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The UN Office of the High Commissioner for Human Rights addresses the reform of human rights institutions and capacity building for security actors, and the UN Development Programme (UNDP) has expertise in supporting institutional development in the areas of justice and security, as well as in legislative and civil society oversight. The UN Office on Drugs and Crime has proven strengths in supporting the enhancement of crime-prevention capacity, while the UN Development Fund for Women brings knowledge and expertise on the gender dimensions of SSR. To capitalize on this expertise and to limit the potential for duplication of efforts, the UN has focused on ensuring that all such SSR expertise and capacity form part of a holistic and coherent UN approach. It was largely towards this objective that the secretary-general established an inter-agency SSR Task Force comprising all UN entities engaged in supporting national SSR efforts. The task force meets regularly and serves as a forum for building coherence of UN SSR programming in specific contexts.

In addition, in recent years, the number of Security Council mandates on SSR has increased significantly. Currently, most UN field missions are mandated to provide support to national authorities in SSR. It is helpful to consider a number of examples to generate a better sense of what UN support to SSR means in practice.

UN Support for SSR in Burundi

In Burundi, for example, the UN is playing an important role in supporting national SSR priorities. The UN Integrated Office in Burundi (BINUB), in accordance with Security Council Resolution 1719, is mandated to assist national authorities in the area of SSR, specifically by:

- supporting the development of a national plan for SSR;
- supporting the completion of the national demobilization and reintegration program; and
- supporting efforts to combat the proliferation of small arms and light weapons (UNSC, 2006: 3).

In addition, in response to a request from Burundian authorities, the Peacebuilding Commission selected Burundi as a country of focus and provided US\$35 million through the Peacebuilding Fund (PBF) to support government priorities for peace consolidation, including in the area of SSR.

Specifically, BINUB provides strategic advice to national authorities and regional actors, including support for the establishment of a National Security Council, coordination of international SSR support and the implementation of the ceasefire agreement. BINUB also leads in the implementation of the SSR-related projects funded by the Peacebuilding Fund, including — among other projects — providing training and equipment to the Burundian national police, offering training to and assisting in the reconstruction of barracks for the Burundian military and implementing a community security program related to civilian disarmament.

To deliver on these priorities, a dedicated SSR/small arms section (SSR/SA) comprised of SSR experts (civilian, military and police) has been established within BINUB. BINUB's SSR/SA section provides assistance to the government in implementing PBF and other SSR-related priorities. The SSR/SA section is comprised of a civilian team of experts as well as small police and military advisory units.

UN Support for SSR in Timor-Leste

The UN is also engaged in supporting national authorities in the area of SSR in Timor-Leste. The UN Integrated Mission in Timor-Leste (UNMIT) has a mandate to support the Timorese national police with training and institutional development as well as to help build the capacity of the Ministry of Defence and Security. UNMIT is also mandated to assist the national authorities in conducting a comprehensive review of the future role and needs of the security sector, including the army, the police and the Ministry of Defence and Security.

In partnership with UNDP, UNMIT supports the establishment of a strategic environment for SSR through a range of projects that form part of the UN SSR Capacity Development Facility. These projects are designed to respond to requirements as identified by the comprehensive security sector review and by national authorities, including a seminar series on SSR, a comprehensive survey of public perceptions of security threats and of the security sector, support to the establishment of a defence institute, small grants to academics and civil society for research on security sector governance issues, training in security sector oversight for parliamentarians and support to national authorities in conducting media outreach. Through the provision of international advisers, the UN is also contributing to strengthening the capacity of the civil service and the parliament.

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From within UNMIT, UN Police is providing mentoring support to the national police in developing operational plans, guidelines and standard operating procedures. A compact security sector support unit, consisting of civilian, military and police experts, leads the mission's SSR support to national authorities in partnership with UNDP and other components of the mission.

As noted above, both BINUB and UNMIT host a focused SSR capacity. Experience suggests that the UN is often more effective if it is able to deliver its support through a dedicated SSR capacity. It is this logic that compelled member states to call for the establishment of a focused SSR capacity at UN headquarters. The Security Sector Reform Unit, located in DPKO's Office of the Rule of Law and Security Institutions, serves as an SSR focal point and technical resource for the UN, national authorities and international partners. In addition to providing direct support to UN missions assisting national authorities with SSR, the unit, as chair of the UN inter-agency SSR Task Force, manages the implementation of an inter-agency SSR capacity building program.

What is the UN's Added Value in the Area of SSR?

In all SSR contexts where the UN is active, there is a range of other international and regional actors providing support. The UN is rarely the sole or even most important SSR partner for national authorities in this area. Indeed, the bulk of external assistance to national SSR activities is provided by bilateral partners that are often able to offer greater resources and niche capacities (such as intelligence reform) that are beyond the UN's capabilities or mandates (UN, 2008: para. 50).

However, the UN's global mandate, political neutrality and legitimacy make it uniquely positioned to contribute to specific dimensions of SSR. The UN is the only organization in the position to set out basic principles for international approaches to SSR that reflect the perspectives of a comprehensive range of member states, as both recipients and donors of SSR support. In addition, the organization — in many contexts — may be best suited to assist national authorities at the political-strategic level of SSR. Where requested or mandated, the UN may support national authorities by:

- helping to establish an enabling environment;
- supporting needs assessments and strategic planning, as well as coordination and specialized resource mobilization;

- providing technical advice to, and building the capacity of, security institutions and their oversight mechanisms; and
- supporting national and international partners in monitoring and reviewing progress.

The UN is best positioned to facilitate the process of developing a common national security vision for countries emerging from conflict. Such a process and subsequent agenda setting will necessarily be challenging and controversial in the aftermath of conflict. However, this process lays the essential foundation for national ownership of SSR, without which reform is neither transformative nor sustainable. While the process of developing a national security vision can be — and indeed often is — supported, promoted and facilitated by bilateral actors, a glance at recent history indicates that “SSR” in some contexts involves a de facto transplantation of the security culture and arrangements of one country into another. Given its political neutrality, the UN is thus often a more acceptable partner for national authorities in the facilitation of a national security vision and is most likely to pursue this in a manner that transparently demonstrates integrity of intent.

What Challenges Remain in Strengthening the Capacities of the UN and Member States to Support National Authorities in SSR?

In moving forward in SSR, the UN, member states and regional organizations will continue to face a number of challenges in SSR. These may include the following:

- **Ensuring national ownership of SSR processes:** As noted above, the UN recognizes that to ensure that SSR strategies and their implementation adequately take into account the opportunities and challenges for reform in specific contexts, the design and implementation of SSR programs must be nationally owned. Too often, however, SSR models are imposed by external actors, particularly in contexts of limited national capacity (such as post-conflict contexts). Yet externally imposed models are often mismatched with the political, social and cultural realities of the reform context. This is why the inclusion of the perspectives and priorities of a broad range of stakeholders is essential from the outset of SSR programming. It is also critical that national actors develop the capacity

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to sustain the reform process over the longer term. This is a highly complex undertaking in most contexts, but it is particularly difficult in countries emerging from conflict, which typically suffer from severe capacity constraints. The UN, regional organizations and other partners must continue to ask how they can better support national authorities in ensuring full national ownership of sustainable SSR processes.

- **Role of external actors in supporting SSR:** While national ownership is critical for the success of SSR programming, external support — particularly in post-conflict contexts — is also vital. However, external support is often uncoordinated, a reality that reflects both conceptual divisions between the “development” and the “security” communities within multilateral organizations and bilateral donors, as well as incoherence between the policy and programming priorities of the multitude of bilateral donors often engaged in SSR in post-conflict contexts.

The UN has been making a concerted effort to rise to the responsibility and role of coordinating international SSR support. For example, the SSR Coordination Office in the UN Organization Mission in the Democratic Republic of the Congo (MONUC) convenes an SSR working group, which brings together all components of MONUC engaged in SSR as well as the European Union Mission of Assistance for Security Sector Reform, the European Union Police Mission and the International Organization for Migration; the group meets regularly and will expand its membership to include other bilateral and multilateral partners engaged in supporting national SSR efforts. This could create a promising forum for information sharing and deeper strategic collaboration among international partners. In Southern Sudan, the UN Mission in the Sudan, at the request of local authorities and with support from international partners, has established a cell within the mission to support the coordination of assistance and advice to the government of Southern Sudan across the security and justice sectors.

Yet coordination remains a major challenge for SSR support. Indeed, no bilateral actor, despite normatively attractive statements to the contrary, is keen to be coordinated by other bilateral actors. The UN and other partners must continue to find ways to strengthen capacities to more effectively assist national authorities with coordinating assistance for SSR.

- **Engaging non-state actors:** While the role of the UN in SSR is, given its membership, limited to state actors, experiences around the world indicate that the state is not always the exclusive provider of security. The state-centric model of SSR is not sufficient in contexts where elements of the population view non-state actors as legitimate security providers. That is, although the state remains the primary actor, there are several non-state and informal providers of security, without whom SSR cannot be viable or sustainable. Yet these actors are, in some contexts, viewed with suspicion by national authorities. This poses a dilemma: by engaging with non-state actors, the UN (and other partners) may risk compromising relations with their national SSR counterparts. The UN, therefore, faces a perennial challenge of reconciling its necessarily state-centric focus with the reality of the prominence of non-state actors in SSR processes. There is a need for the UN to learn from other regional organizations and member states about how best to address the role of non-state actors in SSR.

Conclusion

Supporting national authorities to build an effective and accountable security sector is a major priority for the UN. SSR is a critical component of conflict prevention, stabilization and peacebuilding agendas. It is also both an entry point for and an outcome of good governance. Although the organization has been assisting national authorities in this area for decades, support has been ad hoc and, at times, incoherent. More recently, the UN has made considerable progress in enhancing its SSR capacities. The release of the secretary-general's report on SSR in January 2008 was a major milestone inasmuch as it provided — for the first time — an overarching conceptual framework for the UN's engagement in SSR. Specifically, the report elaborates 10 guiding principles for the UN and identifies potential normative and operational roles for the organization in this area. The report also calls for enhanced capabilities within the UN system. To this end, the establishment of the UN inter-agency SSR Task Force, which brings together all UN entities working in the area of SSR, has been a major achievement. In addition, the creation of a focused SSR Unit in the Department of Peacekeeping Operations as well as dedicated SSR capacities in a handful of UN missions — such as Burundi and Timor-Leste — has enabled the system to provide more consistent and reliable technical support and strategic guidance to national actors and their partners.

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Evidently, there are limitations to the UN's capacities in this area. The organization recognizes that, in many contexts, it will not be the sole or even the most important provider of SSR assistance; bilateral and regional partners often assume this lead. However, due to its global mandate, legitimacy and neutrality, the UN is uniquely positioned to support national authorities in some of the most challenging, albeit essential, political-strategic dimensions of SSR, including supporting national authorities in undertaking a national visioning/dialogue process, and in undertaking strategic planning around the outcomes of this process.

There are other conceptual and technical challenges facing the UN and other SSR partners. While there is a general consensus among SSR practitioners that national ownership is essential for the legitimacy and sustainability of SSR processes, its application in practice is much more complex. For its part, the UN needs to build on past experiences, particularly of countries that have been the recipients of international SSR support, in order to strengthen its capacities to facilitate national ownership of SSR from the very outset of SSR planning, through implementation and monitoring and evaluation.

At the same time, while national ownership is critical, few countries — particularly those emerging from conflict — are in the position to undertake SSR without the strategic, technical and financial support of external partners. Yet experience has demonstrated that external SSR support is, in many contexts, uncoordinated and incoherent. At best, efforts are duplicated; at worst, external partners compete for prominence in particular areas. The UN may be particularly well suited to facilitate coordination and must continue to develop technical expertise in this area.

Both national ownership and coordination are complicated by the existence of non-state security actors. The inclusion of these actors in SSR planning and programming poses a particular challenge to the UN, which, as an organization of member states, is often ill-equipped to engage with sub-state entities. Moreover, as these actors are often viewed with suspicion by national authorities, engagement with non-state actors may risk undermining the trust and confidence of the UN's national counterparts. The future of the viability of the UN's engagement in SSR will therefore, to a large extent, depend on finding creative means of reconciling the UN's state-focused membership with the reality of the prominence and relevance of non-state actors. Addressing this and other dilemmas is essential to further strengthen the organization's capacity to provide consistent and coherent support to national authorities in the vital area of SSR.

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3

THE “GLOBAL WAR ON TERRORISM” AND ITS IMPLICATIONS FOR US SECURITY SECTOR REFORM SUPPORT

Jake Sherman

Introduction

The “war on terror” was initiated by the United States and its coalition partners in the wake of the terrorist attacks of September 11, 2001. Its aim was ambitious: to root out and destroy not only al-Qaeda, but all international terrorist organizations that supported, associated with or shared its ideology of global jihad.

Framed as a war, the response to 9/11 has relied overwhelmingly on military action rather than law enforcement — on treating terrorists as combatants, rather than as criminals. In practice, this has had three major implications for security sector reform (SSR). First, it has resulted in the greatest revision of US national security architecture and policy since the end of the Second World War, one characterized by a sweeping expansion of executive authority and a broad erosion of civil liberties. Second, these changes have led to the disproportionate militarization of US foreign assistance, not only in Iraq and Afghanistan, but also in countries beyond the “frontline.” This security and development assistance has often undermined or contradicted principles of democratic governance, reinforcing repression and radicalization. Third, it has provided justification for a few countries to repress dissident and opposition movements under the mantle of counterterrorism, while making it more difficult to challenge such practices.

Before examining these three issues, this chapter provides a brief review of the historical environment in which the SSR agenda emerged. It concludes by arguing that the trade-off in which citizens are willing to sacrifice certain civil

liberties in exchange for increased security, is one that can only be a short-term, emergency solution — and one that must be freely chosen. Citizens of countries at risk of terrorism (or, indeed, other violence) may find reassurance in more robust physical security, or at least tolerate it in the face of a threat, provided that the state itself is not the source of violence and citizens its target.

As the experience of the US demonstrates, the manner in which the war on terror was conducted — its open-ended nature, its disregard for constitutional limits on presidential authority and for legal protections, and its impunity for abuses — ultimately eroded its legitimacy and that of the Bush administration. The US elections in November 2008 swept the architects of the “war on terror” from power. The Obama administration has taken strides to dismantle the system of illegal detention, torture and secrecy. The president has ordered a halt to “robust interrogation” measures and pledged to close the Guantánamo detention centre and bring its prisoners to trial.

Nonetheless, principles of transparency and democratic oversight, which guide SSR, have proven hard to reconcile — both domestically and abroad — with the continued demands of defending the US from terrorism. A key litmus test will be the extent to which US foreign security assistance reflects this shift, ending support for repressive regimes and encouraging them to submit the apparatus of the state to the will of their citizens.

Emergence of SSR: A Window of Opportunity

SSR discourse emerged in the narrow window between the end of the Cold War and the beginning of the “war on terror.” The collapse of the Soviet Union created both an opportunity and a permissive environment for SSR, which has widened in the context of development and good governance. In little over a decade, the primary geostrategic environment of US foreign policy shifted from the perceived “existential threat” posed by Communist expansion and the Soviet military, to one defined by radical Islamic terrorism — itself a product of Cold War policies and proxies. Initially developed as a framework for reforming the state security apparatuses of the Eastern Bloc, SSR now must contend with the remilitarization of the security sector and the possible erosion of democratic control in response to terrorism.

During the Cold War, the rival blocs provided significant security-related financial, training and materiel assistance to allies. Security policy of the era tolerated heavily securitized, often repressive societies with little accountability or adherence to the rule of law. In the West, defending the ideals of freedom

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and democracy from the spread of Communism, real or perceived, often translated into subversion of these very values, both domestically and abroad. The US and its allies supported state security agencies whose primary goal was the maintenance of the regime — regimes that often came to power through US-backed *coups d'état*. Rebel groups and death squads were similarly viewed as preferable partners to leftist governments.

The end of the East–West confrontation reduced the justification for — and, in the case of the Soviet Union, ability to — support military, or highly militarized, rule. The subsequent wave of democratization generated interest in strengthening civilian institutions of governance and professionalizing armed forces, reducing outsized military expenditures and personnel ranks, and improving governance (Brzoska, 2000). State-centred security gave way to an increasing focus on human security. International engagement — both bilateral and multilateral — to end civil wars in Southern Africa, Latin America and elsewhere, began to tackle the question of how to mend societies and to rebuild the state. Development programs required security — and re-establishing security necessitated reforming or building security institutions. It was this environment that shaped the emergence of the current SSR paradigm. Although development ministries and non-government organizations traditionally stayed clear of the security field, the development community now became the driving force behind the emergence of SSR policy.

Following the terrorist attacks of September 11, 2001, however, the US and other governments placed renewed priority on “traditional” security concerns. Yet the strategic and operational linkages between counterterrorism and SSR, particularly in the context of peace operations, have been constrained by conceptual and institutional obstacles (Millar et al., 2009: 6).

The *Handbook on Security System Reform* by the Organisation for Economic Co-operation and Development’s Development Assistance Committee (OECD DAC) — the leader in developing SSR policy — identifies counterterrorism as a potential entry point for donor engagement on SSR, noting that increased operational effectiveness against terrorism can contribute to increased operational effectiveness overall. However, the *Handbook* also cautions against the possible erosion of democratic norms: “It is sometimes argued that the priorities of foreign intelligence and security agencies on issues such as counterterrorism are inherently in conflict with reform. This need not necessarily be the case [...]. In the short term, however, the operational demands of foreign agencies may skew priorities and encourage local officers to ignore democratic norms” (OECD DAC, 2007: 145).

The role of the UN in SSR and counterterrorism has also increased in recent years. Security Council Resolution 1373 (2001), passed after September 11, 2001, requires every country to freeze financial assets of terrorists and their supporters, to deny travel and safe haven, prevent recruitment and supply of weapons and to cooperate on information-sharing and prosecution. The 2006 UN Global Counter-Terrorism Strategy broadened the scope of UN counterterrorism engagement beyond law enforcement to include rule of law and SSR. The 2007 report of the UN secretary-general on SSR, however, does not reference counterterrorism, despite the increased role of the organization in the field since 2001 (UN, 2007).

Domestic Implications: Restructuring and “Reform” in the United States

The overall incidence of terrorist attacks worldwide has steeply increased since the 1980s (Human Security Centre, 2005: 2). A number of high-profile attacks had targeted the US, including the bombing of the US embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, the attack on the destroyer USS *Cole* and the 1993 bombing of the World Trade Center.

It was the terrorist attacks of 9/11, however, that exposed fundamental shortcomings in US domestic procedures and practices for airline security, vetting immigration and, most acutely, the collection of intelligence and its coordination across multiple agencies. To redress these flaws, the US government took measures to reorganize security institutions and to rewrite laws strengthening, for example, the ability of law enforcement officials to detain immigrants and to collect personal information on citizens. Many of these measures were taken within the bounds of legal process. But the Bush administration took far-reaching measures outside the law as well. Oversight authorities repeatedly identified, but failed to correct, these weaknesses, which further eroded after 9/11.

President George W. Bush oversaw the largest and most significant reorganization of US government security architecture since the National Security Act of 1947. This took two primary forms: the creation of the Department of Homeland Security (DHS) and the establishment of the Director of National Intelligence.

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The DHS consolidated functions to protect the integrity of the US territory and citizenry. Customs and border protection, immigration, transportation security, emergency management, cyber-security, infrastructure protection and the US Coast Guard and Secret Service, previously spread across multiple departments and agencies, were brought under a single authority in 2003. Their integration into the DHS emphasized a shift towards security aspects of responsibilities — for instance, background checks and cargo screening, rather than tariff collection or workforce protection for customs and immigration.

The disintegration of the Soviet Union and rise of international terrorism radically shifted the priorities of national security from protection against foreign armies to protection against terrorist attacks by networks of individuals (Weiner, 2008: 547). The coordination of US intelligence was a role originally mandated to the head of the Central Intelligence Agency (CIA), but it was rendered impossible by inter-agency territorial feuds and budgets. After the systemic failure of intelligence leading to the attacks on September 11, the “9/11 Commission” established by Congress recommended the establishment of a Director of National Intelligence. The post was legally signed into being in December 2004, effectively demoting the CIA in an effort to bring greater coherence and coordination to the US intelligence system.

From the perspective of US SSR assistance, the military interventions in Afghanistan and Iraq also led to a third important creation, though one not directly established in response to 9/11. The State Department Office of the Coordinator for Reconstruction and Stabilization (S/CRS), established in mid-2004, is nonetheless relevant in the context of the delivery of SSR assistance, as the office is intended to bring greater coherence across policies and practices of US government departments and agencies to help countries emerge from conflict.

While SSR has become associated with restructuring, downsizing, professionalizing and increasing the accountability of security actors in developing countries, or with reconstituting them in post-conflict environments, the institutional reforms within the US are an important reminder that Western governments are not beyond SSR and that reforms may be aimed at improving operational effectiveness to counter threats. Importantly, it also demonstrates that even in established democracies the principles and values that are the hallmark of open societies and a key normative element of SSR are subject to erosion when faced with threats to national security.

The Defence Dilemma: Policy and Legal Implications of Counterterrorism

The attacks of 9/11 were experienced as a frontal assault on the US and its values. They provoked worldwide, if fleeting, sympathy and solidarity — reflected in the adoption of Security Council Resolution 1373, the invocation by NATO of its Article Five and countless vigils held around the world. For many, the attacks appeared to materialize without warning, despite their extensive preparation. Their asymmetrical nature — a small group of terrorists successfully inflicting massive damage to the global superpower — raised questions about the ability of the US to prevent similar future attacks. The ideology of radical Islamic jihad and the transnational rhetoric of al-Qaeda were regarded as proof of the clash of civilizations and existential threat to the West as a whole, rather than an attempt to provoke an armed response that would polarize the Muslim and Western worlds (Doran, 2002: 38).

The magnitude of the September 11 attacks triggered extraordinary measures, both domestically and abroad, which the Bush administration believed were both reasonable and necessary to eliminate the risk of another terrorist attack, even if the probability of a high-impact attack was low.

It mobilized enormous resources — legal, political, military and financial. Executive prerogative was used to issue secret legal opinions justifying torture, eavesdropping on suspected terrorism suspects without judicial authorization and domestic spying by the CIA. While these measures were enacted in secret, other legal restrictions were adopted measures by majorities of both parties within the US Congress, with support from broad quarters of the US public. The “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001” — known as the “USA PATRIOT Act” — granted law enforcement agencies wide scope for monitoring personal communications and financial transactions, weakened legal protections for immigrants and expanded the definition of terrorism — thereby widening the circumstances in which its provisions could be applied.

Walter Slocombe, the under-secretary for defense policy in the Clinton administration, observed that terrorism: “poses *special problems* for establishing and maintaining in the security sector institutions and procedures that are both effective in carrying out their missions and consistent with democracy and rule of law” (Slocombe, 2003).

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These “problems” suppose that effectiveness of the security forces is dependent upon, or at least improved by, tighter social controls and corollary monitoring of individuals and groups, empowerment of the security forces, stricter punishment and a tendency to act first and ask questions later (if at all). In other words, this approach emphasizes the mitigation of immediate threats, real or perceived, rather than on long-term, preventive measures addressing root causes of terrorism.

This tension between democracy and the rule of law on one hand, and security on the other, is what Buzan has referred to as the “defence dilemma.” The contradiction between measures taken to safeguard security and to protect values of democracy and human rights from terrorism, may in fact undermine those very values (Buzan, 1991: 35–56, 270–93). Kilcullen observes that the threat of additional attacks: “might cause Western countries to take well-intentioned precautionary or reactive measures that would be so divisive internationally, and so repressive domestically, that we would end up destroying our way of life in order to save it...and destroying our international credibility and moral authority in the process” (Kilcullen, 2009: 273).

Terrorism (as with organized crime and a few other threats) is both internal and external in nature. In a democratic system, according to Slocombe, the manner in which internal and external threats are traditionally addressed differs. Whereas the former are addressed by institutions and processes that are governed by law and principles of accountability and transparency, the latter are subject to “the manipulations of diplomacy, the covertness of intelligence, and the ultimo ratio of military force” (Slocombe, 2003). Maintaining the distinction, he argues, is vital to preserving democratic governance. This distinction is publicly maintained in the US, but in practice covert action has a long history of domestic use (such as by President Richard Nixon), just as inhumane treatment — such as prolonged solitary confinement — has become a routine characteristic of the US prison system, inuring the US public to the treatment of “enemy combatants.” The point of detention is to prevent terrorists from acting; harsh interrogation and torture has been substituted for investigation due to concerns that the brevity of pre-trial detention does not permit sufficient investigation leading to specific charges.

The focus on physical protection and interdiction by security institutions as a means of preventing terrorist attacks has been referred to as “securitization.” Møller argues that the securitization of counterterrorism can create an environment in which both government and the public can justify infringement on civil liberties as the “price of security” (Møller, 2007: 16). Effectiveness and transparency are viewed as zero sum — the more of one, the less the other. Faced

with a threat of violence, decision makers and citizens may justify retrograde reforms to the security sector that would otherwise not have been acceptable, but that are thought to increase the ability of the security forces to protect the public, such as increasing the period of detention without charge. It is not only traditional security institutions that have been mobilized to counterterrorism — as the creation of DHS shows — but departments and ministries of agriculture, energy and transportation have also been securitized, and prioritizing terrorism inevitably means making trade-offs with limited resources. Other priorities will fall by the wayside.

Implications for Donor Assistance: (Re) Militarization of SSR

By framing the response to radical Islamist jihad as a “war on terror,” the US prioritized military solutions and the militarization of foreign policy — a response decidedly at odds with its stated goals of spreading democracy.

Internal Asymmetry

Under the Bush administration, the Department of Defense (DOD) had a disproportionate influence in shaping policy and became the instrument of its realization. The resources — budgetary and personnel — available to the DOD have always been superior to those of the Department of State (DOS) and the US Agency for International Development (USAID). Yet, between 2001 and 2008, the DOD grew to eclipse the combined resources of the DOS and USAID by a factor of 210:1 in personnel, and nearly 350:1 in budget (Kilcullen, 2009: 26). By comparison, the ratio of armed forces to diplomatic and aid personnel in other Western governments is between 8:1 and 10:1 (Kilcullen, 2009: 26). As Kilcullen points out, this asymmetry of the US military, both in size and capacity: “has a distorting effect on US national power and on America’s ability to execute international security programs that balance military with non-military elements of national power” (Kilcullen, 2009: 26).

The shift towards the military is not just a matter of “either military or civilian” responsibility. As Kilcullen suggests, the boundaries between the two arenas are blurring, especially in the context of stabilization missions. Due to the counterterrorism focus of these operations, the insecurity environments of the Afghan and Iraq theatres and diminishing civilian resources for program implementation, the share of US official development assistance (ODA) channelled through the DOD has steadily grown to some 20 percent (from 3.5 percent in 1998), while the share disbursed through USAID has diminished

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(Patrick and Brown, 2007: 4). The proportion of ODA channelled via the DOD is likely to shrink once the Iraq and Afghanistan operations wind-down, but the growth of DOD activity in former civilian arenas of security development probably will not (Patrick and Brown, 2007: 1). A fraction of this money is used to support the security sector, including training counternarcotics officers, reconstructing jails and police stations, and broader rule of law and governance support.

The US armed forces, like those of other nations, are relatively good at providing technical assistance, including military training and equipment. Developing civilian management and oversight structures, and training police as well as legal professionals, requires expertise that is rarely found in the military, or its provision by the military is not necessarily appropriate. In Afghanistan, for instance, the dearth of police trainers for the European Union police mission jeopardizes efforts to build a credible police service and has resulted in an over-reliance on military trainers. Not surprisingly, the focus of military trainers is on paramilitary tactics, not law enforcement. Civilian skills are required for holistic SSR. In fact, building and reorienting security institutions — including management and oversight bodies — in post-conflict countries is a largely political exercise, to which both police and military officers may be unsuited.

Unfortunately, requisite numbers of civilians with these skills, including police, are hard to find — because they are needed by domestic institutions, because the US and most other countries have not focused on civilian staffing requirements for stability operations and because those with the skills are often unwilling to work in insecure environments. Where skilled capacity does exist, individuals are usually already employed by their governments, difficult to replace (even temporarily) and, for UN deployments, hard for governments to second. The nascent Civilian Reserve Corps now being set up under S/CRS, first proposed by the 2006 National Security Strategy, is intended to address the critical need for civilian expertise. In the meantime, private security companies have filled the void by undertaking, for example, post-conflict military and police training.

Counterterrorism or Counter-reform?

The US has a long history of supporting illiberal regimes that it viewed as being in the same geopolitical camp. President Dwight D. Eisenhower, for example, created the Overseas Internal Security Program, jointly run by the CIA, DOD and DOS, to provide weapons and training to “friendly” governments to fight communist infiltration. Over its lifespan, more than 771,200 foreign military and

police personnel were trained in 25 countries (Weiner, 2008: 322). The architect of the plan argued: "There have been charges that it is morally wrong for the US to aid undemocratic regimes to strengthen their security systems, thereby serving to entrench them in power. [But] the US cannot afford the moral luxury of helping only those regimes in the free world that meet our ideals of self-government" (Weiner, 2008: 322).

Many of the countries to which the US now provides security assistance are, at best, partial democracies with limitations on civilian or popular oversight of the security sector. Others, such as Uzbekistan, are repressive regimes in which the security services are used to maintain stability and limit dissent. The counterterrorism focus has alleviated the demand by the US government on countries such as Indonesia to reform their security sector.

The presence of radical Islamic groups within their borders has caused concern among governments worldwide; countries have not only been bases for terrorism, but also targets of it. This has prompted many governments to reconsider the relationship between the state and society, as well as the policies and measures taken to safeguard them.

In the Arabian Gulf states, the US is the primary external security partner, historically providing a security umbrella vis-à-vis Iraq and Iran, military training and modern weapons systems. SSR has not been a focus of national security policy among these countries, though attention has grown in the context of strategic dialogue between NATO, an emerging player in the region, and Gulf countries since the 2004 Istanbul Cooperation Initiative. Many countries do not see the value of reform, or insist that it be incremental. Nor is SSR in the Gulf necessarily in the interest of Western governments keen to contain terrorism:

Transparency, oversight and public debate will translate into a more complex, time-consuming, and often frustrating decision-making... The current system has one main advantage...few actors are involved in making decisions regarding weapons procurement, defense cooperation, [and] counterterrorism activities (Laipson, 2006: 16).

In Central Asia, the US cultivated relations with security services in the former Soviet states bordering Afghanistan. In Uzbekistan, where the authoritarian government of Islam Karimov and state security forces have a mutually dependent relationship, US military assistance after 9/11 was provided as a quid pro quo for access to bases from which to stage operations inside Afghanistan. According to Forester, increased interaction between the US DOD and Uzbek Ministry of Defence held the promise of potential SSR within the military, as

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the minister of defence was receptive to change (Forester, 2007: 61). Some critics warned that supporting Karimov would lead to increased domestic political repression and a perception that it was supported by the US; this repression would lead to more support for the Islamic Movement of Uzbekistan, which has ties to both the Taliban and al-Qaeda (Luong and Weinthal, 2002: 85).

Geopolitical events ultimately did increase Karimov’s reliance on the Uzbek security sector. Pro-human rights protesters in 2005 triggered a reorganization of the internal security apparatus to consolidate Karimov’s power. Karimov also distanced himself from the US due to his unwillingness to permit the emergence of civil society. Uzbekistan ended US access to its bases and turned instead to Russia and the Shanghai Cooperation Organization, which were “prepared to ignore principles such as the protection of human rights and progress towards democratization” (Forester, 2007: 63). Nonetheless, following Kyrgyzstan’s threat in 2009 to close access to another base in the region, the Obama administration reportedly considered renewing its military assistance to Uzbekistan to re-secure basing rights (Flavelle, 2009).

In Indonesia, the US resumed military education and training of the Indonesian Armed Forces (TNI) in 2006, ending nearly 14 years of military sanctions for human rights abuses, notably against East Timor in the 1990s. The resumption occurred despite a lack of measurable improvement in the human rights practices of the Indonesian security forces, including the extrajudicial killing of rebels and civilians in separatist areas. Rather, the decision was authorized through a national security waiver and motivated by counterterrorism goals — that is, by the perceived threat from radical Islamist groups such as Jemaah Islamiyah. Human right activists in Timor, Indonesia and the US regard the resumption of military assistance as a setback, arguing that it will undermine progress made in democratic reforms, improved justice and respect for human rights.

Nowhere does the level of assistance and degree of intervention compare with efforts by international military forces in Afghanistan and Iraq to completely rebuild the national security architecture. In the absence of effective security institutions, donors have prioritized what they label “security sector reform,” which is often more accurately “security assistance.” In comparison to SSR, which aims to strengthen principles of democratic oversight and rule of law in order to further development, traditional security assistance emphasizes professionalization and effectiveness.

Two examples from Afghanistan illustrate the point. First, divergent views have emerged within the international community over the aim and approach

of police training, namely, whether it should focus on rule of law or counter-insurgency — very different skills sets. The early police training program emphasized long-term officer training and law enforcement. As the insurgency by Taliban and other armed groups has steadily grown, there has been an increased demand for large numbers of police to hold territory “cleared” of fighters. The US-led training program has focused on maximizing numbers of police for this function. Critics argue that training police for counter-insurgency emphasizes short-term stabilization over long-term rule of law. Meanwhile, the Ministry of Interior is one of the most corrupt government institutions in the country.

The second example concerns the growing use, payment, training and arming of private security providers, especially unlicensed companies and illegal armed groups by international military forces and development agencies. Co-opting former Afghan military commanders has been a key dimension of international military operations in Afghanistan since the 2001. Coalition forces armed and financed military commanders — many implicated in human rights abuses and criminal activities — to overthrow the Taliban. As there was effectively no government or public security institutions, commanders’ militias were also hired to provide security at bases and command posts, to escort convoys and protect reconstruction projects. Although this practice benefits international personnel and their activities, it also contradicts efforts to strengthen government authority and legitimacy — key pillars of counter-insurgency (Sherman and DiDomenico, 2009).

Increased Scrutiny

One positive trend arising from the experience of the US government in the Afghanistan and Iraq stabilization missions has been a growing recognition that metrics are an important means for quantifying the impact of “state-building” interventions, including SSR. This point has been reinforced through numerous evaluations of security assistance programs by the Inspectors-General for DOS and DOD, as well as the Government Accountability Office (GAO), which have shown minimal results despite millions of dollars of investment since 2001. As stabilization programs have increasingly come to dominate US foreign security assistance, the DOS and DOD Offices of the Inspector-General — and, outside of the executive branch, the GAO — have an increasingly important role in reviewing programs, systems and issues related to security assistance.

Nonetheless, the US government, especially the State Department and USAID, remains dependent on outside contractors to implement and evaluate its SSR

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projects; these contractors are under pressure to improve their performance, but their cultures are adverse to transparency, particularly if it exposes negligence or wrongdoing. Similarly, the subordination of civilian agencies to the military in stability operations represents a new paradigm that has complicated project oversight, subjecting it to competing interests and different standards. Humanitarian assistance, construction of schools and courthouses, and counter-narcotics programs often serve to “win hearts and minds,” rather than to provide sustainable, needed services.

Conclusion

In comparison to the long history of state-oriented security, SSR, with its broader focus on the well-being of citizens and society, is still a new phenomenon. Indeed, democratic oversight of the military and the intelligence services in the West has been hard fought. Continuing revelations of criminality and negligence by the US armed forces, intelligence agencies and, indeed, government as a whole, during the “war on terror” underscore the fact that democratic oversight is a process rather than an end state.

The response to 9/11 and the terror attacks that followed in Europe and elsewhere, suggest that when faced with extreme and unexpected violence, the tenets of democratic governance, accountability and transparency are not absolute, even among their major proponents. More problematic is the willingness of government, above all the executive, to make decisions in secret over what freedoms to restrict, without debate.

The remedy is clearly one of balance: of deciding what level of “securitization” is appropriate and acceptable — and for how long — given particular threats. When faced with terrorism, the tendency is to do too much for too long. The results of this approach by the US following 9/11 are decidedly mixed. To date, there has been no new terrorist attack on US soil, though information gleaned has also failed to prevent devastating attacks elsewhere. Al-Qaeda’s senior leadership remains at large. NATO forces in Afghanistan face a bloody war that is worsening by the day. Fortunately, the election of Barack Obama — and the policies his administration is pursuing — is mitigating the loss of moral credibility that Bush-era policies inflicted on the US and, by extension, democracy.

In a strong democracy, elections should, eventually, provoke a course correction. Citizens can judge through the ballot. Elsewhere, in newly established democracies and in authoritarian states, the ability of society to influence, if not

change, government may be more limited. While external emphasis on hard security, executive power and increased monitoring of society risks strengthens a government's ability to "fight terrorism" in the short term, it weakens state legitimacy — by addressing the symptoms, but ignoring or worsening the causes. The repression of society by military and police states in the Middle East and Central Asia has created populations of disaffected and dispossessed for whom the ideology of jihad presents an alternative moral universe. This is perhaps the best indication that the creation of open societies, including democratic oversight of the security sector, is the best solution for preventing terrorism in the long run.

Securitization or militarization can be an effective response in the short term against a credible, impending threat. Greater security measures can reassure the public, provided that it is not the target of security forces. But the absence or erosion of oversight eventually results in a loss of legitimacy among at least some of the population — either through impunity of security forces, degradation of professionalism without checks and balances, or restrictions on freedoms. Effectiveness and accountability ultimately reinforce one another.

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4

SECURITY SECTOR REFORM, THE EUROPEAN WAY

Peter Albrecht, Finn Stepputat and Louise Andersen

Introduction

The emergence of a general European approach to security sector reform (SSR) began in debates about security and development following the end of the Cold War and as security of the individual rather than the state was becoming a priority for the international community. Indeed, by the end of the 1990s, war and conflict had become mainstream in development discourse (Duffield, 2001). It may be argued that this process of merging security and development led to the “securitization of development” in the sense that lack of development came to be seen as a cause of insecurity instead of an issue of inequality or injustice. However, while this may be the case, the core argument of this chapter is that the development of a European approach to SSR could be characterized as a process of the “developmentalization of security.”

A number of bilateral and multilateral agencies have been involved in formulating and implementing policies and programs defined under the emerging security–development nexus. SSR as a development instrument, and something fundamentally different from defence reform, was first conceptualized within the UK’s Department for International Development (DFID). The UK government, through DFID’s engagement in international forums, has been instrumental in shaping SSR-related thinking, initially in the context of the UK’s own engagement in Sierra Leone and Uganda. Since then, SSR has been multilateralized, first within the framework of the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD DAC) and then within the multilateral frameworks of the European Union (EU) and the UN.

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This chapter argues that while there is no coherent European concept of SSR and many countries, including Denmark, do not have an SSR policy position, a particular European approach has emerged. This is not to say that approaches emerging from institutions and organizations within the US, Canada or other donor countries do not incorporate similar elements in their support for internal and external security providers abroad. Indeed, in early 2009, the US Department of State, Department of Defense and US Agency for International Development (USAID) issued a joint statement on SSR, formulated as guidelines for coordinating, planning and implementing SSR programs with foreign partner countries. As a point of departure, the statement emphasizes the importance of “building security forces,” but, crucially, it states that SSR is also about supporting the establishment of relevant legal instruments, enhancing civilian management, leadership, oversight planning and budgeting capacities. In this respect, the statement follows OECD policies that the US was involved in developing.

Nonetheless, the SSR policy concept and set of programs described below emerged in Europe and, as such, SSR *is* European. Characterized as “holistic” in scope and “politically sensitive” in approach, SSR is ultimately developmental, focusing on the governability of a country’s internal and external security institutions and democratic accountability.

This particular approach has been formulated in opposition to a narrow focus on individual (often military) institutions and reforms that are technical in nature; it is, ultimately, about enhancing the efficiency of security institutions. In 2001–2008, this approach was essentially followed in the US. This chapter will not contrast different approaches or describe country-specific SSR cases at length. It will focus instead on elaborating what a European approach may look like, drawing on examples of implementation in the process.

International debates on SSR have reached a critical juncture. Key bilateral and multilateral donor agencies have now formulated their own policy positions, severing ownership of the concept from any one country in particular. The staying power of SSR nonetheless remains a question. Many development agencies across Europe are still reluctant to engage in implementing security-related activities that would involve interfacing with armed forces and intelligence services. Another fundamental challenge to the European SSR concept is the international political context in which related programming is to be implemented. Following 9/11, the context for combining security and development has changed entirely (Beall, Goodfellow and Putzel, 2006). Indeed, it is doubtful whether integrating security and development into one approach is possible following the interventions in Afghanistan and Iraq.

What follows is a construction of a genealogy of the European approach to SSR and a description of its main characteristics as they have evolved within this process.

SSR Begins

The emergence of SSR as a priority for the development community is often juxtaposed with a speech given in March 1999 by then UK secretary of state for International Development, Clare Short, at King's College in London. As the head of a new department, Short, referred to as an "elemental force" by her staff at the time, was charting new territory. Not only was the security sector becoming a development priority, but policies of engagement were to be developed and formulated in collaboration with the Foreign and Commonwealth Office (FCO) and the Ministry of Defence (MOD). Short's speech explicitly defines the security sector: "the military, paramilitary and intelligence services, as well as those civilian structures responsible for oversight and control of the security forces." Short was equally clear that SSR, as it was defined in the late 1990s, would not involve the police and the wider criminal justice system (Short, 1999).

It is important to keep in mind that Short made this speech during a period that witnessed a seismic shift in international thinking around the role that development agencies could play vis-à-vis specific defence issues and security issues more broadly. Four donor meetings had taken place throughout 1992–1993 in The Hague, Tokyo, Berlin and Paris, where it was decided that limits could be imposed on the military spending of developing countries. At an OECD DAC conference in Ottawa in 1997, however, it was recognized that merely imposing limits on military spending was not effective. Thus, an important shift took place, whereby emphasis was placed on the need to strengthen budgetary decision-making processes, that is, matters to do with the governance of security institutions in recipient countries (Omitoogun and Hutchful, 2006).

In 2000, the "developmentalization" of donor approaches to military expenditure and performance was further advanced at a DFID meeting in which it emerged that policy formulation, budgeting and implementation in the defence sector should be handled in the same manner as in other areas of the public sector. In brief, the key principles of transparency, accountability and comprehensiveness in planning should apply. This new approach, dubbed the "process" or "governance" approach, combined good governance practices and sound financial principles with security issues. Attention was directed towards the institutional framework for managing trade-offs between different sectors

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and for the effective management of the resources devoted to the defence sector (Omitoogun and Hutchful, 2006).

The debates on military expenditure taking place during the 1990s as well Short's distinction between the "security sector" and the "criminal justice system," remained relatively far removed from current conceptions of "holistic" approaches to SSR. The debates called attention to an inherent tension within the concept of SSR, which was reflected in organizational divisions within DFID at the time. Debates surrounding policing and whether it falls within the justice sector or the security sector continued, with the former seen as relating to human or individual safety, and the latter to state or government security (Howlett-Bolton, 2008). To a large extent, these debates reflected turf wars within DFID. As a result, while agreement was being reached on a preliminary definition of "security sector reform" — save the abbreviation — there was no coherent concept of the security sector itself and it was unclear what the implications would be for policy development if some institutions but not others were included in the definition and implementation of SSR.

The SSR community at DFID remains relatively small, but it has been the most adamant in promoting what has become a growing trend to conceptualize and operationalize connections between security, development, justice and democracy. "Holistic" and "comprehensive" reform or "system-wide" approaches to reform of the security sector are being used as concepts to describe the integration of hitherto separate fields of intervention. SSR, as it emerged, was thus part of a move towards integrating security and development, and the UK played a major role in promoting and formulating this agenda. Short encapsulated an undeniable perception in the international community following the end of the cold war by stating that there was a: "massive growth in conflict within and between countries, causing enormous suffering and preventing development. I mean, you couldn't be intelligently interested in development in Africa and not be focused on how you bring all these conflicts to an end" (Albrecht and Jackson, 2009: 80–81).

This push for engagement in SSR was also part of broader efforts by DFID to establish a clear and distinct identity vis-à-vis the FCO and MOD. This was true in London, and it was also true in the field. To move into security-related programming, such as DFID's programming in Sierra Leone in 1998–1999, constituted a watershed for a development agency. Development and security were coming together as a means of establishing, maintaining and consolidating peace. The establishment of the cross-departmental African and Global Conflict Prevention Pools is acknowledged as having promoted significantly better

interaction and cooperation between DFID, the FCO and MOD, advancing efforts to establish an integrated approach to SSR.

European SSR Goes Multilateral: OECD DAC and the EU

Beyond the UK, other European countries soon took up the SSR concept. In the Netherlands, SSR became a vehicle for furthering civil–military cooperation, and the government introduced an operative, cross-departmental SSR team in 2005. Germany also promoted a holistic approach to SSR, even though its emphasis was very much on internal security structures (Wulf, 2004). Within the OECD DAC, these three countries — the UK, the Netherlands and Germany — further promoted the merging of the security and development domains from which the SSR concept was emerging in the European context. As a multilateral agency, OECD DAC came to play a fundamental role in shaping the late 1990s concept of SSR into its current form. In this respect, the OECD was a vehicle for multilateralizing and transforming a particular variant of SSR.

Given that much of SSR policy development took place within the OECD framework — and was adopted later by the EU and the UN — discussions fell initially within the “conflict, peace and development” agenda, concerned with stopping conflicts and preventing their recurrence. Later, they shifted into the new “fragile states” agenda. This reflected a post-9/11 understanding of the security-development nexus, which framed the absence — or weakness — of government control in the global South as a direct threat to the security of Western states. Following this logic, ensuring or strengthening government authority and control has emerged as the main solution to problems of both security and development. By extension, state-building has become a central objective of SSR. This type of engagement, according to the OECD, “should maintain a tight focus on improving governance and capacity in the most basic security, justice, economic and social service delivery functions” (OECD, 2005a: 1). By definition, the security sector has held and will hold a prominent position on any such focused reform agenda in a fragile state, as the lack of public safety and security is a defining characteristic of such a state. Indeed, there is a logic to the understanding that for economic development to take place, basic security is a necessity.

In the context of the EU, SSR is occupying an increasingly central position in crisis management and fragile state policy (Gross, 2008). The development of the European Security and Defense Policy (ESDP) initially focused on building European military capabilities, which led to a focus on military crisis management. However, with the involvement of EU member states (primarily the UK and the

Netherlands) in the OECD DAC process, civilian crisis management has gained ground. In turn, within civilian crisis management, there has been a particular orientation towards a governance-focused and inclusive SSR approach. In fact, of 20 ESDP operations, 15 have included SSR activities in some shape or form (Gross, 2008).

Unfortunately, due to its pillar structure, the EU has two different SSR policy papers. One was formulated by the European Commission (EC) to outline “the principles and norms for the European Community’s engagement in SSR” (EC, 2006). The other was formulated by the Council of Europe in the context of the development of ESDP missions; it is therefore very much influenced by experiences in the Western Balkans, where the first missions took place. A comparison of the two documents has shown the EC document to be “governance-oriented,” whereas the Council document is more “security-oriented” (Weiler, 2009). This difference reflects the fact that the Council is able to act on both civilian and military aspects, while the EC is limited to supporting areas that can be financed through development aid. Thus, the particular structural and political problems that characterize EU external relations in general pertain to the area of SSR as well. Like NATO, which influenced the post-authoritarian defence reforms in Eastern Europe through promises of membership of the defence pact, the EU has had leverage in regard to the reform of internal security governance in countries seeking to access to the EU.

The Holistic Approach and the Governance Focus

Between 2000 and 2005, and based on concrete experiences from post-conflict reconstruction, the OECD became the international organization most heavily involved in developing a policy concept of SSR, initially by producing the 2005 reference document *Security System Reform and Governance*. Even in this context, however, there should be little doubt that the UK, and DFID in particular, was a key player in the process of producing this and subsequent SSR-related documents. In the process, DFID was drawing heavily on its engagement in Uganda and Sierra Leone at the time. In addition, it was during this period that DFID’s senior SSR adviser chaired the OECD DAC’s Conflict, Peace and Development Cooperation Network. In other words, it may be argued that the OECD DAC became a platform from which the UK (and, to a lesser extent, Germany and the Netherlands) could influence the future direction of SSR thinking. This was not done by the UK government in isolation, but, as Sugden (2006: 2) has argued, with support from a range of UK experts from government bodies, academia, international organizations and non-governmental organizations.

The *OECD DAC Handbook on Security System Reform*, which followed in 2007 and had strong UK backing, was produced to provide “guidance to operationalise the OECD DAC guidelines on SSR and close the gap between policy and practice” (OECD, 2007a: 15). Several of the *Handbook’s* chapters were written by key civil society organizations with experience in issues of SSR, including Saferworld and the University of Bradford, with the coordinating editor being a long-term employee of the former. Unlike the early formulations of SSR described above, the police and judiciary were now placed together with the military and intelligence services within a seamless security framework — or system, as referred to by the OECD. This shift reflected earlier thinking within DFID that security and justice were integrally linked, both contributing to community safety and human security.

It is within these two documents from 2005 and 2007 that the clearest articulation of a European approach to SSR may be found. The overall aim of SSR, it is stated, is to ensure that the security sector in a given country is capable of meeting the security needs of both the state and people in a manner consistent with democratic norms, good governance and the rule of law (OECD, 2005b). In addition, the OECD emphasizes the necessity of approaching not any one security provider in particular, but security providers as a system of actors, thus addressing the overlapping fields of security, law enforcement and justice simultaneously (Andersen, 2006). The application of what has been dubbed a holistic approach and a focus on the governance aspect of security providers has become characteristic of the European approach to SSR.

On the other side of the Atlantic, in North America and in the US in particular, the trajectory of SSR thinking has been fundamentally different. The September 11, 2001 terrorist attacks in New York and Washington, DC, led to what Sherman (2009) refers to as a disproportionate militarization of US foreign assistance to respond robustly to terrorism, not only in Iraq and Afghanistan, but also in Central Asia, for instance. Indeed, the “war on terror” has had a fundamental impact on how SSR could be operationalized globally. With specific reference to the UK’s intervention in Sierra Leone in 1999-2000, this realization was captured by then secretary of state for International Development Clare Short: “The possibility of absolutely merging commitments to development with all your other instruments of foreign policy, including the military, which was conceivable in those days, is now sort of lost” (Albrecht and Jackson, 2009: 81).

Indeed, as Sherman points out in this volume, with particular reference to the US, SSR discourse emerged largely in the “narrow window between the end of the Cold War and the beginning of the ‘war on terror’” (Sherman, 2009). On the

other hand, SSR has also been promoted on both sides of the Atlantic as a means of countering radicalization.

The 9/11 attacks were regarded as a frontal assault on the US and its way of life, and their magnitude triggered extraordinary measures, both at home and abroad (Sherman, 2009). Abroad, the predominant US response involved military solutions and the militarization of foreign policy. Indeed, between 2001 and 2008, the budget of the Department of Defense grew to eclipse the combined resources of the Department of State and USAID by a factor of 350:1, compared to 10:1 in other Western governments. Furthermore, until recently, US-funded SSR projects were not called “SSR”; most of them still are not, as they fall under such rubrics as military assistance, police training, democracy and governance. Under the Bush administration, the priorities of counter-insurgency and counterterrorism meant a relatively narrow focus on training military and police as complements to — and eventual replacements for — international forces. Prioritizing hard security has meant that oversight mechanisms of recipient countries suffered as a consequence, the parliament and the judiciary in particular. It should be added that in Sierra Leone, where support was provided by the UK, robust support to the parliament and civil society, in particular, has been absent.

The “Multi-layered” Approach

Another area that characterizes the European approach to SSR, and where debates in international circles around SSR have been quite farsighted, is the engagement of non-state actors in the process. This is arguably another expression of the developmentalization of security that has taken place in parallel to the process of securitization of development. Rather than simply providing support to the state and its security providers — the military and police, for instance — there has been a realization that the de facto providers of security must be involved in SSR processes, even when they are not part of or authorized by the state.

In 2006, the OECD published a report that called for what was referred to as a “multi-layered” approach to reforming actors and institutions that provide de facto security and justice (Scheye and McLean, 2006). Drawing on a definition of non-state actors presented by DFID in 2004, the report concludes that statutory as well as non-statutory providers of security and justice should be targeted in reform efforts. This approach, it is stated, “targets the multiple points where service occurs and strengthens the

linkages between state institutions and local justice and non-state providers” (Global Facilitation Network for Security Sector Reform, 2007). In the *Handbook on Security System Reform*, published the following year, this line of thinking was consolidated. The report states that a multi-layered approach: “helps respond to the short-term needs of enhanced security and justice, while also building the medium-term needs of state capacity and critical governance structures” (OECD, 2007a: 17).

Indeed, in the specific case of the Malawi Safety, Security and Access to Justice Programme, officially commenced in January 2002, 60 percent of funding was spent on non-state actors, according to one of the project advisers.

The multi-layered approach, one of the most innovative elements of the European SSR debate, is also one of its most paradoxical components. The 2006 report, which presents the multi-layered approach in its most radical outline, warns that whatever support is provided “to non-state systems, however, ought to be balanced by the establishment of mechanisms to link them to state systems” (Scheye and McLean, 2006: 32). Similarly, the *Handbook on Security System Reform* is preoccupied with the capacity of state institutions. In this sense, the multi-layered approach may be seen as an attempt, paradoxical as it may seem, to extend the scope of state control into areas where its influence is limited by means of negotiating relations of sovereignty with existing non-state providers of security. Borrowing from the neo-liberal lingo, this move may be viewed as an outsourcing of sovereignty (Buur, 2005).

In sum, it appears unlikely, even if theoretically conceivable, that donor agencies should support SSR efforts and the buildup of enhanced security and justice without linking statutory and non-statutory providers. Such an approach would be regarded as precluding the possibility of establishing a coherent system of regulation, accountability and democratic governance by a state entity. In fact, state support exclusively to non-state providers is arguably an ontological misnomer. Not only do donors represent such polities (that is, polities where the primary financial, political and military power is centrally governed), but it is also the model that is being drawn upon when SSR programs are rolled out. In addition, it is highly unlikely that SSR programs that were not ultimately state-centred would ever be accepted by recipient governments. Strengthening non-statutory forces is always potentially subversive from the central government’s perspective.

Whole of Government

In the countries where the European approach to SSR emerged, the issue was conducive to the process of cross-governmental integration, which under the “whole-of-government” label became associated with the failed/fragile state agenda (OECD, 2007b; Patrick and Brown, 2007). A governance-focused political process of SSR involves military as well as development and political/diplomatic expertise. A case in point is the SSR process in Sierra Leone, where the UK pooled funding from DFID, the FCO and MOD to support reform of different aspects of the country’s security system. While military reform was supported by the UK MOD, the governance system, including the Sierra Leone MOD, and national security institutions were supported by DFID.

While there is an incentive for development actors to seek closer relations with security actors, a similar process of cross-governmental integration seems to be taking place at the initiative of security actors. The context of the latter process has been the Multi-National Force coalition and NATO operations in Iraq and Afghanistan, respectively, the recognition of the limits of the military instrument and, consequently, the rediscovery of the counter-insurgency doctrine (Stepputat, 2009). In this context, SSR appears to be one of the essential components of an exit strategy, which allows foreign troops to engage in combat or withdraw from a position of strength while leaving matters of defence to indigenous troops. However, due to the urgency of this enterprise, the approach to SSR tends to be driven more by tactical and technical needs than by politically embedded governance issues.

The Politics of SSR

Inherent to discussions around the inclusion of non-statutory actors in reform efforts, and SSR more broadly as it has developed in the European context, is the emphasis on its innately political nature. This suggests that while the polity that is being envisioned through SSR interventions centres on the state, success cannot be measured in purely technical terms. This is true at the local as well as the national level. Locally, as suggested above, everyday life and politics — and, by extension, security provision — may be shaped predominantly by informal institutions and non-state actors.

At the national level, equally strong political interests will be at play, centring on “political will” of the government undergoing reform and, ultimately, “national ownership.” Vested interests may be threatened by SSR interventions in a number of ways, including when:

- a group or individuals wish to retain control over part or all of the security apparatus as a means to extend their power;
- a reformed and independent security apparatus threatens to reveal and oppose the illegitimate activities of a group or an individual; and
- a more effective security apparatus threatens to identify the shortcomings of another organization or individual (Ashington-Pickett, 2008).

This list is not exhaustive, but it indicates that as SSR-related activities are being undertaken, many stakeholders could have an interest in obstructing progress for reasons that are not immediately obvious. Many of the individuals threatened by radical transformation of the institutions that provide security may be those who populate the local political landscape. These individuals fear that reformed security agencies will no longer be available to serve their personal and political interests. As such, the political reality of opposing values (not least between donor and recipient government), interests and perceptions are acknowledged in the European approach. There is an inherent acknowledgement of the fact that the improvement of capacity and governance is a political enterprise rather than merely a technical one.

Conclusion

This chapter argues that as a set of policies and programs, SSR in the European context emerged from a development agenda, first — or at least most visibly — within the UK's DFID and subsequently in multilateral forums such as the OECD DAC, the EU and the UN. This process has been characterized as much by developmentalization of the security agenda as the other way around, as evidenced by the holistic approach and governance focus of SSR, whereby security is regarded as provided by a system of actors within a framework of democratic accountability. SSR is not merely, if at all, a technical matter of making the security forces more efficient. Another defining characteristic of European SSR is its “multi-layered” nature. Though accompanied by an inherent tension, the attempt to merge state and non-state actors within one framework of reform — or transformation — may be seen as one of the most visible examples of the developmentalization of security. This chapter further argues that because SSR became associated with the failed/fragile state agenda, it was inevitably influenced by the perception that cross-governmental integration would be decisive. In short, a governance-focused political process involves military as well as development and political/diplomatic expertise. Finally, one of the

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characteristics of the European approach to SSR is the recognition that SSR is an inherently political process, neither solely technical in nature nor a matter of the efficiency of security forces alone.

In sum, this chapter argues it is possible to construct a genealogy and a set of characteristics of a “European approach” to SSR. While doing so, however, it is worth keeping in mind that some of its defining characteristics as presented above can be found in SSR processes partly influenced and funded by non-European actors. One example is the concept of “democratic security” in Central America in the late 1990s, which puts much emphasis on the civilian, governmental and non-governmental oversight of the military, intelligence and police forces. However, the current situation in Afghanistan makes clear that different actors approach SSR in significantly different ways. The question is whether these approaches can be brought together to complement each other and combine short-term considerations of technical efficiency and immediate improvements in everyday security with the longer-term considerations of transparency, accountability and sustainability in security forces.

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5

LESS POST-CONFLICT, LESS WHOLE OF GOVERNMENT AND MORE GEOPOLITICS?

Luc van de Goor and Erwin van Veen

Introduction

In an ideal world, every country would continuously adapt the roles and capabilities of its security sector to its national and global development goals, and particularly to the security risks perceived to threaten those goals. This approach involves difficult decisions and trade-offs. The manner in which the decision making and allocation process of security, as a public good, is organized and governed is critical to both the effectiveness and the legitimacy of its outcomes. A commonly held view suggests transparency, civil oversight, an open and participatory political process, matching resources and the availability of expertise as important parameters for positive outcomes — which provide an adequate level of security for society while respecting international rights and responsibilities. In many countries, however, security organizations themselves cause or contribute to insecurity because they are over- or undersized, aggressively postured, politically monopolized, under-equipped or poorly trained.

The concept of security sector reform (SSR) was introduced in the 1990s to address the challenges of weak and badly governed security sectors that are incapable of providing a basic level of security for their citizens or that are in frequent violation of international human rights norms. Since this situation seems to occur primarily in developing countries and fragile states, development actors adopted SSR as a concept with a strong development angle. SSR also integrated a focus on human security in a context of underdevelopment. In summary, SSR aims to realize more sustainable and equitable security results due to improved substantive and normative performance of security organizations in developing countries.

LESS POST-CONFLICT, LESS WHOLE OF GOVERNMENT AND MORE GEOPOLITICS?

The concept of SSR has been around for some 15 years, and a range of programmatic experience is accumulating. However, it should be noted that the concept has found limited traction among development practitioners. Only a few countries have created the necessary tools to set up adequate programs. The concept seems to have found more of a footing as part of other agendas, such as bilateral defence assistance, counterterrorism, stabilization efforts and peacebuilding. As such, some observers find that the concept has become “securitized,” that is, driven by the security interests of external actors. These developments have put a burden on the concept and created the risk of it becoming suspicious in the eyes of several countries, including several members of the Non-Aligned Movement.

Given these developments, it is appropriate to inquire about the future of SSR. This chapter suggests three axes along which a future agenda could be developed. First, the SSR toolkit and lessons learned should be applied more widely in developing countries that do not fall within the “post-conflict” category and where SSR can more easily link up with the governance agenda. As discussed in the next section, an appropriate focus of such efforts would be countries where, from a development or conflict prevention perspective, it is vitally important to improve the performance of the security sector (for example, Kenya, Nigeria and perhaps even South Africa). Second, the current and strong focus on whole-of-government (WoG) approaches to SSR must be nuanced. This focus risks confusing means with ends. As elaborated in the following section, the level of WoG required depends on what SSR efforts seek to achieve and must take account of the concept’s developmental nature. Third, the last decade has shown that it is imperative to determine which and whose security objectives are at stake. Every country has equally legitimate goals of security sector performance at the national, regional and global level. It is perfectly valid for donors to support the security sector in, say, Iraq or Afghanistan, to increase their own security. However, this approach is not SSR, but rather classic security cooperation. Yet SSR takes the security objectives of the recipient country as its starting point in order to strengthen and promote the process of development. Naturally, a donor will require that such objectives be compatible with its own values and security before offering support, but these considerations should not alter the focus on local security needs. To become a useful ingredient in, for instance, stabilization and peace support operations, SSR must learn to better speak the language of geopolitics and remain true to its focus (see the section More Geopolitics).

Less Post-conflict: The Value of SSR to More Developed Countries

SSR is an important part of development cooperation for obvious reasons. The negative effects of unprofessional, poorly regulated and expensive security and justice organizations compound security and development problems. These effects are particularly acute in post-conflict countries where security forces, if they still exist, are often compromised, (former) rebel groups continue to pose a threat to stability, small arms are easily available and a recent history of conflict has stimulated a culture of violence and impunity (Human Security Centre, 2005; 2006). Hence, it is no surprise that SSR has tended to focus on post-conflict countries and fragile states. While the needs are most acute in these settings, they are concomitant with the greatest challenges for SSR, given that governance structures and capabilities are often in shambles, resources are limited and the threat of resurgent conflict is real. Moreover, in view of the frequency with which countries relapse into conflict, the chances of SSR success are not great.

These facts notwithstanding, post-conflict settings are often said to feature “windows of opportunity” that represent scope for change in the security sector. While the veracity of this interpretation is doubtful, it is true that a post-conflict setting often creates a window for legitimate entry by the international community, for instance, in the form of a peace treaty or a UN Security Council resolution. It also provides a window in the sense that recipient countries are more resource-dependent. Potential for reform and development of the security sector remains limited, however, especially in the face of domestic actors that have their own agendas, interests and influence with regard to the security sector. Due to recent conflict and the possibility of acquiring new or strengthening old power positions with the use of external support, they are likely to view each other with suspicion. Experience shows that when resources come with conditions, local actors are more likely to refuse or skillfully abuse them, than to allow real change to happen.

What, then, can render SSR viable in post-conflict contexts? At least three key requirements must apply. First, SSR experts should plan for long-term engagement. In particular, in post-conflict environments the process of starting up a meaningful SSR engagement takes much longer than in regular development settings. Long-term and substantial external assistance is required to improve the substantive and normative performance of local security actors. Second, donor time pressure must not be allowed to justify “moving ahead” and bypassing local stakeholders. Nor can the immaturity of local political systems or organizations provide justification for such an approach. Cutting corners in

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such a manner is likely to feed a climate of mistrust that will be detrimental to the sustainability of short-term gains. Instead, ample time should be set aside for a process that engages all key players who are willing to participate. Third, the situation should not be viewed as a blank slate; key players and their interests should not be ignored.

Developments since 9/11 have profoundly affected the SSR agenda of donor countries by increasing its focus on post-conflict settings and on the few specific post-conflict countries that were seen as having the potential to negatively impact donors' own security. It is, therefore, not surprising that there were very few efforts to apply SSR tools and lessons learned in "regular" developing countries. Yet the future SSR agenda would benefit from a switch in focus for at least four reasons:

- In "regular" developing countries the security sector often lags behind other development priorities and areas in terms of the level of external assistance provided. As a result, the focus on problems related to the security sector is often long overdue, which can cause significant discrepancies between the country's overall development and that of its security sector. In order to ensure that the development is sustainable, it is also important to focus on the problems in the security sector, which are often linked to broader governance problems and exacerbated by similar challenges of inadequacy in the broader rule of law system. This, in turn, may explain why regular countries have not made greater efforts to develop their own security sectors, given that their capacity to do so is greater than that of their post-conflict counterparts.
- Moreover, because the security sector is often neglected, the security institutions themselves may become a potential security and conflict risk. In this regard, recent developments in Côte d'Ivoire and Kenya have amply demonstrated that quite a few seemingly stable developing countries are in fact powder kegs. SSR engagement, with a focus on the conflict-preventive governance dimension in particular, could serve as a useful component of stabilization or conflict prevention strategies. The increasing role of the security sector in the political arena of many African countries that face instability makes this aspect even more relevant.
- "Regular" developing countries tend to have better organized and more mature political systems. As such, they offer a better chance of real political dialogue on security sector challenges than do post-conflict countries, where SSR is part of a much broader state-building and

security agenda. This is not to say their political systems work well or cannot be improved, but merely that they provide a more promising starting point.

- Similarly, the term “national ownership” is more likely to take on significance in “regular” developing countries. This does not imply that there cannot be national ownership in post-conflict countries, but choices and trade-offs to match security goals with resource allocation have to be made locally. It is likely that more developed countries have the local capacity to organize supply and demand, an essential step in ensuring that SSR can become sustainable.

The question naturally arises as to whether the requirements for engaging in SSR in more advanced developing countries are different from those in post-conflict countries. This chapter suggests there are at least four aspects that require more sophistication and maturity on the part of donors in post-conflict environments.

First, donors must internalize and apply lessons learned. This process includes the need for clear objectives and strategies, long-term commitment, the availability of mixed funds, dedicated units, pools of (external) experts who can be easily mobilized and, above all, political engagement. In post-conflict countries, inadequacy caused by amateurism or short-term objectives on the part of external actors is less noticeable and more easily forgiven than in more advanced political and development settings. As donors raise the bar in terms of what may be expected from them, local partners can legitimately have higher expectations of donor professionalism. Donors have known for some time which tools and processes are required for successful SSR, yet the practice of SSR shows little progress in most countries. It may, therefore, be worth asking whether donors are ready to make a contribution under more demanding circumstances.

Second, in more developed settings, donors are less likely to dictate the terms — whether on purpose or not. The authorities of more developed countries will be better able to set the agenda and define objectives and procedures. In this setting, SSR will more likely take the form of cooperation between countries to develop the security sector. In those cases, donors need more political acumen and better negotiation skills to, on the one hand, help develop a local consensus on the desirability and direction of a reform process and, on the other hand, ensure that local security objectives do not clash with their own.

Third, donors have to accept that — also from a development cooperation perspective — expenditure on the security sector can be productive

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and necessary given a range of internal and external security needs. In fact, problems in the provision of security and justice often relate to the serious under-funding of the sector, which generally leaves a police force unable to guarantee the safety and security of all citizens. In several places, this has resulted in a rise in private security for the richer communities as well as a rise of local militias or less organized types of security providers. The challenge, therefore, is not only to base security and justice expenditures on a security review that guides and helps to determine objectives, but also to decide how best to meet the security needs within a country's overall budget framework.

Fourth, any effort to improve the performance of the security sector must be aligned with, and be part of, a broader approach to accelerate development. Isolated progress on a single dimension of development will not bring sustainable success given known political, social and economic interlinkages. A higher state of development implies that the density and intensity of interlinkages between different policy areas increases (de Wilde, 1991). Hence, the consequences of disregarding the linkages between the security sector and other sectors are likely to become less immediate (due to increased resilience), but more profound in the longer term. Engagement will, therefore, require more sophisticated strategies, planning and resources — both on the part of donors and local actors. Accordingly, it is important for donors to be willing to engage for the long term. This is not uncommon in other areas of development cooperation in “regular” developing countries.

In summary, providing justice and security to individuals and communities of individuals is a central objective of SSR. States play a critical role in dealing with this challenge as they can be both the problem and the solution to the problem. Although the usefulness of SSR efforts in countries characterized by processes of post-conflict reconstruction, where violence and impunity need to be constrained to give development a chance, is undisputed, SSR can also assist in more developed countries to stimulate participatory methods of governance, increase transparency and accountability of public affairs, and enhance civilian capacity to manage and monitor security bodies.

Less Whole of Government?

Over recent years, discussions on how best to organize effective SSR have increasingly focused on the need for so-called whole-of-government (WoG) approaches. At a meeting on this issue organized by the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD DAC) in 2007, member states concluded that there was a

growing and shared conceptual understanding of SSR within the governments of donor countries, but that there still was a clear need to broaden the range of actors. Furthermore, the meeting called on donors to translate their conceptual understanding of SSR into an effective institutional set-up to deliver SSR in partner countries. This would require:

- jointly drafted strategies and policy documents;
- high-level decision making forums;
- dedicated SSR units or teams within governments, as well as pools of experts who can be mobilized rapidly; and
- flexible financing instruments, consisting of a mix of official development assistance (ODA) and non-ODA funds (Dutch Ministry of Foreign Affairs [Dutch MFA] and OECD, 2008).

Despite several OECD meetings, the meaning of WoG is still fairly unclear. It even seems that (for example, in relation to SSR) the call for WoG approaches has become so strong that it sometimes appears to be treated like an objective in and of itself. This chapter suggests that clarification can be achieved through a return to the substance and objectives rather than a focus on actors and activities.

First, there needs to be cross-departmental agreement on objectives for SSR. Joined-up work is presumed to yield complementarity of expertise, experience and resources. In the absence of such agreement, objectives are left open to the individual interpretation of participating actors or the availability of capacity and resources. The solution is simple: the purpose of SSR should be shaped by the country context — and not by the availability of expertise, capacity or instruments. In order to develop agreement on objectives and strategies, it is important to make certain that all relevant departments are engaged early on in the process.

Second, once it has become clear what contributions are expected or required, the willingness of actors to make such contributions must be established. Cooperation should continue only as long as there is a real and tangible contribution. Motivations will differ according to mandates. For instance, defence and foreign affairs ministries are likely to advance national, regional and international security agendas; development ministries and agencies will be more inclined to pursue human security and local interests; and ministries of the interior and justice are bound to focus on domestic security and interests. In other words, the range of countries in which different actors are willing to

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contribute their resources to joined-up SSR work may actually be quite limited. It is not unlikely, for instance, that domestically focused ministries are unwilling to contribute great resources to SSR in countries that pose no (in)direct security risk (such as “regular” developing countries).

Third, there is a permanent question about leadership. Whereas it is clear that SSR is a cross-cutting theme, and a ministry with the capacity and mandate to work with all actors in all domains should have that leadership (for example, a ministry of foreign affairs), the original nature and focus of SSR implies a strong role for development actors. Yet experience with SSR since 2001 suggests that they did not play a prominent role; greater involvement of development actors would help secure a focus on the oversight and governance aspects. A lead role for development cooperation may become even more relevant in view of the fact that there is a need to promote SSR through different formal and informal justice and security actors. Even though development actors have not always been (allowed to) fulfill this role, they may still be best positioned to do so. It is necessary to remain practical: as long as SSR efforts can be shaped from a development perspective, it may not be that relevant who is in the lead. It is also necessary to be consistent: leadership should be determined on the basis of who is best placed to lead joint efforts to realize joint objectives.

Fourth, challenges regarding the functioning of WoG approaches seem to apply more to cases where several different ministries of a donor want to engage and have the mandate and (financial) capacity to act on their own. In such cases, attempts to promote joined-up action among donor ministries tend to revolve around issues of harmonization. This will not apply to all donors, nor to all cases where donors engage in SSR. The concept of WoG work, therefore, should be seen as a guideline for action to be lived up to when applicable, not as a requirement for all activities related to SSR.

In summary, so much attention is being paid to the issue of joined-up approaches that it runs the risk of becoming a mantra. In addition, the track record of change in intra-governmental donor cooperation does not demonstrate much in the way of deep institutionalization of WoG lessons learned. Even in the SSR domain (which is fairly limited in scope), it has proven difficult to introduce the WoG agenda in development assistance ministries and agencies, let alone foreign affairs and security-related ministries. Where it has been done, significant gaps remain. This does not mean that there is no progress, but it is slow and difficult to maintain with budgets that are under pressure as a result of the global economic crisis. Finally, attempts to introduce concepts such as “whole-of-system” approaches should be viewed with some reservations. The combination of intra-governmental harmonization and coordination of OECD countries, non-OECD

countries and international organizations, risks fatally overstressing the concept. This approach loses sight of the issue at stake by making the instrument the objective.

More Geopolitics

In 2005, the OECD introduced the concept of SSR as a means “to create a secure environment that is conducive to poverty reduction and democracy” (OECD, 2005: 16). Back in the 1990s, the holistic nature of SSR opened up new ways to deal with security issues — in particular, for development actors. Yet this relationship has since acquired new and unplanned dimensions. The new world order that seemed to emerge in the 1990s, providing the momentum for a different take on security, was quickly challenged in the new millennium. The focus changed again from the security of the people to that of regimes and states. Development actors are increasingly facing a challenge similar to that of the Cold War, finding themselves in an auxiliary role when supporting security actors and serving a donor-driven agenda instead of improving the local accountability of the security services and their adherence to the rule of law (Ball, 2007: 6).

SSR has no alternative but to acknowledge the post-9/11 reality and related geopolitics (Sedra, 2007: 21). In that sense, the new millennium has shown very clearly that development cooperation has to become more political. Development cooperation is not simply a technical endeavour; it is highly political. Given its linkages to a range of security interests and state sovereignty, SSR can provide a particularly good example of development cooperation. The quality of governance lies at the heart of SSR because it determines how security forces, regardless of their capabilities, are employed. Politics and governance are, therefore, central to SSR. Through the linkage of conflict and development, the issue of geopolitics has also entered the equation. The effects of politics entering development cooperation (and vice versa) have been further reinforced by the need to work with other government agencies, particularly those representing the diplomatic and the security domains. This is not necessarily a problem, and can even be considered a positive development, given that realities on the ground often consist of security (sector)-related challenges.

Dealing with these changes has proven to be difficult, in particular for development actors with limited influence to set the geopolitical agenda. Yet development actors will have to face this challenge, as conditions will not change. They will need to become more conscious of and active in marketing the added value of development actors in peacebuilding and state-building

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projects. Development actors have the capacity and tools to engage in long-term processes of change. This is also what is required for effective SSR. Notwithstanding the necessity to address issues such as counterterrorism and counter-narcotics, their effectiveness — as well as that of SSR — will depend on their sustainability. Development cooperation must help ensure a stronger focus on the accountability of the security services and their adherence to the rule of law.

Development actors also need to accept the fact that SSR is not only about human security, but also about national, regional and global security. They will require investment and focus on such goals as well. Donors need to be willing to support this on the provision that they are in line with prevailing international norms and values. This is particularly relevant if the development community is to have its work become more political and to act its part on the geopolitical agenda. For instance, the reinforcement of the security sector of developing countries could usefully contribute to their ability to participate in peace support operations. While this does not serve the immediate purpose of contributing to human security, it could contribute strongly to regional or even global security.

Similarly, there is a need for development agencies to focus more on the role of non-state actors, also as part of more geopolitical security initiatives and activities. In practice, non-state justice and security networks make up the majority of justice and safety providers in post-conflict and fragile states, even up to 80 percent (Baker and Scheye, 2007). The limited effectiveness of SSR programs thus far (because of their focus on the formal justice and security providers) has led some to advocate a “multi-layered” approach, consisting of simultaneous support to formal and informal justice and security providers with the aim of enhancing the quality and effectiveness of formal services in the long run and guaranteeing effective delivery in the meantime (Baker and Scheye, 2007). Supporting such informal actors is particularly important in fragile and post-conflict settings since they are the most accessible and most trusted services of the population.

SSR should, therefore, broaden its scope to such non-state actors in order to measure up to the expectation that it can also improve the delivery of security and justice in the short run. This is equally relevant in places such as Iraq and Afghanistan, where neither international nor local state forces have shown themselves sufficiently capable of providing adequate security for the local population, despite their best efforts. Nevertheless, it is not solely from the donor’s perspective that engaging with non-state actors is sensitive. The history of Western state-building shows that national authorities facing security challenges are particularly keen to eliminate potential competing sources of

authority (Bayly, 2004; Tilly, 1992). Hence, to have both post-conflict and more regular developing countries engage with non-state actors in the provision of public goods requires patience and effort. New ways and means will have to be found.

The Future of SSR: Concluding Remarks

Some 15 years after its introduction, there are growing concerns about the concept of SSR:

- SSR as a concept has achieved limited success, in particular in the high-profile post-conflict peacebuilding and state-building cases of Iraq and Afghanistan. In addition, it has hardly been introduced or applied in “regular” developing countries.
- The concept faces risks of overstretch, securitization and inadequate contextualization.
- The holistic nature of SSR requires the involvement of a wide range of government actors, yet it has proven to be difficult to attract and involve these actors in a meaningful way.
- Lessons learned seem to be having limited traction on actual practice.
- The concept is in danger of being subsumed into the state-building, WoG, rule-of-law and armed violence reduction agendas (OECD, 2009) and risks losing focus as a result.

These concerns are pertinent and justified. They raise questions as to whether SSR is still viable and, if so, what can be done to address relevant concerns. In response, this chapter makes the following recommendations:

First, the concept of SSR is much more relevant for “regular” developing countries than current practice reflects. Such countries may offer a better opportunity to give real meaning to local ownership as one of the key principles of SSR. Because of the availability of more local and more mature capacity, the political nature of SSR will become more pronounced. This will require greater donor capacity to facilitate politically sensitive discussions and to use sophisticated change management tools.

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Second, although a comprehensive approach to SSR is required for success, the question as to what is comprehensive enough needs to be answered on the basis of the objectives to be realized. These can only be derived from good contextual and comprehensive analyses. Strategies to realize the subsequent priorities need to be sequenced, since a comprehensive approach aimed at addressing all the needs at the same time is unrealistic. This suggests that different phases and activities require a different intensity of coordination and involvement of actors. Furthermore, it is questionable whether actors that could be involved, but that are not willing to contribute resources or follow appropriate leadership, should be involved at all.

Third, countries have legitimate security needs that may stretch beyond the immediate safety of their citizens. SSR can and should also legitimately contribute to the strengthening of security sectors to achieve objectives such as the protection against external aggression and the curbing of transnational crime and terrorism as long as a development approach can be maintained. This requires, in particular, that development actors recognize the potential benefits of expenditures on security. In fact, when security expenditures are based on reviews of local security needs, balanced decision making and strategic planning, while also fitting within the country's overall budget framework in the long run, there is no reason to assume they are not productive.

Finally, at this point, it is not appropriate to discard the SSR concept and to focus on new approaches, such as armed violence reduction. Trying to escape reality by looking for more holistic concepts to embed and safeguard the ability of development actors to work on security issues risks disempowering the more concrete SSR; disarmament, demobilization and reintegration; small arms; and conflict-prevention agendas. It is clear, however, that considerable strategic, political and practical work is still needed to make SSR a development concept and create a toolkit useful and acceptable to the wide range of SSR settings and actors involved.

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6

TOWARDS SECOND GENERATION SECURITY SECTOR REFORM

Mark Sedra

Introduction

Few international development or security specialists would question the notion that the reform and even transformation of the security architecture of post-conflict and transition states is crucial for the advancement of peace and stability and the creation of an enabling environment for economic development. Those same specialists would likely agree on the fundamental principles that should undergird that process, from respect for fundamental rights to democratic civilian control. This package of norms forms the basis of the security sector reform (SSR) process, a model of security assistance widely seen as the standard for developed and developing states alike seeking to build, rebuild or modify security and justice institutions at home or abroad. Indeed, the SSR acronym has become embedded in donor parlance, policy frameworks and strategic priorities and accepted, at least officially, by most aid recipients as a necessary step towards stability and prosperity.

There is no shortage of texts, both policy and academic, outlining the key norms and principles of SSR, with the Organisation for Economic Co-operation and Development Development Assistance Committee's (OECD DAC) *Handbook on Security System Reform* having emerged as the "gospel" in the field over the past five years. There is also no shortage of case studies where SSR programs or facets of SSR have been tried and tested under the auspices of development or state-building projects. What is in short supply are success stories, exemplar cases that are widely cited as having actualized the fundamental principles and prescriptions of the SSR model. No complex process such as SSR will yield ideal successes, but there is a conspicuous lack of examples that policy makers, practitioners and experts can point to as proof positive of the model's transformative potential. Some may cite Sierra Leone as a success story while

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others would mention South Africa. Neither case, however, would be held universally as a model for implementation as Malaya is — rightly or wrongly — for practitioners of counter-insurgency, or as Germany and Japan are for state builders.

What accounts for this gap between policy and practice, this conceptual-contextual divide? First, the model, as articulated by the OECD DAC, does not feature the flexibility to adapt to different contexts. While much of the current debate on SSR centres on post-conflict cases, which can range widely in form and character, SSR programs are implemented in a diverse array of settings from post-authoritarian and collapsed states to newly sovereign and developing countries. The SSR model recognizes the primacy of context in designing individual country programs, but in practice, despite some variations in overall approach, donors tend to employ the same tools, strategies and ideas, often implemented by the same officials or contractors that nomadically move from one context and program to the next.

The lack of innovation and contextualization in donor approaches can be attributed partly to the problem of timeframes. While the SSR model is understood to be a long-term process, spanning decades, donor funding cycles rarely exceed five years. The growing imperative in many donor states to align development priorities to national interests and show quick results has limited the capacity for adaptation and contributed to the development of “cookie cutter” or template programs transposed from context to context.

Another factor that has contributed to the widening policy-practice gulf in the SSR field is the general drift in the employment of the term SSR. It seems today that almost every security-related process and program in a post-conflict or transition state is categorized as SSR. The identity of SSR is blurring, as forms of security assistance that bear no resemblance to SSR — some even contravening its core principles — are placed under its policy roof. This has had the effect of delegitimizing SSR in many contexts.

In light of these fundamental challenges to the SSR model, this chapter argues for its reconceptualization. It intends to show that there is no one blueprint or formula for SSR. Just like there is no one route to democracy, a realization that has only come to be accepted in recent years and is still challenged in some quarters, there are multiple approaches that can be taken to actualizing the goals of SSR. This chapter will seek to identify some of those different approaches and speculate on their potential and limitations. SSR is still a new concept and one that promises to make a major contribution to international peace and security, but to realize that potential some major tensions and gaps in the process must be resolved.

The Concept: SSR Principles and Preconditions

The SSR model is built upon a set of core principles or norms emanating from the Western liberal democratic tradition. As Mark Knight argues, to understand SSR, it is critical to recognize its Western liberal pedigree and its intrinsic links to wider processes of democratization and liberal peace-building (Knight, 2009). The central principles of the SSR model are as follows:

People-Centred

SSR is a people-centred concept, emphasizing the security of individual citizens rather than governments or regimes. The model recognizes that these two objectives need not be mutually exclusive, but are, nonetheless, not always in sync. An over-emphasis on safeguarding a regime can have the perverse effect of reducing the freedom and security of individual citizens subject to it.

Primacy of the Rule of Law

The SSR model affirms that all persons, institutions and entities, *including the state*, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated and are consistent with international human rights norms and standards.

Democratic Accountability and Oversight

Improving governance within the security sector and ensuring that the security and justice institutions are subordinate to democratic civilian authority is the central concern of the SSR model, and its principal innovation as compared to previous forms of security assistance.

Operational Effectiveness

A well-functioning security sector depends on the creation of operationally effective security and justice institutions and agencies. However, the imperative of enhancing the operational effectiveness of the security forces and the justice system must not be advanced at the expense of mechanisms to ensure respect for human rights, curb corruption and guard against abuses of power.

Civil Society Engagement

Civil society, whether it is the media, human rights advocacy groups or community organizations, plays a vital role in the security sector, providing an external check on policy and action. It also serves as an important conduit or medium for state–society communication and interaction. Accordingly, SSR programs should prioritize efforts to empower civil society to engage in security issues and interact with security institutions.

A Political Process

SSR is innately a political process that should be conceptualized as an outgrowth of the wider political transition. In post-conflict contexts, the process should be anchored to the peace agreement or political settlement. Building the crucial political consensus surrounding the SSR strategy and agenda, both among local actors and external stakeholders, invariably involves complex political bargaining. Over the long term, the goal is to de-politicize the sector, but the process of reform, particularly in its early formative stages, is a highly contentious political game. SSR stakeholders must be willing to play this game, not sit on the sidelines.

Ownership

The long-term viability of SSR is dependent on the willingness and capacity of local actors to support, direct and internalize the process and its fundamental principles. Ownership should not be solely the prerogative of elites; the process must reach out to non-state groups and the wider society to secure their buy-in. As a result, SSR processes must be rooted to local perceptions of security and driven by local needs and visions of change.

Sustainability

The purpose of SSR is to build a self-sufficient security sector, not an external dependency. Realizing this goal requires reformers to carefully calibrate reforms to reflect long-term political and fiscal realities. The SSR process should seek to “rightsize” and “right-finance” the security sector, balancing the demands of existing and future threats with projections of the revenue-generating capacity of the state.

Long Term

A process of institutional transformation and societal engineering, SSR is invariably a long-term undertaking. As such it demands a high level of political will on the part of internal and external stakeholders and a durable resource base to succeed. Efforts must be made to sensitize the publics of both donor and recipient to the protracted nature of the process and contain immediate expectations. The emergence of unrealistic expectations in the public sphere can undermine SSR processes before they begin to pick up momentum.

Applying these principles as a part of a broad process of reform in complex post-conflict and transition states will be difficult unless a number of conditions are present. The success of SSR programs depends on:

- “...there being a consensus among domestic actors on the principles of their SSR programme, on the strategic vision embedded in the programme, and on the specific objectives the programme seeks to achieve” (UN Development Programme [UNDP], 2003: 15). There has been a tendency among external actors to rely on a narrow set of like-minded elites to oversee reforms. In many cases, the selection of local partners has been based more on expediency than the need to foster an inclusive process. For instance, the formation of clientelistic relationships with certain ethnic-based groups is a common practice of external actors, with far-reaching ramifications for SSR: “When ethnic patronage is built into military, police and security bureaucracies, it corrupts them, weakens discipline, reinforces a sense of impunity and fosters public (and especially minority) distrust of the state itself” (Luckham, 2003: 22).
- the presence of a minimum level of security. SSR cannot be implemented in a security vacuum; it is a long-term process intended to address the structural causes of insecurity, not a means to confront immediate security threats. Post-conflict countries are invariably confronted with a high degree of residual insecurity. The deployment of a peace support mission offers one means to provide a security buffer for the process and “raise the cost to local stakeholders of choosing violence over dialogue and compromise” (Ball, 2002: 7).
- the existence of at least the foundations of stable institutions and human capacity. In countries that have experienced state collapse or are recovering from civil strife, institutional and human capacity

is invariably limited. Determining a starting point for the process and how to sequence reforms in such contexts is exceedingly difficult.

- The degree to which external interests are aligned. Donors “often bring with them their own set of concerns” and interests that “can seriously jeopardize the agenda’s holistic vision” (Chanaa, 2002: 55).
- The level to which reform processes are endowed with long-term and predictable sources of resources and assistance. There is no quick fix for SSR; it requires a long-term outlook and durable supplies of resources to succeed.

These preconditions have been met in very few SSR cases, which accounts for the lack of clear-cut success stories for the model and the imposing challenges in translating its core principles into effective programs.

The Context: Problems with Implementation

With conditions highly unfavourable for reform in most contemporary SSR cases, the SSR model has faced a number of recurring challenges during implementation that have consistently blunted its impact. The complex issue of ownership, which vexes the entire development field, has been especially problematic for SSR practitioners. The imperative of manufacturing ownership when local leadership, capacity and political will for change is limited has been difficult to accomplish. Moreover, the question of who are the owners — whether like-minded Western-oriented elites, traditional leaders, civil society groups or others — has only complicated matters. Few would challenge the notion that local ownership is important, but achieving it in practice, in broken and fractured societies, seems impossible at times. Accordingly, setting a high ownership bar for a process may doom it to failure.

The issue of engaging civil society is equally challenging. The main problem lies in the fact that civil society in fragile, post-conflict environments, not unlike the state, tends to be weak and fragmented. Moreover, the relationship between civil society and the state is often frayed and characterized by mutual suspicion. There is also a dilemma of definition: who exactly is civil society and among them who should be engaged in the SSR process? Finally, there is the question of how civil society actors should be engaged — as providers of external oversight, as a medium to raise public awareness of the goals of the process, or as a tool to advance capacity development in the security services (such as the inculcation

of human rights norms)? Again, there appear to be more questions than answers over the implementation of a central facet of the SSR model.

Any change in the security environment of a post-conflict or transition state is bound to create winners and losers. Some of those losers may be coaxed into cooperating with the process through a combination of incentives and disincentives, while others will invariably reject reform efforts and resist change altogether. The capacity of SSR processes to counteract spoiler behaviour, which can come in many forms, from political obstruction to outright violence, has been limited. Donors have demonstrated a startling lack of political will and even creativity in developing and deploying tools to mitigate the risks of spoilers, whether in the form of political and economic inducements or coercive mechanisms. SSR processes must have some teeth, provided that those teeth are fully endorsed by local stakeholders, if they are to succeed.

The SSR model has been shown to be quite rigid when implemented in the field. The manner in which it interacts with customary or traditional security structures and norms reflects this rigidity. SSR processes have displayed an ingrained aversion to working with non-state structures even where they are functioning and perceived locally as legitimate, an outgrowth of the model's statist orientation. Non-state, informal structures tend to be seen by the SSR model and its stakeholders as competitors for authority and legitimacy, rather than as partners with the same overarching goals. Moreover, the human rights branch of the SSR field tends to label traditional structures as backward and prone to violating human rights standards. The problem with this reticence to engage with non-state entities is the reality that they tend to be seen as far more legitimate, accessible, cost-effective and locally relevant than formal state structures. Consequently, ignoring or deconstructing these bodies and norms can provoke insecurity, a breakdown of the rule of law or even a public backlash. The logic upon which this reticence is based — that the norms and behaviour of these structures are static and that they will not accept the authority of formal bodies — is flawed. If SSR programs are to succeed in complex transitional societies, particularly those featuring non-Western security and legal traditions, the SSR process must be empowered to work with existing norms, structures and people, not around them. They must seek to embrace an understanding of local realities and tailor programs to engage them. This may mean developing a division of labour or partnership with non-state actors and structures.

Perhaps the most consistent and deeply-rooted challenge facing the SSR model is that of time frames. One of the central principles of SSR is that the process requires long-term interventions. Yet donor assistance architectures and aid frameworks tend not to provide for that level of commitment. The problem

can be traced to a number of factors, from donor electoral cycles to frequent shifts in donor priorities linked to the media cycle. This dilemma exposes one of the fundamental contradictions of the SSR concept: donors simply lack the outlook, political wherewithal and institutional tools to implement the model's principles in today's complex reform contexts.

The Limitations of SSR

The preconditions required for the implementation of the orthodox or "ideal-type" SSR model, as defined by the OECD DAC *Handbook*, are typically and very conspicuously absent in most contexts where it is applied (Schnabel, 2009: 24). As Schnabel states: "SSR often takes place in, and is faced with, highly difficult environments far removed from the ideal conditions for the implementation of successful SSR" (Schnabel, 2009: 11). The "highly difficult environments" Schnabel refers to are states like Afghanistan, which faces an ongoing insurgency and a debilitating lack of human capacity, or the Sudan, which features deep political fissures and high levels of instability. It could be argued that neither case features a single precondition for successful SSR, yet multi-million dollar, multilateral SSR programs have been launched in each setting that have been touted as the sine quo non for stabilization and sustainable development.

In light of the incongruity between the SSR model's objectives and the realities on the ground in most reform contexts, it is time for SSR experts and practitioners to take a step back and re-evaluate the suitability of the concept in its present form. At its core, the process demands fundamental "behavioural change" in a short time frame, a feat of societal engineering that would be difficult for wealthy Western democracies to accomplish, let alone impoverished and fractured societies emerging from conflict, state collapse or major political upheaval (Schnabel, 2009).

SSR can do many things when given the appropriate time and resources: it can expand the sovereignty of the state by imbuing it with a monopoly over the use of force; it can create an enabling environment for development and democratization; it can expand oversight, transparency and accountability within security institutions; and it can help to reduce corruption, abuses of power, economic mismanagement and impunity within the security and justice spheres. These are lofty and worthwhile goals, but donors and recipients alike often expect SSR to deliver even more, such as bringing peace among warring parties, defeating insurgencies and addressing immediate insecurity, and solving problems of corruption. SSR can contribute to meeting these goals, but

it is one tool of many that is needed to do so. It is no panacea or magic bullet for the stabilization of troubled states.

It is clear that greater realism, honesty, modesty and flexibility are needed in the application of the SSR model. Its core principles are sound and provide a stable normative base for the development of specific implementation doctrines and approaches that reflect general trends in post-conflict and transition states and are adaptable to particular countries. Rather than seeing SSR as a singular approach, it should be interpreted as an umbrella concept encompassing a typology of doctrines and strategies.

Different Approaches

The UN secretary-general's report on SSR rightly states that the success of SSR implementation "rests upon the extent to which the international community can forge consensus on an enhanced approach to SSR, while also adapting in a responsive and flexible manner to the needs and priorities of each particular context" (UN, 2008: 14). The fact that donors offer different approaches to achieving the same core SSR principles is not in and of itself a problem, as there is more than one road to reform and stabilization. The problem arises when, as is often the case, different SSR practitioners advance different visions for reform within the same context or country, creating confusion, overlap, resource wastage and ultimately setbacks. Any number of factors can drive those differences in approach, including divergent donor interests in the recipient country, differing legal and security traditions among the donor stakeholders or simply personality differences amongst the individual practitioners involved.

A survey of the SSR implementation experience over the past decade reveals several distinct approaches to SSR, which can be separated on the basis of several factors, including: the degree to which they emphasize external or local interests; the character and level of resources donors bring to bear; and the longevity of the outlook adopted for the process. A common approach is the ideal-type approach described earlier, which favours a more orthodox application of the conventional SSR model. It tends to follow a familiar blueprint, starting with the conducting of an assessment and the formulation of a detailed, multi-year, holistic strategy. It is the elaboration of this clear strategy with well-defined benchmarks and goals at the very outset of the process, before reformers have had a chance to gain a firm grasp of the intricacies and nuances of the reform context, coupled with its rigid adherence to the core SSR principles and guidelines, which define the ideal type. The problem with such a rigid and doctrinaire approach is that it is acutely vulnerable to changes in conditions,

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from shifts in the security environment to alternations in funding availability. When confronted with such challenges the program tends either to break down, as was the case in Haiti at various junctures since the early 1990s, or mutate as it has in Afghanistan, with the holistic approach being replaced by a more limited train-and-equip mentality.

Another common approach is diametrically opposed to ideal-type SSR, although it claims to ascribe to the same principles. It can be described as the “train-and-equip SSR approach” as it entails limiting donor attention to one facet of SSR — the training and equipping of the security forces. This Cold War approach to security assistance is most commonly associated with the US and its “SSR” programs in Afghanistan and Iraq, but elements of it can be detected in a variety of multilateral reform settings, such as Bosnia and Southern Sudan. This approach most often comes to the fore in the most difficult reform cases, where insecurity and political instability is acute. Under such pressure donors tend to do two things: instrumentalize SSR to address immediate instability and insecurity, and revert to what is most simple and familiar, training and equipping the security forces. The problem with this approach, with its lack of focus on governance and some of the other “soft” security elements of the process, not to mention its characteristically apolitical interaction with local conditions and realities, is that it diverges so sharply from the principles of SSR that it can hardly be identified as an SSR process at all.

While the ideal-type approach places a premium on the establishment of a strategy or “shared in-country SSR vision” (OECD DAC, 2010: 9) at the outset of the process, more and more SSR practitioners have in recent years begun to recognize the utility of a more incremental, evolutionary approach. In post-conflict and transition states where a political consensus on reforms is absent and the political and security environment is fluid, imposing a long-term strategy can be fruitless and even damaging. In such environments, a better approach is to gradually build reform momentum and buy time for the development of a political consensus and the stabilization of the security environment through ad hoc projects in areas and institutions ripe for reform. Robert Muggah and Nat J. Colletta have referred to such initiatives as “interim security activities,” a theme Muggah takes up in this volume in a chapter co-authored with Mark Downes. This can be seen as a blanket term for “quick wins” — targeted projects in areas with high potential for change that can demonstrate the value of SSR and help prepare the ground for more conventional SSR initiatives. Evolutionary approaches have been employed in a number of contexts, notably Burundi and Sierra Leone. Such an approach is most apt where the political and security environment is volatile and the premature setting of rigid benchmarks, timelines

or objectives could merely set up the process for failure.

A recent trend in the evolution of the SSR model, which can also be seen as an emerging approach to implementation, is the outsourcing of the process. Increasingly, non-governmental organizations, consultancy firms, private security and military companies, and independent contractors are being called upon to implement SSR programming on behalf of donors. The outsourcing of SSR to non-governmental bodies and the private sector reflects the inability of governments to mobilize the diverse array of human and institutional capital needed to implement SSR programs. Depending on the particular actors contracted, increased outsourcing could have a number of distinct implications for the nature and quality of SSR programming. For instance, the growing role of private security companies (PSCs) in the SSR field has contributed to what some see as a militarization of the concept, as these agencies tend not to have strong capacity in civilian aspects of the field. Outsourcing also raises pressing questions about transparency and accountability, as regulations, standards and domestic laws that bind governments often don't apply to non-state actors. Significant concerns have been raised about the quality of the assistance provided by PSCs to SSR programs in numerous environments, as investigations by US federal government auditing agencies into DynCorp International's police training program in Afghanistan's have demonstrated. Despite these uncertainties, private sector engagement in SSR programming will only grow as more attention and resources are dedicated to SSR globally. Accordingly, more thought must be invested into defining the role that these actors play in the SSR implementation typology.

Although each of these approaches may provide some benefit to either external implementers or local recipients — whether it is the promotion of particular international norms and standards, the advancement of key donor interests or the elevation of recipient needs — none have provided an effective vehicle to realize the core principles of the SSR model. Constructing such a vehicle will require the recalibration or retooling of these reform approaches, yielding a new typology of implementation strategies that better reflects contemporary challenges and circumstances. A key to developing this new typology and making it work will be the enhancement of donor capacity for SSR implementation.

Future success in SSR will demand the jettisoning of the “business as usual” approach to SSR, a major shift in donor practices and the modernization of its aid machinery. Three areas require particular attention. First, the scope and quality of deployable human capacity for SSR implementation needs to be greatly expanded across donor states and international agencies. A number of expert pools such as the International Security Sector Advisory Team (ISSAT)

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have emerged in recent years to fill human capacity gaps in SSR missions. However, such initiatives remain relatively modest and are still maturing. What is needed is a rapidly deployable civilian expert reserve, akin to military reserve units, featuring expertise from across the entire spectrum of SSR activities. It is important that such a reserve include broader system-wide experts, individual sector specialists (in areas like prisons and policing) as well as geographic specialists, as all three forms of expertise are indispensable for SSR programs. Andrew Rathmell conceptualizes this broadly as the professionalization of the SSR field, developing a global cadre of SSR professionals through training, education and institution building.

Second, there is a need to develop more robust global SSR centres of excellence, institutions whose sole remit is SSR, and which possess both implementation and policy development mandates and capacity. Presently, the SSR discourse is driven globally by a handful of bilateral actors such as the UK, the Netherlands and Canada, as well as small units of the OECD DAC and the UN Department of Peacekeeping Operations. Bilateral actors will play an important role in SSR as providers of aid, but overreliance on them to move the concept forward is problematic as the often wide differences in how they see and approach the concept can distort and undermine reform. Multilateral bodies like the UN hold more promise to move the SSR discourse forward, to maintain an accessible repository of institutional memory, to disseminate lessons learned and to serve as a focal point for coordination and political shaping activities in the field. However, existing multilateral bodies tend to be small, with limited mandates. The SSR unit at the UN Department for Peacekeeping Operations, for instance, is extremely stretched, possessing only a handful of dedicated staff. Such bodies must be strengthened to develop greater global consensus on SSR, to ensure greater coordination in the field and to push innovation in the concept.

Finally, on a general level, donors must develop mechanisms and modalities to overcome the political and practical restrictions to long-term SSR engagements. Short-termism in SSR remains one of the foremost obstacles to the concept and one of the principal reasons for its poor impact. Donors must find a way to stretch their assistance, resisting the urge to get the money out the door early in the process and press for quick results. In many SSR cases, it is not that more resources are needed, only that they are more prudently used over a longer period of time.

Developing more appropriate and effective approaches for SSR will help to contain the drift in the concept. As SSR has become firmly entrenched in the policyscape, it has become a catch-all term, with almost all security -related activities being labelled SSR regardless of whether they conform to the

fundamental principles of the model. Although developed with a very specific purpose, the meaning of the concept now seemingly shifts depending on the country you are in and the actor you consult. There is even growing dissensus surrounding the name of the concept — security sector reform, security system reform, security sector transformation, and security and justice reform are used interchangeably by practitioners and experts alike. This semantic debate, while meaningless to reform recipients in the field, other than to cause occasional confusion, reflects the unease or uncertainty of donors over the direction of the concept.

Indeed, two of the most prominent and well-funded cases of SSR over the past decade, Afghanistan and Iraq, have drifted so substantially from the SSR conceptual model that it is difficult to label what is happening there SSR. Rather, they resemble the train-and-equip programs that dominated the Cold War era where external assistance was driven first and foremost by geopolitical interests. Today, in Afghanistan and Iraq, those geopolitical interests are the “war on terror” rather than the East–West ideological struggle. To move the SSR discourse forward, it may be time to call a spade a spade and identify these programs not as difficult SSR cases, but something altogether different. After all, they feature virtually none of the preconditions for successful SSR. Security assistance in these cases may evolve into SSR over time, when the violence and instability has subsided, but until then they should be seen as a different animal that requires specific forms of interventions outside the scope of SSR.

The seeming fixation of the SSR community of practice on these cases of wartime SSR has fragmented or divided the main stakeholders in the concept. SSR largely emerged out of the development community and, as the OECD DAC rightly states, is accepted “as a core component of development assistance” and “an important tool for development agencies in their efforts to prevent conflict and build peace” (OECD DAC, 2010: 5). However, some development agencies have become increasingly wary of SSR due to the experiences in contexts like Afghanistan and Iraq, where SSR assistance has diverged so substantially from the model’s objectives and has become more clearly aligned with military objectives. This has fed into fears over the increasing militarization or securitization of aid in post-conflict and transition states. A re-appropriation of the security sector space by traditional military and security actors would further undercut the SSR model, undermine its holistic focus and drive a further retreat of development agencies.

Conclusion

SSR is entering the third phase in its evolution. Its first phase, in the late 1990s and early 2000s, saw the development of the conceptual model — the first generation of SSR. The second phase, over the past five to seven years, saw both the rapid institutionalization of the model in the development and security policies of bilateral and multilateral organizations and the first wave of implementation. We have now entered the third phase, which should see the distillation of the lessons learned from that initial wave of implementation, feeding into the development of a second-generation SSR model. This model must be better attuned to contemporary reform contexts bridging the conceptual-contextual divide that harmed reform efforts in the first wave of implementation. That new model should not only lead to the development of more flexible, politically sensitive and realistic reform doctrines and approaches, but demand the development of new donor institutional mechanisms to implement them. Making SSR work is not just about getting the strategy right, but making sure that the reformers have the right tools and mindsets to achieve real change.

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**PART II — FROM CONCEPT TO
CONTEXT: IMPLEMENTING SSR**

7

SSR AND POST-CONFLICT RECONSTRUCTION: THE ARMED WING OF STATE BUILDING?

Paul Jackson

Introduction

This chapter directly challenges some of the popular security sector reform (SSR) mythology that has grown around the UK's involvement in Sierra Leone and the subsequent policy developments associated with SSR. It raises questions about the underlying political assumptions of the SSR process and contemporary SSR material, much of which lacks analysis of underlying theories relating to broader state building and construction of a liberal peace.

Using a case taken from the reconstruction of Sierra Leone, this chapter outlines some of the key issues emerging after 10 years of reconstruction efforts. Sierra Leone is over-cited, but given its importance to any orthodoxy that may be said to exist, it is relevant here. A viable state remains elusive for the relatively small West African country, challenging assumptions about time taken in reconstructing socio-political norms and structures, and also questioning state building as a post-conflict approach.

This chapter argues that SSR in Sierra Leone was never a developed strategy but came to represent a series of policies that evolved on the ground largely as the result of the interaction of individuals and groups engaged in those early decisions, sometimes against the wishes of Whitehall, but always sharing a "direction of travel." This is an important point in terms of how SSR policy was actually developed and how approaches come to be seen as being far smoother and well planned with hindsight, but also in terms of how policy makers and academics can learn about social, governance and security processes.

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The chapter moves on to analyse what lessons can and cannot be drawn from this experience and what the implications are for SSR going forward. It argues that the example of Sierra Leone as a “classic” post-conflict situation is enlightening. The case is, however, also damaging in the sense that any future SSR intervention will face radically different circumstances and needs to take into account broader issues of state building while recognizing the deeply political aspects of what is being done when an international agency engages in SSR.

What is Special about Post-conflict States?

The study of post-conflict states is blessed with a wide and varied lexicon of terms that overlap, contradict and confuse while trying to describe varying forms of collapse. Whether fragile, weak, collapsed or neo-patrimonial, every dysfunctional state suffers from vulnerability to external shocks, internal conflict, competing economic and political structures and an inability to exercise effective legal control within its borders. A post-conflict state exhibits all of these features in extreme circumstances. What post-conflict SSR implies is a context in which a serious conflict has come to an end. The state may have completely collapsed along with security and there is a desire to reconstruct it.

Engaging in SSR in post-conflict environments poses special challenges, but may also bring particular opportunities. Post-conflict environments are usually characterized by weak or non-existent states, fragile political situations that may continue to be violent and an economic situation that is, at best, precarious. For a policy maker, a “blank slate” is attractive for reconstruction and for SSR, yet it is dangerous and illusory in leading donors to ignore existing norms and structures and promoting ignorance of local history. This, in turn, may lead to a “one-size-fits-all” approach that can dangerously undermine long-term sustainability. At the same time, the post-conflict moment does create a window of opportunity for reform, which also provides a series of entry points. There is usually a local will to accept all forms of external support, even in sensitive areas such as security, which may be lacking in countries not experiencing state collapse. This may, however, be complicated when the environment is not actually “post-conflict” at all, as in Afghanistan and Iraq, and where SSR is taking place under combat conditions.

It is often cited that the main difference between post-conflict SSR and “normal” SSR is that the post-conflict version needs to deal with the legacy of past conflict (Hänggi and Bryden, 2005). But this could be true of any post-authoritarian state, however this is defined. Rather, the main distinguishing features of

post-conflict environments usually are: the need to provide immediate security; the need to demobilize and reintegrate combatants; and the need to downsize security actors.

Overall, the chief characteristic of post-conflict SSR is usually the level of influence of external actors in the process, including agencies, international militaries, private companies and non-statutory security actors, including insurgent groups, religious transnational actors and warlords. This is why post-conflict SSR is so bound up with the broader process of state-building. If security is one of the core functions of a state, then SSR practitioners need to engage with what this general process means with respect to SSR objectives, as outlined in the next section.

SSR and State Building

As implied above, there is a strong link between SSR and state building as a global project. In post-conflict contexts this link extends to the idea of a “liberal peace.” A comprehensive discussion of the liberal peace is beyond the scope of this chapter, but it is very simple. Liberal ideology can be reduced to four core themes: individualism (assertion of individuals over social collectivities); egalitarianism (moral equivalence of individuals); universalism (moral unity having primacy over historical association or cultural forms); and meliorism (belief in the ability to improve all political and social institutions). All of these elements surround the core principle of individual freedom (Gray, 1986).

A liberal peace, therefore, exists when all of the above constitute normal social relations while justice and liberty drive a social structure that is inherently peaceful. Democracy and capitalism are seen as the vehicles for peaceful competition underlying liberal structures and the normative foundations of liberalism are encompassed in the liberal notion of human rights (Doyle, 1997). At their highest level, these are the right to freedom from arbitrary authority, the social rights necessary to protect and promote freedom and the right to democratic participation to protect the first two. Consequently, when international intervention is undertaken in the name of human rights, it is entirely coherent to initiate a process of democratization as a means of developing social rights. Clearly, it is the transfer of the political architecture of the liberal state from Western liberal countries to non-liberal states in the form of state building that leads to a tension between the pacific nature of liberalism and the issue of whether those structures really are the political manifestation of the moral freedom of the local populations.

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This has led to a number of important developments in terms of peacebuilding, not least the idea that an international liberal peace requires non-liberal states to be liberalized in order for that peace to become sustainable. Given the policy community's focus on states, it is perhaps hardly surprising that the main focus of international aid has been on trying to support states that are weak and on reconstructing states that are in crisis or entirely collapsed. There are a set of clear reasons for this, not least of which is a concern with international security and the reliance on an international state system composed of functioning states to carry out basic tasks. The current international security environment also relies on states to maintain existing international order, thus the development of functioning security sectors within those states comes to the forefront of this agenda, something that is rarely mentioned in SSR literature.

Unsurprisingly, state building has become a focus of much international aid, but unfortunately these attempts at realizing its goals in practice have frequently been problematic. A core reason for this is the methodology of state building. The vast majority of states that have been subject to these approaches have concentrated very much on technical issues — effectiveness, functionality — rather than on the idea of what a state actually is. A real issue in Africa and Central Asia in particular, revolves around defining what constitutes a state. There is a clear difference between constructing a state apparatus and building a real-world state, not least in separating the technical process of what states do from the political processes involved in what states actually are.

In Iraq the United States attempted to construct a Western-style state armed with a whole range of neo-liberal state theories that view the institutions of the state as almost being separated from existing politics. It dismantled the state that existed and started all over again, constructing a new set of ahistorical institutions alien to the local population. Holding an election does not necessarily constitute state formation, even though the assumption is that democracies can be created in this way within project horizons. Aside from the issues with multiparty democracy in a post-conflict situation, the real issues with Iraq lie in a fundamental misunderstanding of what the project of state-building actually means in practice.

There is much literature on state building, but it is useful to look at representative illustrations of core approaches. Fukuyama outlines a set of approaches posited on a completely ahistorical and technocratic view of states (Fukuyama, 2004; 2006). One of his initial points concerns the lack of institutional memory within policy bodies such as the UN with respect to state building; this is complemented by the point that state building takes a long time — it is a long-term commitment and requires sustained investment in time and resources.

Other analysts add to these ideas, but many of these generalized comments do not really provide a comprehensive theoretical framework for state building. Hippler (2005) outlines a three-point plan for state-building based on:

- 1) Improvement in living conditions;
- 2) Structural reform of functional ministries; and
- 3) Integration of the political system.

Well, yes, but what does this actually mean in practice? And integration of the political system into what? More importantly, if this means (as it usually does) integration of the political system into the international order, then who owns this process? Does this process have some form of local ownership among those who are supposed to benefit, or is it aimed at benefitting international states relying on a state system? Presumably, all of this is done within a functioning security environment, a feature curiously missing from Hippler's analysis.

While virtually all current analysts accept that there are problems with the nation-state in many of the contexts in which states are failing, there is still a tendency to accept the technocratic parameters of state building as laid out by Fukuyama. This casts the nation-state as the norm in international relations, ignoring the broadening and deepening of security at international and sub-national levels, particularly the intra-state nature of much conflict, international conflict actors and also the role of the state itself as an actor in non-state conflict. There remains an assumption that if the right mixture of policies can be developed, then it will be possible to create a healthy nation-state that can exist in the international order. In reality, many of the states where nation building is focused, are states only on paper.

Rebuilding states on paper does not mean that they exist in reality. Fundamentally, all states rely on people to make them work and this means that states need to be political structures as well as institutional bodies. The implications of this begin with people needing to buy in to the state at some level. Commonly related to ideas of legitimacy, there has to be some level of support for the state as an institution that represents something that they recognize as a state. In a liberal sense, this is represented by multiparty democracy; in reality, this type of democratic structure may not deliver representation in this environment, partly because nascent democratic institutions take time to bed down. Somalia is the archetypal collapsed state, not simply as a function of its own history, but also as a problem of contemporary international relations, particularly the universalization of the nation-state (Heinrich and Kulesa, 2005).

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This raises the second main point, namely that the construction of a new state requires a significant cultural change in terms of how people relate to that state, as well as how people conduct everyday business. In Iraq, for example, current attempts of the US to construct a Western state, and its initial emphasis on deconstructing Saddam Hussein's state and political party, have effectively created an artificial layer of a state overlying sub-national political systems. That state exists solely because the US supports it, not because there is an underlying support for it within Iraqi society. This creates the risk that the new Iraqi state effectively becomes another faction, rather than an oversight mechanism for controlling warring factions at the sub-national level.

Thirdly, state building is extremely uneven within states. A core feature of the security system of Sierra Leone is that the UK provided a lot of technical support for the security institutions without the corresponding political support — mainly because it is difficult to secure. Ten years of reform have effectively created an overdeveloped security force, including intelligence, but without the culture of civil oversight to control it.

Fourthly, given the fact that state building is so resource-intensive, it is also externally funded. Consequently, on a political level, the process is externally driven. This creates significant problems with regard to funding and funding priorities, particularly when considering local ownership — or the lack of it — and the availability of funding affected by the global financial crisis. It also raises serious questions about long-term sustainability of reform and security.

The development of SSR as a concept has been closely intertwined with the growth of state building as a set of activities that coalesced following the conflict-induced collapse of a range of states in the post-Cold War era. The processes involved in improving the capabilities of civil servants who provide oversight in a ministry of defence cannot realistically be divorced from the development of civil service reform programs as a whole; security in general remains central to the entire state building approach, from the point of view of both individual citizens and the international community, however that may be defined. Furthermore, SSR is an integral part of the international community's approach to conflict management. The reconstruction and reform of security institutions following conflict has become a central element of international intervention, where "relatively cheap investments in civilian security through police, judicial and rule of law reform...can greatly benefit long-term peacebuilding" (UN High-Level Panel on Threats, Challenges and Change [UNHLP], 2004: 74).

SSR seeks to enhance the performance and accountability of police, military and intelligence organizations with the aim of improving the basic elements of security for the individual. SSR moves far beyond narrow technical definitions of security institutions and follows a more ambitious agenda of reconstructing or strengthening a state's ability to govern the security sector in a way that serves the population as a whole rather than the narrow political elite. This involves a radical restructuring of values and cultures within usually secretive and insular institutions. The process typically takes place in contexts where the general population is mistrustful of security services and frequently hostile to organizations that may have been viewed as a direct threat to their own individual security. SSR is, therefore, an extremely ambitious set of approaches that cut to the very core of the functions of the state in relation to its citizens.

Despite the obvious difficulties with the political nature of these interventions, many international actors are currently involved in SSR programs, including the UK, the US, the UN and the European Union. These programs employ an array of approaches and a complex mixture of international organizations, governments, non-state actors and private companies. While there are significant differences between the US approach in employing DynCorp to carry out "SSR" in Liberia and the UN intervention in security and police reform in Timor Leste, there is a family resemblance in terms of the general approaches adopted.

Much has been written about SSR, but it has been subject to what Peake, Scheye and Hills (2008) refer to as "benign analytical neglect." This neglect has emerged even though the concept was partially developed as part of an academic pre-history of civil-military relations. Much of the literature on SSR has focused on practical policy-related analysis rather than being rooted in conceptual or theoretical approaches. As a result, work on SSR has largely been very specific and focused on particular activities rather than conceived within a framework of broader interventions as an expression of, and in relation to, broader social and economic reform. In particular, specifics of case studies have been used as gateways into discussions surrounding security without really reflecting on broader implications.

Sierra Leone as an Example of Policy Development in the Field

Sierra Leone is one of the most-cited examples of successful SSR programming, particularly in the context of post-conflict interventions. As a result, the actual experience of Sierra Leone has been dominated by a popular mythology of what

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happened based on specific examples of intervention, rather than an overview of what actually took place.

While the immediate Revolutionary United Front threat to much of the country had dissipated by 2000 and disappeared by the achievement of formal peace in 2002, the country was faced with a number of security challenges, including unstable borders, the lack of an overall security infrastructure and discredited security institutions. The conflict had also led to rapid urbanization and population displacement with little prospect of economic betterment for large groups, particularly young men, many of whom needed to be demobilized. At the government level a powerful consensus for reconstruction of the country's security system incorporated political figures, senior operational leaders, civil society and external actors. The stable commitment of the UK in particular as an external agent has meant that aid harmonization has not been as problematic as it could have been with conflicting donor agendas.

The UK intervention itself can be divided into three main periods. The initial period, from 1997 to 2002, was characterized by the challenge of beginning a reform process in a conflict environment, subsiding into a ceasefire and then quickly reverting back to conflict. Events in this period were dominated by the overriding context of open conflict. The general state of emergency surrounding Sierra Leone at the time left no space for sitting back and developing a strategy; the country was in urgent need of support. Programs thus started in collaboration between the UK and the government of Sierra Leone in the late 1990s were shaped as responses to consecutive crises prior until 2002, when the war, and the accompanying disarmament and demobilization, were declared over. The lack of any capacity to oversee the armed forces, properly coordinate responses to security threats or collect coherent intelligence, became the focus of the intervention through an overarching program known as the Sierra Leone Security Sector Project.

The Sierra Leone government itself had been subject to two coups since 1992; not only did the armed forces have limited capability, but security institutions were also incapable of gathering meaningful intelligence on real threats. Since their degradation as largely political institutions used to suppress the opposition, the security bodies had basically resorted to gathering street gossip without any form of information processing. In fact, intelligence — through the Office of National Security (ONS) — became one of the main vehicles for extending state power into the countryside through a decentralized security system that involved local people. The use of international aid money through the UK Department for International Development (DFID) to construct an intelligence system, thus remains somewhat contentious.

The approach of these early interventions reflected the basic needs of the security services, but also the political needs of the Sierra Leone government at that time. Police primacy, for example, had been a key priority of President Ahmad Tejan Kabbah from early on, at least from 1996, and the process of establishing a police force had, therefore, been given priority. The police were given a new ethos, "Local Needs Policing," which encompassed approaches to gender-based violence through the creation of family support units. It also included the purchase of vehicles, communications equipment and uniforms, as well as, finally, support to the judiciary through the Law Development Programme.

The second period, from 2002 to 2005, was largely concerned with consolidating early gains and spreading reform beyond Freetown. Officially, the conflict ended in January 2002, although there were significant areas of the countryside where conflict was ongoing and certainly areas that were not under the direct control of the government. The first post-war presidential and parliamentary elections were held and the Sierra Leone People's Party won by a significant margin. This was very much President Kabbah's triumph; he was seen as the man who brought peace to Sierra Leone after a decade of war. The elections were made possible with the deployment of what was the biggest UN peacekeeping mission at the time (17,000 foreign troops). However, while the UN Mission in Sierra Leone provided transport and other logistic support, the actual policing of the election process, in the main peaceful, was undertaken exclusively by the Sierra Leone police.

Immediately after the election, the agencies and programs that had helped win the war were instantly faced with a different set of challenges from the emergency planning they had been engaged in before the war. These included considerable inter-ministerial and agency rivalry, the balance of the UK military between operational command and advisory roles, and continued political instability. Above all, the government of Sierra Leone had to contend with a very fragile peace exacerbated by the large numbers of armed former combatants, a non-functioning military and a partly developed police force.

A key development was the creation of a security strategy that linked security with more general development. The *Interim Poverty Reduction Strategy Paper* of July 2001 and the later full process (2005–2007) were supplemented by a security sector review, using the now functioning ONS and their extensive local links. This reflected a new approach to security threats and was integral to the policy of establishing domestic police primacy, promoting good governance, peace and security. This approach took the definition of security to a new level, one broadened to incorporate poverty, governance and economic development. In particular, this review provided much-needed conceptual clarity on security

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sector institutions, clarified the role of the ONS as being well placed to incorporate security and development, and also aligned security and development to a degree not seen before in Sierra Leone.

The final period was a one of consolidation and development that culminated in the general elections of 2007 and encompassed a spreading of SSR activity beyond the reconstruction of security services into a wider approach to the governance of the security and justice system. In programmatic terms, the UK broadened its support to the justice sector as a whole, rather than to the police more narrowly, by creating a Justice Sector Development Programme. Prior to this, little UK assistance had been given to the Ministry of Internal Affairs and prison services in particular.

Sierra Leone's government also grappled with questions regarding the future direction of security system transformation, particularly the sustainability of the military. The issues of force levels and capability were particularly important, since the security sector review had identified the country's critical security threats as internally generated, not as external threats. By 2007 the UK was seriously considering its commitment to SSR through its planning process, effectively putting many of the early gains made by security institutions in some degree of peril, since the transformation had not effectively encompassed the broader issues of civilian, particularly political, control over security institutions and, in some ways, remained only partially finished. Indeed the recent evaluation of Sierra Leone country programs identifies sustainability of the armed forces, shifting the emphasis of security sector policy to the principle threats of poverty, poor services and unemployment.

As such, the SSR process in Sierra Leone has been a qualified success. Successful because, even though Sierra Leone remains at the bottom of the Human Development Index, the conflict is over and the population is relatively safe from violence. The police, military function and justice are available at some level to most people. However, this must be qualified: after all of this technical assistance to the institutions, the politics of civil control over those institutions remains weak. In fact, there is a strong view that a key control mechanism over the security services remains the international staff, particularly the International Military Advisory and Training Team within the army, as well as advisers in justice, intelligence and policing. This raises questions not only regarding the sustainability of SSR, but also about the feasibility of undertaking SSR as a general policy, given the relatively small size of Sierra Leone.

What Lessons Could Be Drawn from This Experience?

A number of core themes that have recurred over time are important for both the development of Sierra Leone itself and that of SSR more generally. This list does not claim to be exhaustive; it represents some of the conclusions drawn from recent research (Albrecht and Jackson, 2009):

- National ownership and engagement is critical. It is impossible to overestimate the importance of local ownership. Experience shows that it was the Sierra Leonean team that provided the continuity, with only a few external advisers remaining in the country for substantial periods of time. Consistent political leadership and support was also present to drive through reforms. Good, capable and committed senior staff has been critical. It is incorrect to say that the whole process has been externally driven, even if certain elements clearly were; the question remains one of balance between local and external control.
- The danger in maintaining a strong core group of leaders of the process is that once the support mechanisms are withdrawn, this group becomes extremely powerful. In addition, its withdrawal removes much of the institutional memory of the reform process itself. This is a particular concern in a young democracy with few consolidated checks and balances. In practice, however, there may not be many alternatives to a core team.
- Engaging civil society is valuable and was operationalized in various ways in Sierra Leone. The police and intelligence services engaged civil society in a decentralized fashion, whereas the army sought to improve public perceptions. Initial evidence from Sierra Leone shows that this approach was successful; in general, people no longer feel threatened by security services, whereas before the transformation they certainly did.
- By far the least developed element of oversight is at the political — including the parliamentary — level. Due to issues with and between ministries and ministers and the lack of functioning parliamentary structures, one of the key oversight mechanisms within the Government of Sierra Leone is the ONS. The question, however, remains: who monitors the ONS? In the longer term, the issue of ONS oversight may become politically risky. Without proper parliamentary oversight and UK support, the security system may be hindered from developing into a truly democratically led set of institutions.

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- Individuals have played an important role in developing SSR in Sierra Leone. This is at least in part a reaction to the lack of a coherent UK government strategy, which drove a series of disagreements on the ground among UK officials. It is easy in hindsight to trace smooth policy developments; however, briefly, much of the policy direction was enabled by the creation of joint funding pools in Whitehall and decision making by individuals on the ground who were empowered to take professional decisions and who needed to act relatively quickly. There was no overarching SSR strategy at the beginning, just a desire to reconstitute a state and security for the population.
- Another significant aspect of UK collaboration was the signing of a memorandum of understanding (MoU) in 1997, a long-term agreement between the two countries scheduled to last until 2012. Because UK engagement was primarily the result of a coalition of high-level British politicians who were committed to a country they felt could not be allowed to fall further into chaos, there was strong pressure on UK ministries to work together on Sierra Leone. It should also be emphasized that this situation was entirely atypical among UK approaches, let alone among the donor community.
- The issue of sustainability also leads to a clash between external actors and national owners of the process. It is inevitable that there will be different perceptions of what is or is not sustainable in the long run, as well as what operational capability is required or feasible. Like much of SSR, this is due in part to questions of political balance and pragmatism and, at some level, of balancing realistic strategic planning with plans that amount to “wish lists.” Difficult decisions may need to be made about the form and function of defence and policing infrastructures, vehicles and equipment, requiring strong leadership at the top. However, there must also be commitment from external donors to retrain and reconfigure security institutions that are fit for purpose, as opposed to mirrors of security systems in the donor country.

Sierra Leone’s population is undoubtedly better off than it was before or during the conflict, but, as noted above, the country remains at the bottom of the Human Development Index. Consequently, there are real issues about whose security has actually been secured in broad terms, if most of the local population still suffers from insecurity as a result of economic conditions, rising crime and lack of access to basic services. The UN and UK intervened over a long period of time; yet 10 years of sustained investment and work have still left some aspects of SSR unfinished, particularly aspects of democratic accountability and civil

oversight. This chapter argues that a core lesson to take from Sierra Leone is that a three- or five-year project cycle is not enough to change a political culture, especially if the economy or other sectors remain volatile.

One of the remarkable features of the UK's intervention in Sierra Leone is how atypical it is. Simply put, three ministers got together and decided that this one country could not fall. They then crafted an MoU for 10 years, effectively providing not only a security guarantee, but also a commitment to rebuild a state more or less from scratch. In fact, as DFID's own evaluation report of September 2008 points out, this MoU remained the *only* official document setting out DFID's strategic intentions between 2002 and 2007 (Poate et al., 2008).

The threat of returning to some form of violent conflict remains, particularly in the countryside. In urban areas, public concern about street crime underscores the need to address the issue of youth unemployment. As in many countries, unemployed young men in Sierra Leone are becoming the "foot soldiers" of an increasing number of criminal gangs, particularly in the drug trade, and contributing to the incidence of street crime. Given the weakness of Sierra Leone following the war, gangs formed relatively rapidly and while security has improved, there is no way in which the total security system transformation process could be said to have been "completed," even after 10 years.

The importance of the justice sector remains an outstanding issue in Sierra Leone. It is clear that for most people in Sierra Leone justice is local; it involves a wide range of non-formal and semi-formal conflict-resolution mechanisms, including village elders, religious figures and chiefs. However, reports from across Sierra Leone suggest that some of these mechanisms result in controversial land allocations, an extremely sensitive issue that was one of the social causes of the war. This is likely to remain an issue as long as the chiefs, who are elected for life by a limited suffrage, stand as custodians of the land. Justice reforms need to pay more attention to non-formal justice mechanisms, while at the same time encouraging an accessible legal system and rebalancing state building and SSR.

Conclusion: External Peacebuilding and the Construction of Agendas

In some ways, the experience of Sierra Leone represents the orthodox approach to SSR. Once the empirical evidence is analysed, however, much of the contemporary orthodoxy of SSR begins to look more like a constructed mythology than a coherent theory. Moreover, much of the theoretical work that

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has been undertaken in the field, although frequently excellent, has begun by providing a definition of SSR — typically including references to disarmament, demobilization and reintegration; affordable and effective security bodies; and effective oversight mechanisms consistent with democratic norms — before considering the *how* question. Typical is Hänggi and Bryden’s approach in their introduction to conceptualizing SSR: “SSR is essentially aimed at the efficient and effective provision of state and human security within a framework of democratic governance” (Hänggi and Bryden, 2005).

Many of the technical and downstream elements that follow on from this statement are very eloquently laid out. What is missing in the SSR discourse is the upstream view: what does it mean to say “democratic governance?” This is critical to the analysis of SSR, particularly in post-conflict states, where peace may be fragile and where the reconstitution of a state is problematic. An absence of the upstream view implies a notion that intervention is technical and therefore void of political implications. This has an overall impact in terms of the introduction of particular types of states, as well as in terms of how individuals relate to the security architecture on the ground.

An issue here is that post-conflict environments are exaggerations of failed states in that they exhibit similar characteristics, but are even less constrained by institutional frameworks. This also means that post-conflict states are even less able to oppose any forms of external interventions due to weak bargaining positions. The question of sovereignty is rarely raised in relation to SSR, but it is beginning to find a voice through significant work on local ownership. However, the big questions here are: Who has legitimacy and ownership of what? And can they actually exercise ownership? Sub-questions ask whether donors are interested in local ownership and who needs the security produced by SSR?

One narrative that needs to be interrogated is the clear change in policy that followed the involvement in Bosnia and Kosovo in the early 1990s, after which Cold War values of protecting the self-government of states were replaced by interventionism. Chandler posits the view that this encompassed a three-dimensional approach to sovereignty: first, a capacity to protect; second, a duty rather than a freedom; and third, the use of legal agreements to repackage external regulation by the international community as “partnership” (Chandler, 2006). In SSR terms, this would translate as: framing support for sovereignty by boosting capacity while simultaneously undermining self-government; legitimation of external regulation; and forming partnerships in which one side makes all of the decisions and holds the power.

This particular view may be just one perspective, but in SSR terms it does have implications for accountability. Reconceptualizing sovereignty in this way allows international donors to mask their own responsibility for policy outcomes, evade accountability and camouflage invasive intervention as “empowerment” and capacity building.

So far so good, but even critics of the liberal peace approach and, by implication, the orthodox approach to SSR, concede that what is really required is a rebalancing of external regulation and internal voice to produce an effective state that is locally accountable. In other words, criticizing the liberal state and SSR should not lead to throwing the baby out with the bathwater. While this discussion provides an opportunity to critique past and current SSR practice, a number of key points must be taken into consideration for SSR to move forward.

First, policy makers and academics have to take a broader approach to the nature of conflict and particularly SSR. It is inadequate to stick to the same technical descriptions of SSR and confine the discussion of “politics” to obstacles to achieving technical aims. This debate needs to be widened out to encompass the politics of what it means to carry out SSR and, by extension, what it means to construct a liberal state.

Secondly, there also needs to be a refocusing of analysis away from the primacy of external solutions to internal problems towards acknowledging external causes and internally generated solutions to local problems. This may also be linked to who is actually used on the ground to work with local actors. This chapter argues that the initial lack of a grand strategy and clear guidance from Whitehall was beneficial to the early intervention in Sierra Leone. The absence of “planning blight” usually produced by DFID meant that people on the ground were empowered to take decisions without completing endless internal forms or logical frameworks. Decisions could be made and implemented quickly with local counterparts. Of course, this could be dangerous, but whether by luck or design, this form of evolutionary approach was enabled through people on the ground who actually understood the local situation as well as their technical field. This is a very strong lesson from Sierra Leone: interventions require people who know and understand what they are doing, not who happen to be available. Those involved in interventions in Iraq and Afghanistan should learn from this experience.

Thirdly, this also means that SSR must be more bound up with local definitions of security, as opposed to just taking universal definitions of human security that are linked to Western ideas of security. This approach implies much more recognition of subjective, local definitions of security, but it also raises the

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danger of just relying on “traditional” justice systems. Traditional systems may be accessible, easily understood and present, but there are three core problems with just taking existing justice and security systems as being effective: first, in a post-conflict situation there is a good case for arguing that they cannot have been that effective if they contributed to the war in the first place; second, there are legitimacy issues related to exactly how “traditional” some of the systems actually are; and, third, under traditional systems some parts of society may have been systematically excluded, usually women and young people. This is not the place to have a complete discussion about traditional systems, but a post-conflict environment must take into account the reconstruction of local security networks without replicating systematic problems that contributed to conflict in the first place.

Lastly, a critical concern of any involvement in state building or post-conflict SSR has to be based on a thorough understanding of the relations of power and forms of violence. Any reform program needs to understand the specifics of violence and to focus on history, anthropology and politics of violence in order to reconstruct meaningful security. Currently, too much of the focus is on technical models, both in academic terms through discussions of “elegant” mathematical modelling and in policy terms through technical solutions to constructing security institutions based on unwritten political assumptions. What this means is that there is a gulf between aspirations and actuality that is particularly wide in a post-conflict environment. This gulf can only be addressed when the true politics and aims of SSR are recognized.

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8

BREATHING ROOM: INTERIM STABILIZATION AND SECURITY SECTOR REFORM IN THE POST-WAR PERIOD

Mark Downes and Robert Muggah

Introduction

International and domestic authorities routinely confront significant obstacles in their efforts to stabilize and reconstruct fragile states. The engineering of durable and democratic security sector reform (SSR) is often an overriding priority in volatile post-conflict contexts. Conventional approaches to security promotion, including SSR and disarmament, demobilization and reintegration (DDR), can and do play an important role in shoring up legitimate and credible state authority. These “conventional” approaches, which are often state-centric and as a consequence emphasize the monopolization of violence through the rule of law, are necessary technologies of governance, but they are insufficient to guarantee stabilization on their own. Indeed, conventional security promotion is freighted with assumptions that may not align with realities on the ground, with resulting SSR and DDR efforts being frequently postponed until well into the post-conflict period.

More optimistically, security promotion specialists assembled valuable lessons in supporting the transition from war to peace over the past decade. Many of their insights arise not from theoretical argumentation, but rather from practical experiences in countries such as Afghanistan, Burundi, Haiti, Sudan and Timor-Leste. An overarching lesson is that neither SSR nor DDR are silver bullets for peace consolidation, much less longer-term development (Muggah, 2009a; 2009b; 2005). While donor appetite for SSR and DDR is growing, many observers concede that such efforts are falling well short of their (often over-ambitious) expectations (Bedral and Ucko 2009). A growing number of scholars are calling for a fundamental rethink of the “state-building” paradigm and, at

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a minimum, a more historically informed, context-sensitive and empathetic engagement (Egnell and Haldén, 2009).

This chapter interrogates the discourse and practice of conventional post-war security promotion, including SSR. Specifically, it focuses on the underlying assumptions of the enterprise and ways in which it can be strengthened through more informal interim stabilization measures. The authors consider what amounts to a “gap” between conventional security-promotion prescriptions and real outcomes. A key conclusion is that while the principles of SSR may be desirable, in practice, a state-building approach may not be the most appropriate in the most fragile contexts. Rather, a more pragmatic and demand-driven approach to engaging post-conflict environments may be more effective, including support for interim stabilization measures to facilitate security sector transformation. While potentially generating challenges and contradictions, these latter initiatives are often essential to creating the necessary space for progress on other priorities. The chapter finds that many interim stabilization activities are already well underway, and that despite logistical and financial challenges, they offer a promising new horizon for policy makers and practitioners concerned with post-war security.

Politics Trumps All

There is burgeoning critical literature on the origins, character and experience of SSR, much of it warning against overtly theoretical, prescriptive and ahistorical approaches to reform in complex societies (Hänggi, 2009). Most specialists implicitly accept that approaches to conventional security promotion are embedded in positivist Westphalian and Weberian concepts of statecraft. They may also grudgingly concede that conventional SSR also underplays the chronological and often volatile evolution of security sectors historically, and the way security services are ultimately shaped by the vested interests of elite. Notwithstanding these criticisms, the literature is notable for its surprisingly limited engagement with the “outcomes” of SSR, that is, what kind of SSR works, in what environments and for whom (Muggah, 2009a). Nevertheless, the vast majority of security specialists are cognisant that a more subtle engagement with “context” is needed up front and centre as a guiding principle.

The fact that context is essential to conventional security promotion is hardly a new or innovative finding. Indeed, context has emerged as something of a clarion call among international diplomats, development and security practitioners working in diverse post-conflict settings. Widespread calls for more

nanced and evidentiary strategies have not, however, necessarily translated into concrete action. Indeed, the idea that a context-sensitive strategy should guide SSR and DDR has not always been fully internalized by those designing, implementing and monitoring programs on the ground. Moreover, the acutely political dimensions of security promotion — arguably the key foundations for their eventual legitimacy, durability and outcomes — are routinely underappreciated. While the political dimensions of security promotion are recognized in normative guidelines and manuals (Organisation for Economic Co-operation and Development’s Development Assistance Committee [OECD DAC], 2007), a technical bias pervades the plans generated by field practitioners, themselves frequently drawn from more formal legal, military and policing backgrounds.

Developing a politically sensitive approach to security promotion takes time, often much longer than the timelines set by UN Security Council members and multilateral agencies in Washington, DC, New York and Geneva. As a result, SSR and DDR mandates routinely feature overly optimistic deadlines, delayed execution and a crisis of credibility amongst key stakeholders. These concerns have been registered before. Indeed, the *OECD DAC Handbook on Security System Reform* advocated an “inception period” for SSR programs to facilitate the time and space required to consolidate domestic legitimacy (OECD, 2007). The inception period was intended to allow planners and practitioners time to acquire a subtle understanding of the political dynamics on the ground, including the character of formal and informal political structures. An inception period was also expected to serve as an opportunity to creatively tackle some immediate challenges that could evolve into more serious roadblocks at a later stage, while simultaneously building constituencies for a comprehensive approach to security and justice provision. At a minimum, an inception period was regarded as critical to ensure adherence to the “do no harm” principle.

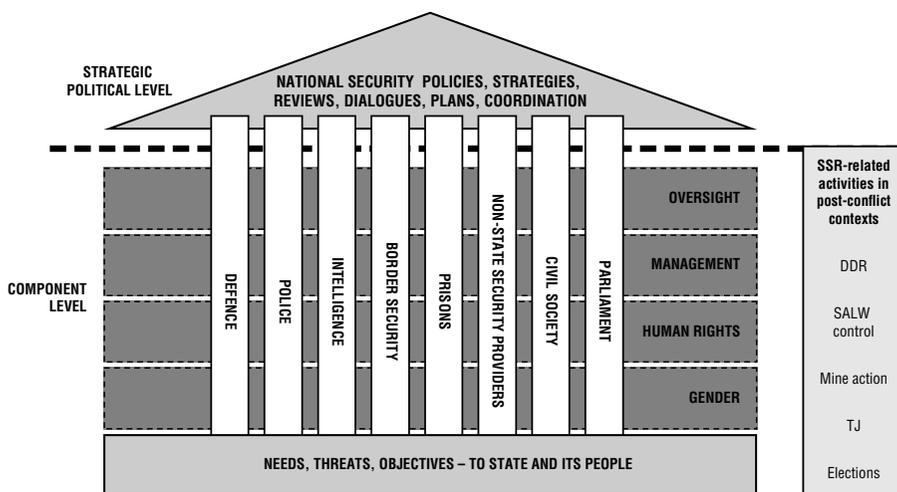
Conventional security promotion is, ultimately, about translating security and justice provision into critical policy issues and key public goods. However, developing an accountable and transparent security sector is an extraordinarily challenging task under any circumstances, not least for governments and societies emerging from the shadow of war. A “broad” conceptualization of SSR implies an ambitious realignment and re-engineering of power and power-holding elites and the strengthening of (non-violent) state–civil society bargaining capacities. It expands the optic well beyond earlier, more generic approaches to reform that focused exclusively on enhancing the operational effectiveness of the military, police and their related auxiliaries. The substantive evolution in thought and practice of SSR was driven in large part by development and security actors,

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and an assumption that poorly governed and unreformed security sectors can generate instability and undermine the potential for political, social and economic development (Hänggi, 2009; Bryden, A and Hänggi, H, 2005).

The broad approach to SSR has generated important changes in how policy makers and practitioners approach security promotion. For example, the UN secretary-general's report *Securing Peace and Development: The Role of the United Nations in Supporting Security Sector Reform* has done much to clarify and disseminate accepted norms and standards relating to the design and implementation of SSR (UN, 2008). Figure 1 highlights how a broad approach to SSR features a range of interconnected sectors and reveals how certain prescriptions (such as a national security strategy) can be converted into processes (such as a national dialogue process). Paradoxically, while the theory of SSR is comparatively well advanced, the relatively slow progress and evaluation of programs means that few practical lessons exist to guide future interventions.

Figure 1: A Comprehensive Approach to SSR



Source: Taken from the UN's "SSR Sensitisation Workshop" material provided by the UN Inter-Agency Taskforce on SSR (2009).

Notwithstanding calls for comprehensive, integrated, holistic and inclusive SSR processes, they seldom occur immediately after wars draw to a close. Indeed, SSR is no post-conflict panacea. For example, current calls by the international community to support SSR in war-torn Somalia fail to account for the complete absence of formal security institutions to transform or reform. To be sure, in failed and extremely fragile state contexts, interim stabilization measures may be more appropriate to create a basic level of security prior to the advent of a more formalized SSR process. Indeed, authors such as Wulf (2004), Brzoska and Law (2006), and Egnell and Haldén (2009) have highlighted how, in such environments, the most basic preconditions for conventional security promotion are simply absent.⁵

Egnell and Haldén (2009) find that the emerging approaches adopted by the international community towards SSR are ahistorical and apolitical. What is more, they note that conventional security packages typically ignore how bargaining between state authorities, elites and civil society actors are non-linear and overlapping. This argument is used to explain the relative success of security and justice reforms in Eastern Europe, and the limited purchase of reforms in countries such as Sierra Leone or Burundi. Egnell and Haldén urge security practitioners to develop a better understanding of the nature of state formation and processes of state building, and to adapt strategies and expectations to the realities and challenges as they *are* rather than as they *ought* to be. Following many of these same arguments, a number of African specialists have also called the entire comprehensive approach to SSR adopted by multilateral and bilateral donors into question. They emphasize the critical role of short-term service provision to secure the peace dividend while building dialogue towards achieving longer-term security promotion that is legitimate and sustainable.⁶ They counsel against trying to do too much, in too technical a fashion, too quickly.

Mind the Gaps!

Many policy makers continue to assume that when armed conflict comes to an end, safety and security will somehow naturally improve (Muggah, 2009a,

5 In comparing state building efforts with SSR, for example, Egnell and Haldén (2009: 49) observe how rapid efforts to engineer security do not take account of the lengthy periods required to build constituencies that support such changes. Specifically, “the formation of a polity that transcends the interests of individual elite groups emerged prior to the expansion of the scope of state activity and an increased interest in the control and monitoring of the population.”

6 See also, Bryden, N’Diaye and Olonisakin (2008).

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2009b). A surprising number of multilateral and bilateral policy makers are convinced that the absence of war implies a return to normality — and this assumption is reproduced in policy prescriptions and programs.⁷ The reality is that while direct casualties from war often decline following the introduction of a peace agreement or UN peacekeeping mission,⁸ the real and perceived incidence of armed violence often expands (Muggah and Krause, 2009).⁹ Indeed, armed violence can assume qualitatively different characteristics during the post-conflict period. It can become entrenched in new geographic areas, among specific democratic or socio-economic groups. In some cases, as in Afghanistan and Iraq, post-conflict armed violence can escalate and exceed wartime rates.¹⁰ There is also the case of soaring homicidal violence in the wake of wars in El Salvador, Nicaragua and Guatemala.¹¹ These trends are especially pronounced where the provision of basic security and justice services may have collapsed altogether during the war.

SSR experts are increasingly conscious of the “gap” between the formal end of fighting and the re-establishment and consolidation of the state’s capacity to provide conventional security and justice.¹² A number of social scientists have identified this period as especially susceptible to war recurrence (Collier et al., 2003; Collier et al., 2006).¹³ Multilateral and bilateral donors are often confounded with how best to engage in the 12- to 18-month period after war

7 See, for example, a review undertaken by the Small Arms Survey on Common Country Assessments, UN Development Assistance Frameworks and Poverty Reduction Strategy Papers in many so-called “fragile states” (OECD DAC, 2008a).

8 Other factors shaping excess post-conflict non-violent mortality and morbidity are not only tied to rising crime or communal violence, but also to real and relative investments in human and public infrastructure, including health care. See Geneva Declaration (2008).

9 Likewise, where wars are especially severe and protracted, abnormally high levels of mortality and morbidity can persist after the formal end of armed conflict. Targeted efforts to prevent and reduce armed violence in the post-conflict period may not only reduce intentional killings, but also diminish excess mortality and morbidity. See Geneva Declaration (2008); Muggah (2009b).

10 Conflict is a natural part of social development; it is the ability to deal with conflict in a non-violent manner that provides the necessary foundation for social, economic and political developments to occur and to take root. At its core, SSR is about developing the checks and balances, as well as the mechanisms necessary to ensure that social conflict can be dealt with justly and in a non-violent manner.

11 See also Jütersonke, Muggah and Rodgers (2009).

12 Colletta and Muggah (2009) describe this gap as the “little black box.”

13 Estimates vary; however, it is clear that the risk of the re-emergence of conflict within the first five years after a conflict remains high.

comes to a halt. Donors are often slow to shift their focus from humanitarian to more developmental aid. There are often sensitive issues concerning which donors are involved in security-related reforms, and what they are allowed to fund under official development assistance (ODA)¹⁴ rules. Likewise, donors may struggle with how best to sequence the provision of basic services in the short term while reinforcing the structures of accountability that ensure adequate oversight of such service provision over the long term.

Since public capacities of affected states are compromised by armed conflict, non-state actors tend to assume a more assertive role in service delivery and outreach. As a result, security and justice services are regularly provided by non-state actors during and after wars come to an end. Many of these actors are those occupying so-called “ungoverned spaces” and may consolidate their legitimacy through predictable service delivery. Paradoxically, contemporary instruments of international assistance — including conventional security promotion — are predominantly state-centric. Interventions are designed to support and reinforce state institutions, often in their bid to reassert control over legitimate decision making, representation and the dispensation of violence. However, an exclusive focus on state institutions may also divert attention from the realities on the ground. Alternatively, some donors may delay or postpone investment in security until formal public providers can fill the gap.¹⁵

Another assumption routinely made by security and development agencies is that conventional security promotion can be quickly engineered and reconstructed. But post-conflict settings are notoriously complex and shifting. A prescriptive and template-driven approach ignores existing latent security and justice norms and structures — whether state or non-state, fully functioning or partially functioning. Indeed, there are frequently a wide range of donor-driven, national, metropolitan and highly localised security-promotion initiatives taking place across the security-justice continuum. Developing a clear understanding of these processes, the political economy underlying them and the ways they

14 ODA statistics are compiled by the OECD DAC to measure aid. It is widely used by academics and the media as a convenient indicator of international aid flow. At the Monterrey Conference in 2002, donor countries agreed to aim for aid levels equivalent to 0.7 percent of GNP. This is one of the reasons for the contention around the definition of what counts as ODA. It is worth noting that the core objectives of development assistance and ODA, as defined by the DAC directives, is the “promotion of economic development and welfare”; therefore, not all development activities are included in this definition. See OECD DAC (undated.).

15 As discussed below, there is also mounting evidence that interim stabilization measures explicitly take these “ground realities” into account. Indeed, creative and locally legitimate approaches to security promotion are emerging as a result of experimentation on the ground (Colletta, Schjorlien and Berts, 2008).

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are linked (or not) is critical. Indeed, it is unlikely that a full-scale SSR process can be initiated without harnessing them and developing parallel confidence-building mechanisms. As such, SSR practitioners should be aware of the range of the human terrain and sheer diversity of these actors, some of which may be profitably harnessed for broader engagement with security and justice service provision.

Another critical requirement for SSR is the need to measure the impacts of SSR initiatives in relation to improving people's sense of security and contributing to better access to justice. This contribution to tangibly and subjectively improving safety and well-being is at the heart of forging legitimacy. Unfortunately, the record of SSR practitioners in monitoring and evaluating outcomes has been patchy at best. Some scholars have lamented that the outcomes of SSR are more easily described than quantified or empirically demonstrated.¹⁶ It is true that the absence of coherent benchmarks or metrics to evaluate progress are one obstacle, though one that is widely recognized.¹⁷ The lack of any robust impact evaluations is another. Indeed, with so few comprehensive SSR processes to speak of, and many ad hoc contributions to security and justice reform, a new approach to monitoring and evaluation may be warranted.¹⁸

At a minimum, benchmarks of success and a convincing evidence base of the impact of various SSR initiatives are necessary. Such benchmarks and indicators should focus both on outputs and outcomes.¹⁹ While outputs are important indicators of progress, their analysis may offer limited accounting of the reform process unless coupled with outcome benchmarks.²⁰ Yet the fact remains that

16 See, for example, Egnell and Haldén (2009) and Ball and Hendrickson (2006).

17 UK Department for International Development (DFID) has embarked on a process of collecting and publishing indicators of justice and SSR which should be published in 2010. See, for example, Scheye (2010).

18 There are grounds for shifting the focus from discrete project evaluations to country-level (meta) evaluations. These can potentially bring together a review of systemic change, community security initiatives and public perception surveys.

19 Potential output benchmarks refer to SSR objectives that are institutional, such as the development of a code of conduct for the armed forces, a marked increase in the number of female police officers or a certain percentage of members of the security services trained in human rights by a specific date.

20 Outcome indicators aim to measure the effects or impacts of reform initiatives and include the real or perceived sense of security and the level of public confidence in the security and justice services; perceptions of whether the current system of democratic oversight is credible and legitimate; whether access to justice has meaningfully increased; and whether the national budget is produced in a transparent manner.

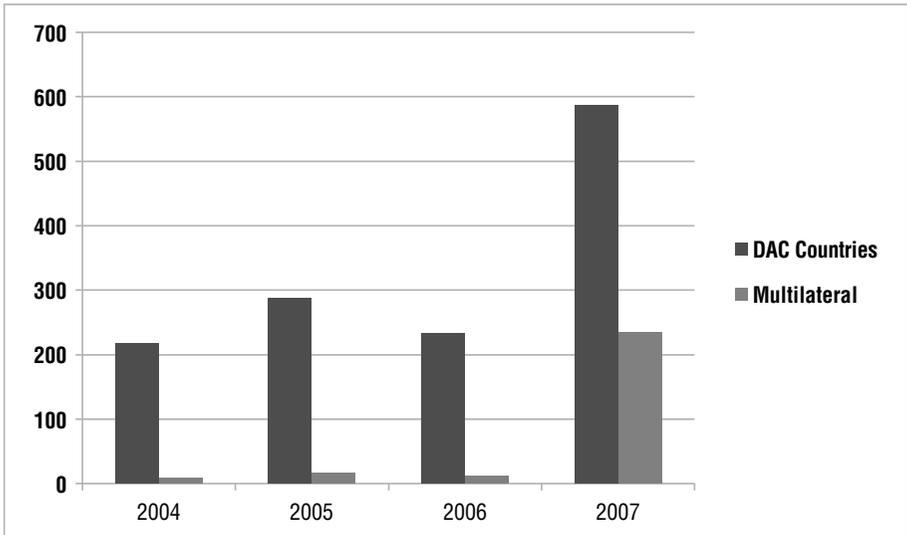
there is virtually no empirical evidence of what works in support of SSR and what does not. This is, perhaps, not surprising since the process of reform and its related impacts can stretch over a decade reducing the value of short- and medium-term evaluations. Nevertheless, enthusiasm for SSR is expanding apace. A cursory review of ODA trends reveals a threefold increase in reported SSR spending (between 2004 and 2007) and is a reminder of how increases in funding for SSR carry attendant responsibilities to justify such spending to national parliaments, oversight bodies and taxpayers (see Figure 2).

The lack of an evidentiary case for SSR will, over time, erode the ability of practitioners to argue in favour of conventional security promotion as a viable means of helping to avert conflict recurrence and consolidate peace. Even so, it is important to recall that there are a host of real challenges associated with quantifying the impacts of SSR processes. Some of these are internal to the concept itself. Because the SSR field is relatively new, the evidence base is still rather weak and will only be strengthened over time as the field continues to mature and evolve. As SSR policy is translated into programs, new understandings are emerging. Ultimately, effective security promotion rests on a bedrock of reliable information and analysis. Understanding trends in insecurity and violence can allow for a more effective identification and prioritization of the real needs of affected populations. The formulation of a solid baseline can help realign security and justice services and structures to the realities faced by civilians on the ground.²¹

21 Promising approaches to ensuring an evidence-led approach to promoting security include armed violence prevention and reduction initiatives. Indeed, the Geneva Declaration (2008) and the OECD DAC (2009) reveal how diagnosis allows for a mapping of the risk factors, protective factors and systems of victimization. On this basis, interventions can be targeted at the instruments, actors and institutions shaping patterns of post-conflict violence. In the SSR field the use of assessment tools such as the Capacity and Integrity Framework (OECD DAC, 2007: 60) and the UN Development Programme (UNDP) *Vetting Guidelines* (UNDP, 2006) can help build up baseline analyses of security and justice providers.

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Figure 2: Reported Expenditure on SSR from 2004 to 2007²²



Source: OECD (undated).

Interim Stabilization as an Entry Point for SSR

In spite of a rapid decline in cross-border and internal wars since the mid-1990s, armed violence continues to simmer in a host of post-conflict countries. Such violence impedes the potential for development and undermines the overall impacts of international assistance (Collinson et al., 2010 forthcoming and Geneva Declaration, 2008). SSR — particularly when linked to interim stabilization measures — offers a means of enabling countries to break out of a spiral of incipient violence. Crucially, numerous conventional security-promotion activities have started to adjust to the dynamic landscapes of post-conflict situations. Many are now focused purposefully on altering the motivations and means of violence entrepreneurs. Likewise, they seek to disrupt enabling factors for spoilers and change the built environment in which insecurity predominates. These newer activities borrow liberally from police studies and criminology,

²² Figures are expressed in millions, based in all cases on the mean value of the US dollar in 2006. “DAC Countries” in the chart refers to 26 countries that make up the OECD DAC.

but also urban geography and epidemiology, and appear in some cases to be reinforcing the longer-term prospects for peace and security.²³

In many cases, escalations of post-war violence occur because the conditions are not yet ripe in fragile post-conflict environments for the implementation of conventional SSR or the social and economic reintegration of former combatants. In the rush to declare peace and execute an exit strategy, and faced with looming security vacuums, negotiating parties may forego the detailed planning and programming required of carefully timed and phased interim stabilization measures that accompany conventional security promotion. Alternatively, such interventions may not be pursued by peace mediators and negotiating parties if they run up against the vested interests of powerful elites and armed groups (Colletta and Muggah 2009).

As a result, conventional interventions such as DDR and SSR are routinely being transformed and adapted as practitioners seek to reorient activities towards (proximate) risk reduction and enhancing resilience. Recently in Sudan and Haiti, for example, conventional security programs began to account for a more concerted focus on community violence reduction. In Haiti, a traditional DDR process was adapted and ultimately replaced with more grounded and contextualized activities, such as community violence reduction programmes. These latter initiatives focus on gangs and utilize, for example, community lotteries for gang members to reduce homicide rates.²⁴ In Sudan where DDR has been repeatedly delayed, interim measures such as civilian disarmament programs were more rapidly established and are being used as flanking measures for the anticipated demobilization of more than 180,000 former combatants from the north and south. Interim stabilization measures can help tackle the immediate causes of insecurity while creating space and confidence for discussions around the reform of the security sector to emerge more generically.

As shown in Table 1, there is a wide variety of interim stabilization measures emerging from field practice and trials. These include, inter alia: the establishment of civilian service corps; military or security sector integration arrangements; the creation of transitional security forces; dialogue and sensitization programmes; and differentiated forms of transitional autonomy. These categories are not necessarily mutually exclusive. In most cases, interim stabilization measures

23 In Haiti, for example, urban renewal projects focused on activities — such as canal cleaning, neighbourhood restoration and various forms of community policing — helped to reinforce the perceptions of security and provided direct entry points for broader SSR initiatives.

24 See Mostue and Muggah (2009) for a review of interim stabilization activities in key neighbourhoods of Port-au-Prince.

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integrate elements of two or more of these activities. Taken together, interim stabilization aims to convert potential spoilers into stakeholders during the transition period (particularly with regard to the security sector) and can enhance peace consolidation and ultimately wider conventional security promotion efforts.

Table 1. A Sample of Interim Stabilization Measures

Type of interim stabilization measure	Examples
Civilian service corps	Haiti's "Les Brigades" and the Kosovo Protection Corps.
Military integration arrangements	Ingando process of Rwanda, Rwandan Patriotic Army/Rwandan Patriotic Front transition and the Moro National Liberation Front integration process in the Philippines.
Transitional security forces	Joint integrated units (Sudan Armed Forces/Sudan People's Liberation Army) in Sudan, the Afghan Militia Forces or the Sunni Awakening Councils in Iraq.
Dialogue and sensitization programs	National dialogue process (with women) in the Central African Republic, <i>loya jirga</i> in Afghanistan.
Differentiated forms of transitional autonomy	The government of Southern Sudan as established by the 2005 Comprehensive Peace Agreement, as well as the multi-phased delegation of autonomy with the government of Bougainville in Papua New Guinea.

Source: Adapted from Colletta and Muggah (2009).

With the benefit of hindsight, interim stabilization measures could have facilitated the space for more effective SSR efforts in a range of post-war situations. The creation of the Awakening Councils in Iraq provided a basic level of security, allowing much-needed progress on a political and economic level (Roggio, 2007). The establishment of the Kosovo Protection Corps, which incorporated significant numbers of active members of the Kosovo Liberation

Army, ensured that former rebel fighters were held in a sustained “holding pattern” within a civilian structure, which bought time and created space for political dialogue and the formation of an enabling environment for legitimate social and economic reintegration (Colletta, Schjørlie and Berts, 2008). The challenge, of course, is how to eventually formally integrate these non-state/informal security initiatives into state structures — and how to ensure that they are held (democratically) accountable. Interim stabilization can be positive overall, so long as the potential long-term ramifications of each initiative are carefully anticipated and measured.

Interim stabilization measures aim to set clear, immediate and limited objectives. These are to reduce armed violence; improve real and perceived security; build confidence and trust; and buy time and space for longer-term conventional security promotion activities, including second-generation initiatives (Muggah, 2009b). Buying time and space is more important than it may at first appear. After all, peace agreements are often only the beginning — rather than the end — of the peace process. It is crucial to continue a constructive dialogue among warring parties in order to develop a conventional DDR or SSR framework that outlines parameters for specific interventions if these are not part of the peace agreement. By linking short- and long-term initiatives, interim stabilization and SSR are mutually reinforcing processes.

Adequate time is required in order to constitute administrative structures and legal instruments essential to conventional security measures, including related reintegration commissions, veterans’ bureaus, amnesties and peace and justice laws. There is a need to create space for participants to understand and ultimately, play a part in conventional security promotion. As expectations of a peace dividend begin to rise, time may also be required to allow the state to reinforce its capacity and reach, to promote community involvement in local security provision and to facilitate opportunities for markets to regenerate and allow for rapid labour absorption.

As promising as interim stabilization measures may be, serious obstacles remain with respect to incentivizing support and harnessing adequate financing. Specifically, a major obstacle in getting interim stabilization off the ground relates to ensuring adequate, timely and well-targeted funding, and appropriate rewards for support. More fundamental is the question of whether donors are willing to fund such initiatives if they fall outside of the ODA eligibility criteria for security and stabilization-related activities.²⁵ Indeed, despite the recent

²⁵ For example, OECD ministers agreed in 2005 that the following activities should all be viewed as within the bounds of the ODA definition: activities enhancing civil society’s role in the

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growth of the “stabilization” agenda and emphasis on integrated missions in countries such as Afghanistan, many donors have had difficulty convincing their counterparts to allocate more funds for critical non-ODA activities.²⁶ Few would argue against the importance of military reform in countries such as the Democratic Republic of the Congo or Guinea-Bissau, where bloated armies and poorly paid soldiers represent a drain on development.

Donor countries find it difficult to fund such activities due to pressures to utilize funding for only ODA-eligible activities. As a result, there remains a gap in the ability to fund certain security-oriented activities²⁷ that are deemed essential to break the conflict cycle. This creates a Catch-22: reform of the military, which is critical, is not funded but is, nevertheless, fundamental to creating the conditions for effective development assistance.²⁸ One option to overcome this ODA gap might be to establish internationally agreed targets for non-ODA funding of interim stabilization, such as an established proportion of GDP for peace and security initiatives. Such a target would provide the necessary incentive for governments to provide increased support to non-ODA security and stabilization-related assistance.

Closing Reflections

A number of multilateral and bilateral actors are pursuing an agenda that explicitly merges security and development in fragile situations. These are described alternately as “security first” or “stabilization and reconstruction” missions. Moreover, a range of governments are grafting security and justice provisions into national development frameworks. For example, poverty

security system, public expenditure management of the security system, the recruitment of child soldiers and programs to reduce the proliferation of small arms and light weapons.

26 With the exception of a few donors, there is a general unwillingness to fund interim stabilization measures that do not qualify as ODA. This policy-operations gap is largely related to perceptions of what should be considered ODA. Many worry that widening the definition to include non-traditional fields such as interim stabilization would lead to a diversion of ODA funding away from activities whose main objective is “the promotion of economic development and welfare.” The challenge for the international community is to maintain the pressure to uphold or, in some cases, increase ODA flows, while also creating incentives to increase funds towards non-ODA activities in conflict prevention and security system reform.

27 Stabilization activities that include coercive disarmament (outside of a UN-mandated peace operation), brassage units, transitional security instruments or even military reform are not eligible for ODA funding.

28 See, for example, Hänggi and Scherrer (2007) and Rusagara (2004) for examples.

reduction strategies routinely feature analogous priorities. As important as these processes may be, they are often overtaken by events on the ground — including precipitous declines in security.

Conventional approaches to security promotion are necessary but insufficient to generate legitimate and sustainable security and justice. Indeed, the challenges associated with SSR and interim stabilization in post-conflict settings are legion. Obstacles include systemic capacity limitations and incoherence generated by competing national and international priorities. Other difficulties signalled in this chapter relate to the emphasis on technical solutions, the absence of clear benchmarks and metrics, and a lack of reliable evidence of what works and what does not. Understanding trends in insecurity and violence can allow for a more effective identification and prioritization of the real needs of affected populations. Once SSR actors acknowledge the reality that security is often provided by informal and non-state actors, the programming challenge is how to legitimately integrate these same security initiatives into state structures and ensure that they are accountable and democratically controlled as part of broader SSR efforts.

Interim stabilization measures can potentially reinforce more conventional security promotion efforts. They may also be able to help tackle the immediate causes of insecurity while creating space and confidence for discussions around the reform of the security sector to emerge more generically. By creating a breathing space before longer-term reforms are attempted, and by building on existing structures and institutions, they offer an important alternative. At the same time, SSR practitioners would do well to be more aware of other armed violence reduction and peacebuilding initiatives taking place alongside conventional security promotion, as these may provide the appropriate entry points for broader discussions on security and justice service provision. However, although increasingly viewed as critical building blocks of security promotion, many remain non-ODA eligible. While not calling for a fundamental renegotiation of ODA eligibility, this article calls for the creation of appropriate incentives for the international community to fund such measures in the future.

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9

STABILIZATION OPERATIONS AND POST-CONFLICT SECURITY SECTOR REFORM: STRANGE BEDFELLOWS OR CLOSE ALLIES?

Ann Fitz-Gerald

Introduction

This chapter recognizes the critical linkage between security sector reform (SSR) and stabilization operations²⁹ during an era when significant resources and effort are supporting the latter and the immediate post-conflict element of the former. Analysts have argued that the much-discussed stabilization debate leaves the policy community in danger of over-subscribing to lessons learned from Afghanistan and Iraq, with some suggesting that these types of theatres may be the future exception rather than the rule. However, in both operational contexts, there is a direct linkage between stabilization activities and SSR efforts that follow. To date, these linkages have not benefited from deep analysis and, in some cases, have gone unnoticed by those tasked with developing policy. In a climate fraught with global economic turmoil, and its negative impact on funds available for overseas aid, the need to develop synergies across the limited resources available to support fragile states could not be greater.

This chapter assesses the similarities and differences between SSR interventions and stabilization operations. It then examines the activities that occur at the interface of these two disciplines in order to illuminate inherent interrelationships and interdependencies. Lastly, the chapter draws implications from the analysis and calls for a greater role to be played by multilateral (rather than bilateral) actors in supporting post-conflict SSR. This role is also justified in

²⁹ While this chapter acknowledges the UK government's preference for the term "stabilization operations" and the US government's preference for "stability operations," it refers to both as "stabilization operations."

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terms of the support such an approach can bring to uniting the peacebuilding and state-building agendas.

Evolving Concepts: Security Sector Reform

While readers will be familiar with the general concept of SSR, it is important to review its evolution from the late 1990s when — based on work carried out by donors such as the UK government and the World Bank — linkages were made between high (and inappropriate) levels of military expenditure, high levels of poverty and the incidence of conflict. As these emerging ideas were juxtaposed against, for example, the cases of post-Suharto Indonesia, post-apartheid South Africa and the post-military regime in Sri Lanka, new thinking developed that emphasized the linkages between security, development and democratization programs (Cawthra and Luckham, 2003: 31) and recognized the wider applicability of SSR in transitioning societies (Development Assistance Committee of the Organisation for Economic Co-operation and Development [OECD DAC], 2004: 2). Acknowledging the difficulties in promoting a national and regional reform agenda that called for “democratization” programs, the debate became underpinned by the intensive study of the relationship between security and development (which also became known as the “security-development nexus”). This resulted in a range of scholars analyzing this relationship from multi-disciplinary perspectives, including that of economics (Stewart, 2004), conflict (Collier and Hoeffler, 2004), socio-demographics (Ball et al., 2005) and defence (Edmunds, Forster and Cottey, 2003).

By 2004-2005, the security–development debate had not only provided the wider conceptual foundation upon which the SSR concept could be built, but it also served as the rationale supporting “joined-up” government³⁰ approaches. Together with a number of bilateral actors leading thinking on policy development in this area, the OECD DAC initiated a research agenda focussing on issues related to whole-of-government approaches (WGA), fragile states and SSR, highlighting good practice and shared national experiences (OECD DAC, 2006). This useful research provided a solid basis for the development of principles and guidance concerning WGAs to SSR; these efforts also informed the 2007 publication of the *OECD DAC Handbook on Security System Reform* (OECD DAC, 2007). Backed by an impressive breadth of consultation, this generic guidance for SSR provided the enabling space required for organizations such as the United Nations (UN), the European Union (EU) and the African Union

³⁰ In some countries, “joined-up government” was also referred to as “3-D,” which signified the coming together of diplomacy, defence and development.

(AU) to develop their own SSR policies and concepts of operation, albeit with a significant degree of similarity between them.

In addition to the fervour surrounding the development of multilateral policy on SSR, the international development community slowly became more comfortable with aspects of security and acknowledged the mutually supportive and reinforcing nature of the two concepts. In the UK, the development constituency led on the publication of the country's first security and development strategy paper (UK Department for International Development [DFID], 2005). This trend had a mutating effect on other multilateral partners, such as the international financial institutions, which, in the past, had been constitutionally, culturally and administratively constrained from working on "harder" security issues (Fitz-Gerald, 2004).

Despite the resounding popularity and global "buy-in" to the SSR debate, the concept still adheres to the 2005 OECD DAC definition. This definition was reiterated in the more recent 2007 OECD DAC SSR *Handbook*, which is indicative of the enduring nature of the concept, despite recent calls for the traditional SSR paradigm to be revisited (Piotukh and Wilson, 2009). The definition reads:

Security system reform is another term used to describe the transformation of the "security system" — which includes all the actors, their roles, responsibilities and actions — working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework (OECD DAC, 2004).

Stabilization and Stability Operations

Whilst the momentum continues in support of holistic and comprehensive security sector interventions, budget constraints which give primacy to interventions in the most unstable regions of the world provide ample evidence that current international SSR interventions take place in countries enduring and emerging from conflict. This trend warrants closer examination of the normative aspects of both policy discourses. The US and UK governments have taken a lead in developing doctrinal and conceptual thinking on stabilization operations. The UK cross-government Stabilisation Unit defines stabilization as: "the process by which underlying tensions that might lead to a resurgence in violence and a break-down in law and order are managed and reduced, whilst efforts are made to support preconditions for successful longer-term

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development” (UK Stabilisation Unit, 2007).³¹

The US and the UK have developed doctrinal definitions of stability operations and stabilization, respectively. While the terminology and the fundamentals underpinning both definitions are complementary, the focus of each is slightly different. Each national approach emphasizes the necessity of stabilization interventions in places where host governments are weak or have lost the capacity to govern effectively, stressing the threat posed by instability and fragility (Blair and Fitz-Gerald, 2009).

The US and the UK doctrine-based definitions of stabilization operations appear below. Whereas the US definition asserts the primacy of the military while recognizing the utility of drawing on other instruments of power to produce a wider civil effect, its UK counterpart emphasizes the notion of a cross-government lead. Not surprisingly, the UK definition has been codified in a British joint doctrine publication, *Security and Stabilisation: The Military Contribution* (UK Ministry of Defence [MOD], 2009).

US definition of *stability operations*: “An overarching term encompassing various military missions, tasks, and activities conducted outside the United States in coordination with other instruments of national power to maintain or re-establish a safe and secure environment, provide essential governmental services, emergency infrastructure reconstruction, and humanitarian relief” (US Department of the Army [USDOA], 2008).³²

UK definition of *stabilization*: “Stabilisation is the process that supports states which are entering, enduring or emerging from conflict, in order to prevent or reduce violence; protect the population and key infrastructure; promote political processes and governance structures which lead to a political settlement that institutionalises non-violent contests for power; and prepares for sustainable social and economic development” (UK MOD, 2009).

Despite the conceptual evolution of the stabilization debate, there are still

31 The Stabilisation Unit, previously named the Post Conflict Reconstruction Unit, is jointly owned by the DFID, the Foreign and Commonwealth Office and the MOD. It provides specialist, targeted assistance in countries emerging from violent conflict where the UK is helping to achieve a stable environment that will enable longer-term development to take place. For more details, see www.stabilisationunit.gov.uk.

32 In arriving at this definition, the US Army Peacekeeping & Stability Operations Institute used concepts from *Field Manual 3-07* and *Joint Publication 3-0*.

questions concerning its utility as a unifying concept for key stakeholders. While the concept of state fragility remains common to all stakeholders, the humanitarian community often talks in terms of “early recovery” and uses this term to characterize the shorter-term role it plays in stabilization operations (UK Stabilisation Unit, 2008: 14). A divide also exists between the “state-building” and “peacebuilding” paradigms, with foreign ministries favouring the former, and the development and humanitarian communities favouring the latter (Blair and Fitz-Gerald, 2009: 3). The way in which the different communities gravitate towards these different overarching concepts can lead to further divisions and exacerbate situations where leadership lines are already unclear.

SSR and Stabilization: Similarities

Despite the varying nature of activities comprising stabilization operations, progress during this phase of intervention is directly related to — and indeed informs and conditions — the range of post-conflict SSR activities that follow. It has also been the case where SSR activities supporting aspects of the stabilization effort take place during earlier phases of an intervention. For this reason, stabilization and SSR-type activities (particularly initiatives supporting the redevelopment of security forces) tend to overlap and rarely proceed in a linear or “phased” manner. This leads to the emergence of a conceptual divide, not only between the stabilization and SSR activities, but also between earlier SSR activities and less operationally focused programs led by the development community in later stages of the intervention. This conceptual divide often leads the more development-orientated SSR practitioners to divorce themselves from some of the issues, constituencies and achievements of the earlier stabilization operation. After all, since its earlier conception, SSR programs were activities always envisioned to take place amid relatively benign conditions. This is in stark contrast with the conditions that typically confront stabilization operations, particularly those launched in “hot conflict” zones (Law, 2006).

The debate on the two fields shares a number of other common aspects; these can be grouped more generally under strategic policy and capacity considerations. In terms of the former, both stabilization and SSR still lack elaboration at the strategic level. Both concepts continually feature in bilateral and multilateral policy documents. However, as both ideas have emerged by way of the ever-evolving discourse centred around post-conflict intervention and fragile states, there is a real need to provide strategic clarity in terms of how each can be used as a policy instrument (in support of strategic policy goals) to support a wider range of transitioning societies or various situations of instability. At the moment, the discourse on each concept is predicated on the experience of the

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post-conflict interventions, which may perhaps constrain leading policy makers in providing wider strategic direction for each term.

During the past few years, the SSR debate has acknowledged the more macro-strategic frameworks that must inform the SSR agenda. Recent trends have illustrated that the most strategically focused SSR programs are those that have been developed according to priorities set out by a reforming country's national security strategy. In countries such as Sierra Leone and Uganda, it is often the case that programs and sequencing strategies supporting SSR (as a result of short-term stabilization requirements) must evolve alongside the development of the more macro-strategic organs of government, such as the national security councils or office of the national security adviser. This leads to programs such as defence reform and police reform running in parallel to the development of a country's national security strategy. Evidence supporting this claim can also be drawn from a number of SSR interventions, including in Southern Sudan (where national security has been referred to as "security architecture"), Afghanistan, Kosovo and South Africa. This implies that although SSR should follow stabilization as a logical sequence at the strategic level, in reality, the sequence often goes awry because of the urgent need during stabilization to tackle real problems in one part of the sector or another.

As with the evolving SSR approach, the stabilization communities are also being encouraged to think in terms of broader strategic considerations. However, the broader strategic considerations supporting stabilization are often linked to the "state-building" agenda, which features political, economic, security and societal "pillars." In a post-conflict context, this agenda may directly overlap with the SSR plan which — depending on context — can focus on supporting vulnerabilities that go beyond traditional security actors, such as economic and social issues. The impact of border security on trade activity and the reform of a country's excise and port authorities to support the regular collection of government revenue from import taxes (a priority for a post-conflict country such as Haiti) both serve as good examples of how SSR efforts cut across the key pillars of stabilization. Thus, there are areas of overlap between the strategic agendas to which each community aspires. For the stabilization community, depending on the degree of state fragility, recipient countries may be a long way away from developing the knowledge or the necessary policy frameworks to support national security or national growth objectives. Thus, both stabilization and SSR concepts become intimately related and should be considered part of the wider state-building agenda.

As discussed above, both SSR and stabilization have been predicated on a WGA. Both concepts require support across defence, diplomatic and development lines of management, and neither can be taken forward effectively in the absence of such expertise and mandates. In terms of capacity, both areas enjoy the support of cross-government enabling partners, or operational teams. For example, the UK government created a cross-government Security Sector Development Advisory Team and the above-mentioned cross-government Stabilisation Unit. This trend has been mirrored by similar efforts in the Netherlands, Canada and the US. Arguably, from a post-conflict perspective, there are opportunities to draw synergies from both types of entities.

At the time of writing, funding allocations supporting post-conflict stabilization and SSR across the donor community remained high in comparison with other donor-funded support for peace and security initiatives. Arguably, capacity at the human level becomes more constrained in both areas. With many analysts having commented on the poor arrangements in place to support the deployment of civilian experts for stabilization operations (Synnott, 2008: 14), a number of bilateral donors have pursued efforts to develop internal cadres or pools of experts (similar to a civilian “reserve”) for supporting stabilization missions. In the case of the UK and the US,³³ these “reserve” cadres — along with a list of external “deployable civilian experts” across a range of specialist areas — are provided with training on the planning and implementation of stabilization activities. At the time of writing, these training efforts have matured significantly to now include potential for “streaming” and “managing” personnel development within the stabilisation sphere. In the interest of supporting wider multinational stabilisation, the first International Meeting of Stabilisation Teachers, Trainers and Practitioners took place on July 16, 2010.³⁴

These human capacity-building efforts are also ongoing across the wider SSR community. In 2008, the UN Office of Rule of Law and Security Institutions (ORLSI) developed a roster of experts with a range of expertise in specific areas of SSR. A parallel process has also been pursued by the International Security Sector Advisory Team (ISSAT), a Geneva-based organization supported by a number of governments and specializing in training, assessment and advisory

33 For further elaboration on the US government’s “surge capacity” for stability operations, see Smith (2009).

34 The International Meeting of Stabilisation Teachers, Trainers and Practitioners was facilitated by the Centre for Security Sector Management, Cranfield University and attracted a range of different representatives from national universities, government departments, the private sector and non-governmental organisations.

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services.³⁵ With an increasing trend towards the outsourcing of complex SSR programs, companies such as PricewaterhouseCoopers, ATOS Consulting and Coffey International have all invested heavily in developing their own highly specialized databases of “associates” to support their expanding capacity to advise and implement.

Despite these efforts, there has been a realization that SSR initiatives so integral to the overall success of a wider intervention cannot always be supported due to the lack of deployable expertise in specialized areas of justice, corrections, border security and maritime security. This compares to the relatively well-supported areas of defence and police reform, in which there appears to be a wealth of expertise. These “skewed” levels of expertise can pose problems for the optimization and sequencing of different SSR programs. The 2008 “Helmand Roadmap” is an example of a well-sequenced path of activity against which required skills sets became assessed and acquired. While the Critical Path Analysis methodology used in developing the Helmand Roadmap serves as a useful project planning tool, success in implementation depends on the human capacity and skills sets necessary to support the critical path. Based on the Helmand experience — and earlier statements regarding the parallel and inter-phased nature of post-conflict stabilization and SSR activities — with both communities soliciting support from the most capable practitioners and experts in all areas, donors should recognize the potential synergies between these two capacity development exercises.

In addition to issues surrounding deployability, the cross-disciplinary nature of both the SSR and stabilization communities means that the key actors or implementers within each operate according to different legalities, departmental cultures and languages. For example, cross-government disparities have emerged with regards to issues such as duty of care, standards of protection, policy on the use of private security companies and issues related to career progression and inter-departmental secondments. Many other disparities have emerged as a result of cross-government “socialization” efforts such as the inclusion of diplomats and development advisers on military command and staff college courses. However, while efforts towards greater cross-government socialization and coordination have helped to narrow some of these disparities, difficulties still emerge due to the variability in actors and their backgrounds. Supplementary to this is a recognition that a “generational gap” exists across senior management within departments, which illustrates varying degrees of support towards the “securitization of development.” For example, as the development community only took hold of the security-development and

35 For more information, see ISSAT (undated.).

SSR debate in the late 1990s, today's senior management across international development institutions may still, understandably, see development through a more conventional development prism, and not one which is to have a leading role in post-conflict security issues. However, the recently published White Paper of the UK Department for International Development, *Eliminating World Poverty: Building Our Common Future*, illustrates a commitment towards development priorities in countries emerging from conflict and, thus, represents a significant shift away from the traditional development paradigm (DFID, 2009).

SSR and Stabilization Operations: Differences

Environmental conditions become the first and foremost difference between stabilization operations and SSR. Due to the very nature of the fundamental principles underlining SSR, there is an assumption that an invitation of assistance should be extended by the host government prior to the arrival of an interventionist team. In addition, SSR should be demand-driven versus supplied, and based on concepts of "local ownership." Lastly, an SSR program should be based on a long-term strategy and not short-term requirements (OECD DAC, 2004: 2).

Based on the above principles, a fundamental difference between SSR and stabilization operations emerges. Teams supporting stabilization operations prioritize short-term requirements and may intervene, at least in part, on the basis of strategic national interests, and not at the behest of the recipient government. Following the achievement of key political objectives (such as regime change), a phenomenon develops that involves a "dual positioning" of interventionists. This was the case with the British and American military efforts during the initial intervention in Iraq, after which both forces underwent a transformation from being parties to the conflict to drivers of post-conflict reconstruction. Other examples of dual positioning include the Allied contribution to the post-World War II reconstruction effort in Germany. Lastly, stabilization operations often take place in the absence of state capacity and amidst communities that lack capacity to "locally own" key stabilization activities. Indeed, it is often the case in fragile and failed states that an intervening military force initially operates under the international law governing the occupying powers.

There are also significant differences between the nature of stabilization and SSR tasks and activities. In the case of stabilization, these tasks and activities can range from protecting safe areas and counter-insurgency operations to the building of roads, field hospitals, water sanitation systems and training and equipping new security forces. While the latter activity resonates with the

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operational element of SSR, the more holistic process that characterizes SSR calls for an integral governance element and engagement with key oversight actors including relevant ministries, legislatures and civil society. During a time when state institutions may still not be fully functioning, it may be easier to refer to such train-and-equip efforts as “stabilization” as opposed to “SSR.” This was also the case for the training of the Republic of Sierra Leone Armed Forces (RSLAF) during a time when the country’s disarmament, demobilization and reintegration program was still embryonic. The short-term training program for the RSLAF was intended to help counter the repeated insurgency attacks launched by the Revolutionary United Front (Fitz-Gerald, 2004: 10).

Lastly, the tools supporting stabilization often contrast with — or remain remote from — the tools required to promote long-term SSR. For example, donor governments interested in stabilization operations draw on “stability frameworks,” guidelines governing humanitarian assistance, Chapter VI and VII peacekeeping interventions, coercive diplomacy and others. In contrast, SSR interventions promote the use of the OECD DAC *Handbook* and SSR Guidelines, Poverty Reduction Strategy Papers (PRSP), sector-wide approaches, public expenditure management best practices, and the Millennium Development Goals (MDGs) (Fitz-Gerald, 2009). It is difficult to pursue SSR-related goals articulated in the latter frameworks when there is an absence of state capacity to advise on issues such as MDGs and management practices of state institutions. Having said this, both communities should be mindful of the recent efforts made by the PRSP process to embrace security-related issues such as conflict resolution, good governance and lasting peace and security. This is true of the more recent PRSP frameworks for Uganda (International Monetary Fund [IMF], 2005), Afghanistan (IMF, 2008) and Sierra Leone (IMF, 2005).

As a result of the different principles, mandates, organizational core competencies and knowledge between the two communities, it is not surprising that there is still a lack of common ground to bridge them. However, despite the clear differences, many of the structures upon which the SSR community depends are initiated, strengthened and supported by the stabilization community, which, in conditioning the environment for its SSR counterpart, must often address the root causes of conflict and the grassroots insecurities that have contributed to state fragility.

The SSR–Stabilization “Interface”

Notwithstanding the differences between the stabilization and SSR communities, there is a need for the interventionists to develop a common understanding of

the grassroots issues in order to strategize, structure and prioritize support for wider state-building efforts. At the same, there is a need for the “follow-on” community (including SSR practitioners) with mandates to intervene under fairly benign conditions and nascent institutional development to build on the initial grassroots engagement and ensure that the concerns of these constituencies are duly reflected in wider policy decisions. The implication here is for a more seamless transition between — and common analysis supporting — stabilization efforts and longer-term SSR activity.

While the research supporting this chapter draws on a range of examples taken from various stabilization interventions, an example used to illuminate the stabilization–SSR interface can be drawn from the British Army’s experience in Basra, Iraq, in 2003. Based on a range of possible options to spend quick-impact project funding, priority was given to the distribution of gas canisters, enabling the boiling of water, to households in order to mitigate and prevent the spread of disease due to a lack of potable drinking water. The delivery of the canisters had a number of positive effects.

First, the public perception of improved service delivery lent credibility to the interventionist force. It also served to “disincentivize” the use of the black market to meet basic service needs.

Second, following the development of a “water board” as a governing body monitoring and overseeing this local activity, the project strengthened an emerging civil society voice, as well as an embryonic political process, even if only at the municipal level. Over time, this governance process strengthened and joined forces with the appropriate federal governance structures for infrastructure in Baghdad. Overall levels of community safety were also enhanced as a result of this activity.

While it is beyond the scope of this chapter to consolidate the findings of all stabilization activities investigated, the example of the water board described above highlights the “unintended outcomes” — which can be both positive and negative — that may accrue across a number of areas of activity as a result of prioritizing certain stabilization activities. Ongoing analysis supporting a range of possible scenarios that mitigate negative outcomes and maximize positive results is desperately required. Such analytical capacity could benefit the SSR community, particularly in terms of assessing the cross-impacts and interdependencies across the numerous lines of stabilization activity. At the moment, the SSR and stabilization communities still appear to be working along separate yet parallel lines of engagement, when the grassroots issues being addressed by the stabilization communities could usefully inform the

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state building and institutional development programs of SSR. Lastly, with so much emphasis being placed on the experiences in both Iraq and Afghanistan, the stabilization community could usefully draw on the SSR community's wider experience in dealing with a range of "instabilities" across many different national contexts.

Conclusions

This chapter has highlighted the need for conceptual thinking on both post-conflict SSR and stabilization operations. Due to the current international effort supporting stabilization — weighed against ongoing concerns and funding strains that pose challenges to achieving the MDGs and desired levels of international development spending by 2015 — it may be argued that, for the short to medium term, the post-conflict element of SSR will attract the most support across a range of potential SSR interventions in the future. Therefore, there is a need to develop clarity on the interaction of post-conflict SSR and stabilization. One possible way forward may be to begin evaluating both areas from a basis of "instabilities" (as opposed to the SSR tendency to assess "vulnerabilities"). This may, in turn, support clearer and more comprehensive planning efforts that attract support from a wider stakeholder base.

The chapter also calls attention to a number of capacity gaps and divides across the human, organizational and knowledge-based resources of both communities. While efforts are underway to enhance civilian deployability and in-house, cross-government stabilization skills sets and experience, cultural, administrative and leadership issues still impede the achievement of a harmonized view of the security–development nexus. Leadership issues also become apparent due to the lack of prioritization around socialization efforts, the latter of which could precipitate natural — rather than forced and resisted — integration. If institutionalized and regularized, such socialization efforts would go a long way to achieving a culture of "lessons learned" rather than one of "lessons identified." With both communities engaged in separate efforts to record lessons learned, the stabilization community could usefully gain from the experience of SSR lessons across a range of transitional — as opposed to post-conflict — states.

To date, the SSR debate has been shaped by the original work of donors leading in this field. With the exception of the OECD DAC's notion of a security "system," the age-old SSR concept and definition has circulated around the wider donor community in an adoptive nature, rather than an evolved one. As a result, thinking supporting this subject remains very tied to its original

experiences and not geared towards embracing a new paradigm. The parallel and inter-phased nature of post-conflict stabilization and SSR discussed in this chapter represents but one area that challenges conventional SSR thinking and, thus, underscores the need for the SSR debate to be revisited.

The need for less political, longer-term SSR support — weighed against the phenomenon of “dual positioning” of interventionists — implies the need for the multilateral community to lead on post-stabilization SSR activities. The creation of organizations such as the UN’s ORLSI and the ISSAT are all steps in the right direction. Bilateral actors supporting the genesis of SSR should, in turn, support the further development of these organizations and regard them as their logical post-stabilization successors.

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10

JUSTICE SECTOR DEVELOPMENT ASSISTANCE IN POST-CONFLICT COUNTRIES IN SEARCH OF STRATEGY

Kirsti Samuels

Introduction

Democracy, peace and stability require more than a state with a strong security apparatus. They also require a state that accepts the rule-of-law limits on how force can be used. At its core, democracy is built on a network of consensual agreements about the nature of society, the rules of the political game, the expected behaviour of key actors and an understanding that those elected are expected to act in the best interest of the society as a whole, not just their own tribe or class. The justice sector provides a way to uphold these norms.

Given the inherently interconnected nature of the justice and security systems, it is difficult to achieve sustainable improvements in either sector if they are not approached in a coherent, mutually reinforcing fashion. For instance, judicial training that allows judges to make better decisions is not likely to have much impact if there is no judicial independence, if corruption dominates the legal system or if the police service is dysfunctional or biased. Similarly, security sector development and reform is insufficient if it is accompanied by only cosmetic political change: it can create weak, unstable or even criminal state structures (such as in Haiti, Liberia or Timor-Leste). As Amos Sawyer the former president of Liberia says, “The state we produced turned out to be a criminal state, legitimized by elections” (Sawyer, 2005). Finally, no reform will have any impact if the perception of the people remains that the justice or security systems are unjust and biased.

This chapter considers the challenges facing justice sector reform in post-conflict settings and highlights four essential problems that undermine effectiveness of

rule-of-law reform programs: the multiplicity of actors and largely uncoordinated approaches; the lack of a common foundation or basic agreement on the goals of reform; weak rule of law expertise; and a lack of systematic, results-based program evaluations. It goes on to emphasize the need to forge a common understanding of the field and to develop coherent guidelines and strategies.

The Justice and Security Sectors

The terminology of “justice and security sectors” is used in this chapter to identify two interrelated sectors formed of interdependent institutions, competencies and actors that together support the rule of law (UN Development Programme [UNDP], 2007). The UNDP, the Organisation for Economic Co-operation and Development’s Development Assistance Committee (OECD DAC) and the UK Department for International Development (DFID), also use this terminology. In essence, justice and security development assistance can be defined as the strategies, policies, institutions and operations employed to achieve:

- safety, security and protection of persons and property from violence, crime and disorder;
- equal access to justice and security for all;
- fair and equitable resolution of disputes according to publicly known principles of due process; and
- respect for human rights in the treatment of alleged offenders from detention through arrest, prosecution and imprisonment or the imposition of other sanctions (OECD DAC, 2007a).

The justice sector involves: judiciaries; informal and traditional justice systems; alternative dispute resolution structures; legislatures; oversight bodies; the police; prisons and prosecution services; relevant line ministries; lawyers; paralegals; and civil society organizations (Ball et al., 2007). The security sector involves core security actors — such as: the armed forces and police; intelligence services; border guards and customs authorities; and private military actors — security management and oversight bodies — including: ministries of defence; legislative select committees; financial management bodies; and civil society organizations — and law enforcement institutions (OECD DAC, 2007b). Justice institutions are also sometimes included as part of the security sector, but it is more helpful to consider the two fields as interrelated rather than one subsumed in the other.

The Challenges that Justice Sector Reform Faces in Fragile Environments

Justice sector reform faces many challenges in fragile environments. The numerous rule-of-law assistance programs implemented in post-conflict or fragile countries have resulted in few lasting results. Some individual programs have had a small measure of success when evaluated according to their programmatic strategies or institutional goals, but even then most have not built institutions that can outlast the donor presence (Samuels, 2006).

Despite two decades of experimentation, little is known about how to bring about the difficult and interdependent social goods that constitute the big-picture aims of rule-of-law reform. This is especially true in the post-conflict context, where the starting point is so challenging and frequently characterized by: a complete legal vacuum; weak justice sector infrastructure from courts to prisons; low human capacity, with limited, if any, qualified personnel, including judges, prosecutors, defence lawyers, legislators, drafters, law professors and legal policy experts; and a population with a deep mistrust of the state and legal system.

Eight key challenges that undermine effective rule-of-law reform can be identified; they are discussed in detail in the 2006 mapping undertaken by this author for the World Bank (Samuels, 2006). They are outlined below:

- 1) **A lack of coherent strategy and expertise:** The lack of coordination has been particularly striking in post-conflict environments, where different actors have advanced different programs, sometimes with little knowledge of the local context, little coordination and little prioritization. The collapse of the legal system and a serious breakdown of law and order in post-conflict environments have encouraged crisis-style responses, and ad hoc reactive projects. Most post-conflict rule of law reform projects evidence how a piecemeal approach undermines sustainability.
- 2) **Insufficient knowledge of how to bring about change:** One reason there remains a knowledge gap about how to bring about the change envisioned is that the identified goals are extremely complex and there is little clarity on how best to achieve them. Despite two decades of experience, little is known about how to bring about legal change in developing or post-conflict countries. The knowledge deficiency in the field of rule-of-law reform is reinforced by the lack of systematic

evaluation of programs; it has also led to a focus on short-term outputs in evaluations and program design, rather than longer-term outcomes, which are more difficult to anticipate and achieve.

- 3) **A general focus on form over function:** A limiting emphasis on “form” rather than “function” seems to have dominated rule-of-law reform programming over the years. The focus on formal institutions has largely resulted in institutions that exist in theory, and that may even have buildings and staff, but that do not function in practice. It has also resulted in un-enforced and poorly understood legislation, and judges and police with little commitment to the rights and values that the reform process seeks to entrench. As a result, the formal governance framework and institutions have been unable to mediate the grievances, divisions and damaging political culture in a way that would ensure peaceful transfer of power.
- 4) **Emphasis on the formal legal system over informal and traditional systems:** A related issue is that in post-conflict countries, where formal mechanisms have often completely disappeared or been discredited, informal mechanisms may be crucial to restoring some degree of law and order. Existing alternatives to formal legal structures, which may be more effective and less costly — such as paralegal programs in South Africa, community councils or other culturally appropriate dispute resolution mechanisms — should be considered. However, it is also of key importance to attempt to forestall or overcome bias in such mechanisms in favour of men, wealthier citizens or the dominant ethnic group or other human rights concerns. Such mechanisms should be evaluated, supported and reformed as part of rule-of-law reform strategy. Somalia provides a useful case study: in the last 15 years, no formal law has operated in the country and traditional customary law (*Xheer*) implemented by clan elders has retained or even regained popularity. In this context, the Danish Refugee Council undertook a successful project with clan elders to reform the traditional law to better accord with international human rights standards.
- 5) **Focus on short-term reforms in contrast to longer-term strategies:** Rebuilding infrastructure is an easily identifiable mark of progress and, hence, is often favoured over longer-term and difficult capacity building. However, infrastructure projects will only have a limited impact in settings where political and economic factors are the main reasons for the non-existence or weakness of the rule of law. An example of how this focus on quick impacts, rather than long-term change, can

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undermine rule-of-law reform, can be seen in the ongoing weakness of the legal system in Haiti and Timor-Leste where little early attention was given to advancing the difficult process of building the capacity of the judiciary.

- 6) **Reliance on wholesale rather than incremental and context-determined change:** In practice, the imposition of foreign approaches, rules and structures has not been successful. It does not take into account the fact that the reform is not simply technical in nature, but constitutes a societal transformation that will only be effective if a large portion of the population accepts, understands and implements it. Moreover, the plan for the legal system must take into account available resources and capacities of the country. Often, insufficient attention is paid to the costs of running and maintaining such a system once the donor assistance ends, leading to the creation of unsustainable institutions.
- 7) **A lack of attention to the need for local change agents:** A key point to emphasize is that rule-of-law reform in any country requires demand for change. For the reforms to be sustainable, there must be a demand among the population and local champions to drive them forward. In many instances, reform and education programs driven by outsiders, who often seek to import their own legal models, have only a short-term impact, with institutions reverting to the status quo ante once donor programming comes to an end. Accordingly, it is essential to work with the national actors in developing options appropriate for their context, and to respect that domestic political reform pressure and local political reform champions are essential for real change.
- 8) **Poorly designed and insufficiently long training and legal education programs:** Training and legal education programs, so popular with donor agencies, have often failed to achieve a sustained impact. Such programs have characteristically been poorly designed, unsustainable, overly theoretical, too short and prone to condescension. These courses do not sufficiently take into account the incentives and political pressures faced by judges in such complex and corrupt environments.

Recent mapping exercises of rule-of-law development assistance in post-conflict countries (Samuels, DFID, 2009) have found some encouraging signs of change: some actors have begun to address their capacity and coordination problems, and an increasing number of projects evaluate programs and develop lessons learned, seek to consolidate norms and develop standards and measurement indices. Nonetheless, it is clear that a consistent and coherent overall framework

with some form of prioritization is needed to avoid an unsustainable mixed bag of ad hoc activities.

In Search of Strategy

In both the security and justice sectors, there are few useful benchmarks and evaluation tools, and the focus remains on superficial outputs such as numbers of judges that attend training sessions rather than more meaningful outputs or outcomes, such as evidence of increased trust in the fairness of the judicial system and increased reliance by the population on the legal system to resolve disputes. Both justice and security sector donor assistance remains uncoordinated and ad hoc, both at headquarters and in the field.

However, the security sector has at least developed broadly accepted norms and policies through the convening power of multilateral agencies (especially the OECD DAC). As a result, it is substantially more coherent than the justice sector with fewer actors involved and many more evaluations assessing the capacities and lessons learned. The DAC has promoted a governance-based approach to security sector reform (SSR) that offers important opportunities to integrate activities and actors on the basis of common understandings and core principles. Promoting “whole-of-government” agendas also promises to help generate a degree of consensus across relevant ministries and departments. Some countries have already established funds or pooling mechanisms designed for SSR.

Lessons can be learned from this evolution for the justice sector. Despite the difficulties of evaluating the effectiveness of justice reform strategies given the challenges described above, it is essential that donors and development agencies work to develop some consensus and common understanding of the norms, policy goals and best practices for effective justice reform.

The 2007 OECD report entitled *Enhancing the Delivery of Justice and Security: Governance, Peace and Security*, could provide an interesting starting point for a discussion of justice and SSR in terms of prioritization, focus and strategy (OECD DAC, 2007a). The strategies put forward address many of the challenges identified in the mapping exercises and incorporate the lessons emerging from the literature over the last decade as well as the principles agreed in the Paris Declaration of Aid Effectiveness (OECD, 2005).

In the case of deteriorating fragile states, OECD DAC’s recommended strategy is to focus on the building blocks for long-term judicial reform, such as: judicial training institutes; the systems of publication laws and court decisions; and

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processes to modernize court administration. They also recommend the support of non-state justice and security systems as well as broad-based human rights activities through assistance to community organizations, non-governmental organizations, bar associations and independent lawyers' groups that protect human rights, monitor allegations of abuses and defend victims; a particular focus is placed on assisting women's groups because these can become one of the primary vehicles for the provision of justice.

In the case of collapsed fragile states, the recommendations are to begin with assessments of who is actually providing justice and security while paying careful attention to non-state providers. The OECD DAC state that the goals must be realistic, modest and sustainable, and that even though international actors may need to take the lead in designing strategic plans, local stakeholders should be involved and will ultimately need to have ownership. They also recommend starting small and scaling up.

Finally, in the case of recovering fragile states, they emphasize the need for financial sustainability of service-delivery programs. The OECD DAC strategy is to concentrate on managerial sustainability and to recognize that "train-and-equip" projects have typically proven ineffective in isolation. They recommend supporting non-state justice and security providers, the search for fair and equitable resolution of disputes and the imposition of human rights standards even for alleged offenders.

While these principles require further elaboration and discussion, they provide a useful starting point for the shaping of a much-needed justice reform strategy, especially since there are no training courses or studies to prepare a practitioner to reconstruct a justice system after conflict. The expertise that exists is largely in the heads of a few practitioners who developed it through trial and error over the last few decades, and the quality of expertise varies substantially.

Conclusion

As discussed, the justice development sector is still young and faces serious challenges in post-conflict countries. It is formed of a multiplicity of individual actors and individual strategies; it can be contrasted with the SSR approach, which has evolved basic norms and guiding principles through consensus building and debate in the OECD DAC and other institutions and organizations. The mappings and reviews undertaken over the past few years suggest that four essential problems undermine effectiveness in rule-of-law reform programs: the multiplicity of actors and largely uncoordinated approaches; the lack of a

common foundation or basic agreement on the goals of reform; weak rule-of-law expertise; and a lack of systematic, results-based program evaluations. In order to move forward, it is essential to forge a common understanding of the field and develop coherent guidelines and strategies. The SSR norm development experience in the OECD DAC is one useful approach that the justice sector should consider following.

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11

LEARNING THE HARD WAY: IMPLEMENTING SSR IN AFRICA'S POST- AUTHORITARIAN STATES

Alice Hills

Introduction

Ambitious claims are made on behalf of security sector reform (SSR). According to, for example, the Paris-based Organisation for Economic Co-operation and Development (OECD), SSR is: “a central component of [international] efforts to overcome fragility and conflict that can facilitate conflict prevention, peace building, poverty reduction and access to social and political processes” (OECD Development Assistance Committee [DAC], 2007: 3, 13).

Indeed, the OECD's 30 member countries promote SSR on the basis that it facilitates the development of accountable and efficient security systems which, operating under civilian control ensure and sustain the stability necessary for development (OECD DAC, 2007: 20), while its analysts and policy makers present reform as desirable in itself or as a technical project or ideologically neutral process, but nothing could be further from the truth. SSR is a response to policy-relevant problems by a small group of rich industrialized democracies and intergovernmental organizations that wish to cultivate a pluralistic civil society while simultaneously reforming state structures and enforcing culturally specific values. It is driven and funded by liberal democracies such as Australia, Belgium, Canada, France and the Netherlands, by development agencies such as the Australian Agency of International Development, the Swedish International Development Agency (SIDA), the UK's Department for International Development (DFID) and the US Agency for International Development (USAID), and by organizations such as the OECD and the UN, whose aims are not only to create a rights-based general order in recipient

countries, but also to modify or replace particular social orders (Merlingen and Ostrauskaite, 2006).

Specifically, donors and multinational organizations wish to find answers to the security and humanitarian crises associated with authoritarian states, which typically leave legacies of conflict, repression and exclusion. Achieving appropriate solutions is thought to require sweeping social and political change, and it is usual for international authorities to state that public police in particular must be reformed; they must become accountable to civilian bodies, monitored for human rights abuses and made to recruit from formerly excluded minorities and women. In other words, multinationals expect police to move from exclusionary and regime-oriented responses to the activities and procedures associated with SSR. Further, police reform is increasingly seen as a guiding principle for SSR, which regards the police as: “a service, not a force, with the primary focus on the security of the individual rather than the state. Its defining characteristics are ‘responsiveness’ to the needs of individuals, and “accountability” for its actions to the public it serves” (Bayley, 2001).

The questionable relevance of such policing to the post-authoritarian regimes of sub-Saharan Africa (hereafter Africa) lies at the heart of this chapter. This proposition is developed through three linked arguments. First, that SSR should be distinguished from police reform, which this chapter takes to mean the introduction of a style of policing that seeks to mitigate brutality, corruption and politicization, and facilitate more positive forms of interaction between police and the population. Orthodox SSR is not only unrealistic in the parts of the world in which it is to be promoted, but it is also a distraction from more fundamental issues such as understanding the drivers and implications of change for southern police, about whose culture remarkably little is known.

Second, the irrelevance of SSR is emphasized by the fact that the challenges of implementing reform (as opposed to SSR) in post-authoritarian states are not dissimilar to those in post-conflict or transitional countries. The reason is that the style and organization of Africa’s police forces are fundamentally similar. African policing is a brutal business for both officers and the population, regardless of the country concerned, and police in post-authoritarian states have much in common with police in illiberal democracies and one-party states. Zimbabwe’s police kill, intimidate and harass their president’s opponents, but so do Kenya’s. This situation owes much to the instrumentalization of corruption and patron-client relationships characterizing African societies.

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Third, the poor and unprotected may long for police reform, but SSR typically lacks political and cultural resonance in the regions in which it is to be implemented. In other words, while SSR makes sense within a specific type of Western culture, it does not necessarily evoke a similar response in the global South. It should, therefore, be distinguished from reform, which is about improvement and owes more to trade-offs, negotiations and tactical concessions, than to democratization as such. Indeed, reform is best understood as forming part of a dialectic, rather than (as SSR would have it) a causal or linear process (Hills, 2008). A more nuanced assessment of the drivers and effects of reform and change is needed.

This chapter assesses the challenges of implementing reform and of understanding change and SSR in post-authoritarian states with reference to police reform in Nigeria. It first discusses the nature of authoritarianism, arguing that Africa's authoritarian and post-authoritarian regimes have much in common with its illiberal and one-party democracies. To explore the possibility of generalizing from this statement, it briefly considers recent trends in Zimbabwe and south Sudan; however, this discussion focuses on developments in Nigeria, which reverted to civilian rule in 1999, allowing for a consideration of reform in the long term. Although it is usual for commentators and policy makers to say that embedding reform takes at least a generation, there is little systematic evidence to support this assertion. Nigeria's 10-year experience with the continuities and changes associated with post-authoritarianism is, therefore, valuable.

Building on Nigeria's experience, this chapter concludes that when it comes to policing, there is nothing qualitatively different about the implementation of reform — or, indeed, SSR — in post-authoritarian societies; certain dynamics are observable across a range of countries regardless of their political categorization. In addition, Nigeria offers insights into the future of SSR. It makes clear that policies promoting the accountable democratic policing styles advocated by SSR are influential only where there are cultural resonances and, more importantly, compelling political reasons, and even then reform may be a tactical move to manage unavoidable political pressure.

Finally, the uneven record of SSR suggests that while calls for police reform will continue for the foreseeable future, SSR reflects the strategic circumstances of the post-Cold War era (and especially the Balkan wars), and is likely to last only as long as the international status quo — and donor funding — survives. Recipients always prefer equipment and technical training to normative advice, so there is no reason to assume that SSR in its current form will retain influence.

Authoritarian Africa

It is difficult enough to implement democratic-style police reform in liberal democracies and post-conflict societies where there is a genuine desire for change (Sierra Leone is a case in point), but achieving it in illiberal or fragile states is especially challenging. Ideologically driven technical education and support projects of the Cold War era failed to make a significant difference to the quality of African policing, let alone to reform it on democratic lines, and similar considerations apply to SSR. But it is difficult to go beyond such statements, because no systematic or rigorous assessment of projects is yet available. The long-term impact of the various approaches is not yet known, nor is it clear that reform in post-authoritarian contexts is significantly different from that in other environments.

Authoritarianism is usually understood as describing a form of government or political system that emphasizes the authority of the state or, more accurately, the authority of its ruler or ruling party.³⁶ Such states tend to have relatively centralized, repressive and opaque power structures, and political power tends to be concentrated in a strong man who maintains control by means of coercive resources such as military, police and special units, and through personal or ethnic networks. In practice, authoritarian regimes are as varied as their rulers, and in Africa these range from Ethiopia's Meles Zenawi, Equatorial Guinea's Obiang Nguema and Rwanda's Paul Kagame to Uganda's Yoweri Museveni. Further, although politicization is instrumentalized in authoritarian states, this is the case in most, if not all, African states where illiberal democracies and one-party states can be as controlling as authoritarian states. This suggests that in Africa at least, SSR in the post-authoritarian context is not dissimilar to that in other contexts. In other words, authoritarianism is to some extent a distraction from more fundamental issues such as the nature of the police institution.

This matters here because (despite differences in the behaviour and conduct of officers) the police institution remains fundamentally the same regardless of the regime concerned. The police, as an institution, are well placed to collect and exploit knowledge (that is, political intelligence), so its actions and attitudes offer an accurate indicator of the continuities and commonalities associated with change or reform. The rulers of even the most stable countries treat police as their servants and some police are content to be used as such: when asked if they would join trade unions, some low-ranking Zimbabwean police said: "Why should we? We are the state." (Hills, 2007: 420). All regimes face similar problems. All find it difficult to exert their agency (Herbst, 2000: 11) and most,

36 See, for example, Linz and Stepan (1996); O'Donnell and Schmitter (1986).

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if not all, police are underfunded, under-resourced, untrained, politicized and parasitical. In other words, most, if not all, African countries exhibit the characteristics of authoritarianism: every country has its “Big Man,” every police force is accountable to its president and every police enforces decisions taken by the political elite to which it is accountable (Hills, 2007). Police are typically adjuncts to groups that control resources more directly and they act in support of others’ agendas. Some police (as in Ghana) seek to preserve a minimal degree of operational and professional autonomy, but most seem unable or unwilling to operate as independent political actors.

Every country is unique, yet sufficiently similar patterns of manipulation and responses are identifiable across Africa to blur distinctions between authoritarian and post-authoritarian states. Nevertheless, the key element influencing change of all kinds is the personality and connections of the president concerned. Despite shifts over the last 50 years and the internal dynamics of the police institution, policing remains an expression of presidential preference, and the key variable affecting the police is a president’s political calculations. This is evident from developments in not only repressive countries such as Sudan, where in March 2009 the International Criminal Court indicted President Omar al-Bashir on war crimes charges, but also in Western favourites such as Ghana, Liberia, Rwanda and Tanzania. The challenges of implementing reform somewhere like Zimbabwe are in consequence an extreme version of those in technically non-authoritarian countries such as Kenya and Nigeria. Indeed, the ambiguous boundaries between reform in authoritarian and post-authoritarian states is evident from Zimbabwe.

Zimbabwe is not Atypical

Zimbabwe is widely regarded as an authoritarian state in desperate need of SSR, yet its security sector shares certain features with those in post-authoritarian states. From independence in 1980 to the parliamentary elections of 2008, Zimbabwe was essentially a one-party state ruled by Robert Mugabe and his Zanu-PF party. However, in September 2008, Mugabe was forced to agree to a power-sharing agreement with the Movement for Democratic Change (MDC) under a former union leader, Morgan Tsvangirai, which raised international hopes that Mugabe might relinquish some of his powers. This was wishful thinking — witness the acrimony after the MDC accused Zanu-PF of keeping the most powerful ministries (including that which controlled the police) for itself. In fact, there was no reason why Mugabe should agree to fundamental change when he could make tactical concessions.

Both sides negotiated trade-offs and the MDC joined the new government in January 2009. Under the power-sharing deal, Mugabe remains head of state, head of the cabinet and of the armed services, but it was only a matter of months before the opposition appeared susceptible to bribery, with all that this implies for reform, let alone SSR post-Mugabe. Tsvangirai has repeatedly called for an end to human rights abuses and political violence, and has pledged to do all he can to alleviate suffering, and there is no reason to doubt his sincerity. But he is also a politician who must accommodate Zimbabwe's political and ethnic realities. As it is, factionalism and cronyism characterized his choice of cabinet appointees ministers (*Zimbabwe Independent*, 2009), and it was only a matter of weeks before new ministers accepted Mercedes-Benz E-class saloons (*Guardian*, 2009).

Much may change once Mugabe goes. There is no doubt there is a genuine desire for reform on the part of many Zimbabweans, yet this is unlikely to lead to successful SSR. Not only is factionalism chronic, but in Zimbabwe, as in Africa more generally, presidential control over the police is also complete and constitutionally legitimate. Newly elected presidents often say that they will reform policing, but their good intentions rarely last long; SSR is not in the interests of politicians, most of whom are threatened by effective or accountable forms of policing.

Despite SSR attempts to use police reform as a method of ethnic or social engineering, Zimbabwe's ethnic and racial diversity is more likely to obstruct than to facilitate reform. Just as eight of Tsvangirai's 14 ministers came from Masvingo and Manicaland provinces, so the co-option of Augustine Chihuri, Mugabe's commissioner of the Zimbabwe Republic Police (ZRP) into Zimbabwe's security elite has been facilitated by his ethnicity. Chihuri, like Mugabe, Mugabe's vice presidents and most of Zimbabwe's political heavyweights, comes from the same Zezuru ethno-linguistic group. Indeed, the Zezuru security elite includes not only Chihuri, but also the powerful General Rex Mujuru (to whom Chihuri may owe his position), as well as Mugabe's spymaster, the commanders/directors of the defence forces, the Central Intelligence Office and prisons, the chief justice of the supreme court, and the registrar general. This network reinforces Chihuri's position, and comparable relationships and lines of accountability will no doubt influence his successor. There is no reason why they should not.

Lastly, the ZRP will, like all police, accommodate political change, shifting allegiance to whoever controls state resources. It is true that the ZRP, like all police institutions, is resilient, and more than capable of obstructing unwelcome reforms (significant structural obstacles include institutional incapacity and inadequate training and resources). Yet even if Zimbabwe transitions peacefully

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post-Mugabe, donors fund SSR projects and the ZRP transfers its allegiance to the new leader (as it will), there is no reason why SSR should be genuinely implemented. Tsvangirai may or may not succeed Mugabe, but most new leaders initially advocate SSR, only to slide into corruption, nepotism and politicisation. Witness Sam Nujoma in Namibia, Mwai Kibaki in Kenya, Ellen Johnson-Sirleaf in Liberia and Yoweri Museveni in Uganda.

Nigeria

It is impossible to say precisely how Zimbabwe's security sector will fare in the post-Mugabe period, but insight into the factors typically influencing reform in post-authoritarian environments in the long term — and the question of why Africa's police find it difficult to adopt the norms and practices associated with SSR — is offered by developments in Nigeria.

Nigeria returned to civilian rule in 1999, when Olusegun Obasanjo was elected president, but the starting point for meaningful reform came some six years later, when Obasanjo sacked Inspector General of Police Tafa Balogun for stealing or laundering US\$98 million. Balogun had introduced the notion of community policing, but only in order to access the resources donors offered for such programs. Indeed, the police had by then shown few signs of shaking off the legacy of 15 years of military rule. As Human Rights Watch (HRW) noted in 2005, the use of torture and lethally degrading treatment in police stations was routine, just as it had been during military rule (HRW, 2005). This is unsurprising because the primary tasks of the Nigeria Police (NP) were — and are — regime representation, order maintenance, regulation and paramilitary operations, rather than crime prevention or reassurance.

Since then, Nigeria's police have received the equivalent of millions of US dollars in technical assistance, training, equipment and support for SSR. The budget of, for example, the UK's seven-year sector-wide Access to Justice Programme, which began in 2002, was £37 million. Yet the NP is widely regarded as one of the most corrupt institutions in a society that is internationally notorious for high levels of unpredictable violence, corruption, neo-patrimonialism, and ethnic and religious sectarianism. Despite this, anecdotal and circumstantial evidence suggests that the last two or three years have seen more senior and mid-ranking officers accept the need for reform and, in particular, for the NP to interact with the population in a more positive manner. The need for an appropriately Nigerian form of community policing is widely accepted, and anecdotal evidence suggests that police shot fewer civilians in 2009 than in, say, 2004. Ironically, it is increasingly evident that reform has been driven by the

NP, rather than by governments, donors or independent non-governmental organizations. What, then, are the emergent patterns and the significant characteristics and challenges?

The key characteristic of police reform in Nigeria since around 2000 is that reform is a dialectic process in which reform projects move forwards, only to then move backwards or sideways (Hills, 2008). The metaphor should not be taken too far, but it helps to balance the causal imperatives underpinning SSR orthodoxy while emphasizing the long-term nature of reform and the significance of continuities.

A second characteristic is that public statements about the desirability of reform are not necessarily indicators of meaningful reform. Indeed, the introduction by new inspectors general of personal reform programs is usual. Balogun thus introduced an eight-point agenda when he assumed office after the compulsory retirement of his predecessor, Musliu Smith, who had offered a blueprint for reform designed to address the legacy of military rule when he became inspector general in 1999. In turn, Balogun's successor, Sunday Ehindero, introduced a 10-point plan for reforming the police within 24 hours of his appointment, as did Mike Okiro, Ehindero's successor. Okiro's successor will do the same.

It was Ehindero who facilitated a new phase in policing. Designed to "reposition the Force on the premise of being responsive, effective and accountable," his five-year plan (estimated to cost more than 240 billion naira or US\$1.5 billion) referred to the police's need to: develop effective crime prevention through intelligence-led policing; combat corruption, violent and economic crime; develop trust and partnerships in policing and in conflict resolution more generally; and improve the police's image. The plan's general tone was evident from the NP's new motto: "To Serve and Protect with Integrity." Although Ehindero's vision was, in many respects, similar to that of his predecessor, it placed unprecedented emphasis on the internal dynamics needed to create "an efficient, citizen friendly police organisation" (Arase and Iwuofor, 2007: 25). Admittedly, he inherited some aspects of what became his reform program (the British Council's community policing project had been supported and expanded by Balogun from 2003 onwards), but he could equally well have obstructed reform.

Ehindero's reputation suffered after he left office when he was accused of being at the centre of a 21 million-naira (US\$135,000) scam. Yet he appears to have been personally committed to positioning the NP "at the forefront of democratic policing in Africa" (Nigeria Police, 2005: 187). More significantly, it appears that his reforms were initiated from within the police. He drove the reform program

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even if it appears that by 2006, Obasanjo had decided that policing had to become less brutal if he, Obasanjo, was to receive the international support he wanted. The key fact here (just as it will be in Zimbabwe) is that trade-offs were required: reform could only be implemented if the NP was capable of ensuring public order and regime support. Further, developments in policing are contingent on political developments, so reform moved forward in 2006 only to revert back to politicized policing with the presidential elections of 2007. At this point, Ehindero retired and was replaced by Okiro, who promoted interaction as a key feature of Nigerian-style community policing, and who became accessible to, for example, the British Council's Security, Justice and Growth (SJG) program consultants in a way that Ehindero never had.

A third characteristic is trade-offs. Obasanjo, for example, probably saw reforms such as the introduction of community policing projects as a gesture towards donors and as a means of accessing resources, rather than as signalling fundamental change (though his public support for the NP's efforts to improve its image at home and abroad indicates the importance he attributed to it). His strategy worked. Some donors offered advice and funding as a means to promote SSR, but most wanted only to increase its operational effectiveness. The UK may have thus funded a program of community policing, but the US donated anti-riot equipment, Spain offered anti-terrorism and forensic science training, and the Ukraine said it was willing to train police pilots. In 2009, the UK supported community-policing projects, whereas North Korea offered unarmed combat training.

Similarly, Obasanjo's public support for Ehindero's plan did not mean that he wanted or could afford too many gestures towards democratic policing. The trade-off was that he could support reform only if the NP enhanced its capacity for rapid response and effective public order operations. This suggests that reform is actually about more effective policing, rather than normative change, and democratic-style community policing can be introduced only where there is an effective rapid response force; hence the critical role played by Nigeria's paramilitary Police Mobile Force (PMF). Perhaps this also accounts for the absence of the PMF in donor discussions of community policing — the PMF is the elephant in the SSR room. Donors such as DFID argue that community policing (which encapsulates the UK's philosophical and empirical approach to SSR) requires all police to proactively respond to community concerns while ignoring the fact that the PMF's role is inherently reactive; it interacts with the population, but only in the sense of responding to crisis or disorder. It does not seek to engage as such.

Policing is a harsh business in Nigeria, and corruption (or, more accurately, the economy of policing), the need for political support, opposition from the rank and file, and the trade-offs demanded by Nigerian realities offset positive developments. Ehindero's call for officers to serve and protect with integrity means little when the police regularly head Transparency International's list of the most corrupt institutions in the country — senior officers skim their subordinates' allowances and constables demand 20 naira (about US\$0.13) from passing motorists.

Donors are themselves responsible for two further obstacles: inappropriately ambitious goals and inaccurate assessments of policing realities. Take the case of the UK's SJG program, which seeks to facilitate the introduction of community policing as a tool for reform. Its aims include developing: "an environment where poor people have the opportunity to feel safer, improve the quality of their lives, and address grievances and move out of poverty. The programme will give a voice to the weak and vulnerable through its activities to promote laws and programmes to empower women, children, the handicapped and the elderly" (British Council, 2009).

This is admirable, but quite different in intent to, for instance, Ehindero's announcement that there would be a "paradigm shift" in Nigerian policing, whereby "moral content" would enter policing (*Newswatch*, 2007).

The British Council speaks of eliminating poverty, whereas the key point for assessing Obasanjo's approach to reform is recognition of the multiple tensions through which Obasanjo had to negotiate his way during his second term of office. Obasanjo relied on the police to develop reform measures (though many of those involved were retired officers who had served under military regimes), but he also had to manipulate international political imperatives and Nigeria's ethnic and religious divisions, as well as manage the politics and realities of its policing. Similarly, he publicly supported Ehindero's 10-point plan, though this did not mean that he either wanted or could afford too many gestures towards democratic policing. In reality, the trade-off was that he could or would support reform only if the NP retained or enhanced its capacity for effective public order operations.

Similar considerations apply to the reliance by Yar'Adua and Okiro on PMF squadrons. This can be seen from Operation Yaki in the northern city of Kaduna, and in ethnic and religious riots in Jos in December 2008. In 2005–2006 Kaduna had been the site of a small but successful community policing project funded by the British Council, but by 2008, levels of violent crime were such that Operation Yaki was created. *Yaki* (which means war or terror) refers to a special squad

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created, according to Haz Iwendi, Kaduna state's police commissioner (and Ehindero's former NP press officer), because "armed robbery, assassinations, petty thieving, rape, ritual killing, financial crimes and recurrent ethno-religious turmoil seemed to have laid the state prostrate" (*The News*, 2008). Iwendi added that Okiro has "zero tolerance for corruption and inefficiency." The NP's failure to develop alternative strategies for dealing with Nigeria's communal violence was even more evident in Jos, where 400 people died in December 2008, with police and troops carrying out more than 90 summary executions (HRW, 2009).

As events in Kaduna and Jos emphasize, police reform will never be straightforward. There are instances of good practice by individual NP officers that deserve international recognition, but they are usually outweighed by Nigeria's social realities. Donors cannot change this by promoting SSR alone, so the key challenge confronting donors arguably concerns the quality of their political skills and the size of their budgets; they, too, must negotiate and manipulate while offering what the NP wants.

The Future of SSR

Despite its social realities, Nigeria, like Zimbabwe, has been exposed to democratic ideals and has reasonable literacy levels. This makes it, to some extent, atypical, for most attempts to implement SSR occur in post-conflict environments in which militarization, low literacy and overtly non-democratic cultural norms and practices obstruct change, let alone reform. In such cases, programs that pragmatically emphasize technical training and support, rather than normative SSR objectives, represent the future of SSR. If, as is argued here, SSR is distinct from reform (which is about improved or more humane policing, rather than democratic-style policing as such), it is probable that the future of SSR is technical assistance and education.

Technical assistance has been a consistent theme over the decades, even though a significant shift took place in the late 1990s when it was supplemented — and in some cases supplanted — by the broader notion of reform. This is especially so in illiterate post-conflict and post-authoritarian societies such as south Sudan. Significantly, tensions in south Sudan, the site of many policing projects, have been reduced because international advisers present goals such as the reorientation of policing from a military to a civilian-based service as being an essentially technical matter. Thus, UN police identified the critical issues necessary for facilitating reorientation (not reform) as establishing command structures between headquarters and the states, standardizing training and co-ordinating field training programs, staffing South Sudan Police

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Service (SSPS) establishments and standardizing procedures. The main role of the UN Police may have been facilitating training and conducting aptitude tests to select suitable candidates, but it depended on the UN Development Programme rebuilding, renovating and equipping selected training centres, hiring translators, acquiring generators and training equipment, and recruiting and supporting technical advisers (Hills, 2009).

The British Council and DFID adopted a similar technical approach in south Sudan, providing middle and senior management training and logistical support respectively, while other international consultants advised on the procedural skills required for maintaining police records, filing criminal charges and disciplining officers.³⁷ Significantly, there were marked differences of opinion among international advisers. On the one hand, European advisers spoke of making the SSPS capable of counter-terrorism operations and offered sophisticated database projects that relied on Sudan's often non-existent electricity supplies. African consultants, on the other hand, argued in favour of basic training: "There are no police structures in Southern Sudan" (*Juba Post Online*, 2007), so their work concerned pilot projects for building stations and teaching basic skills.

Developments in Sudan, as in Zimbabwe and Nigeria, emphasize that politics is the single most significant factor affecting police reform. The SSPS's remit and resources were shaped by decisions taken by the Government of National Unity (GNU) in Khartoum, and by Khartoum's response to Sudan's series of interlocking conflicts. Similarly, its future will be decided by decisions taken in Khartoum as well as in Juba, the capital of the Government of Southern Sudan (GoSS). For example, in October 2007 the Sudan People's Liberation Army/Movement accused Khartoum of failing to honour the CPA and suspended its involvement in the GNU for three months.

In fact, the challenges confronting the SSPS are political as much as functional; political skills are more important than policing skills for senior officers (most of whom are former rebels) even as the SSPS is under international pressure to create public confidence in public policing. To do this, the SSPS must not only construct buildings, equipment and systems, but also develop adequate management skills (including a capacity for strategic planning) and decentralize police from GoSS headquarters to state, county and local levels. But the SSPS has no money. Further, government corruption ensures that the SSPS lacks training, uniforms and regular salaries; the US\$498 million supposedly left over from the 2006 budget disappeared in three months. Constables, like army privates and

³⁷ For typical projects, see ReliefWeb (2006).

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GoSS drivers and clerks, theoretically earn \$350 per month, but ministers make \$5,000 plus the same again in allowances, and they are paid on time.

What, then, does Africa's experience tell us about the future of SSR? It suggests that SSR is too normative, prescriptive and ethnocentric to be easily transplanted to the South, and that current orthodoxy will survive and mature only if international governmental organizations and donors adopt a more nuanced understanding of police forces that takes into account the social, political and technical realities of policing countries such as Nigeria, Sudan and Zimbabwe. Continuities are more significant than change per se, and reform as improvement or mitigation is a more realistic goal than the social engineering required to achieve SSR goals and objectives. Further, SSR offers little to Africa's elites, let alone to presidents such as Bashir and Mugabe, so trade-offs and negotiations deserve attention, especially when it comes to forming strategic partnerships. More generally, the appeal of SSR to Africa's elites will last only as long as donor money lasts. Donors will need to become more politically aware if their programs (including those addressing technical effectiveness) are to be successful.

All things being equal, current forms of SSR are likely to prove ephemeral; they are products of a specific set of historical circumstances. The future is more likely to resemble the assistance programs of the Cold War era, with a focus on the training associated with "professional" policing, such as fingerprinting and anti-cyber crime techniques. As it is, technical assistance and training projects have more traction in attracting and influencing police, and the UN Police's commitment to basic training and infrastructure in Southern Sudan (like US training projects in Afghanistan) offer a more accurate indication of the future than any number of gender awareness workshops. In the end, policies promoting the accountable democratic policing at the heart of SSR are influential only where there are cultural resonances and, more importantly, compelling political reasons and money. Even then, reform may be an essentially tactical accommodation to unavoidable political pressure.

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12

FOLLOWING THE YELLOW BRICK ROAD? CURRENT AND FUTURE CHALLENGES FOR SECURITY SECTOR REFORM IN AFRICA

Lauren Hutton

Introduction

Security sector reform (SSR) has become a critical part of the international post-conflict reconstruction agenda as a means to promote peace and security and long-term sustainable development. Although the SSR concept only achieved global recognition in the last decade or so, change within state security service providers has been a common activity. What makes SSR distinct is its advancement of a certain type of change that is rooted in particular values and principles. The notion of SSR evolved from the merging of traditional security sector-related interventions with broader good governance and democratization imperatives.

SSR is viewed as a key activity in the pursuit of peace and security in Africa. The quest for stability in Africa is based on the recognition that without security there can be no development. Addressing the humanitarian crises facing many states throughout the continent and meeting the UN Millennium Development Goals can only be achieved if the susceptibility to violent conflict is overcome. The outbreak of conflict in Africa is generally tied to internal dynamics and competition for access to national political and economic resources. When expressed in environments historically geared towards elitist control and the restriction of political space, the interface between competition, power and scarcity creates a proclivity for violent conflict.

As expressed by Bryden, N'Diaye and Olonisakin (2008: 3):

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At the heart of the African insecurity story is the breakdown in governance systems due in large part to rule by patronage and the associated misuse of governmental instruments of coercion to entrench political and social exclusion. At best, while maintaining a façade of viability and stability, this situation has created state repression of local populations under authoritarian regimes concerned, above all, with preserving the regime rather than ensuring security of the state and its citizens. At worst, it has led to the outbreak of armed conflict and humanitarian tragedy.

The crisis of governance lies at the centre of insecurity in Africa. The governance crisis is manifest in the nature and functioning of state institutions and in the manner in which the role of these institutions is conceived. The primary argument of the post-conflict reconstruction and SSR agendas is that if the manner in which the state institutions function is fundamentally altered, the propensity for conflict is dramatically decreased. The normative basis for this is that democracy and good governance are the tools that should guide the transformation of the state to serve as a conduit for security and development. In the most optimistic terms, travelling the “yellow brick road” of democracy and good governance will lead Africa towards a new era characterised by freedom from fear and freedom from want.

Because of the role that state security structures have played in the internal conflicts of Africa, transformation of the security sector is a central activity in overcoming the legacy of violent conflict and authoritarian rule that has plagued many countries. Furthermore, the extent to which militias, guerrilla groups and various non-statutory forces have become characteristic of conflict in Africa drives the need to redefine the security service providers in a post-conflict situation and to create an environment in which political and social tensions are not expressed through violence.

The concept of the state as having a monopoly on the legitimate use of force remains central to SSR and the conceptualization of the role of the state as a security service provider. However, the provision of security services to the people has not generally been the preoccupation of ruling authorities on the continent. The notion of security for the people as encapsulated by the human security approach represents a normative challenge for state structures historically geared towards selective and exclusive politics and security.

The 2008 report of the UN secretary-general on the role of the UN in supporting SSR sets out common features of effective and accountable security sectors as the aim of SSR. These features are:

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- A legal and/or constitutional framework providing for the legitimate and accountable use of force in accordance with universally accepted human rights norms and standards, including sanctioning mechanisms for the use of force and setting out the roles and responsibilities of different actors.
- An institutionalized system of governance and management: mechanisms for the direction and oversight of security provided by authorities and institutions, including systems for financial management and review as well as the protection of human rights.
- Capacities, structures, personnel, equipment and resources to provide effective security.
- Mechanisms for interaction among security actors: establishing transparent modalities for coordination and cooperation among different actors, based on their respective constitutional/legal roles and responsibilities.
- Culture of service: promoting unity, integrity, discipline, impartiality and respect for human rights among security actors and shaping the manner in which they carry out their duties (UN, 2008: 6).

The UN position presents a valid global position on what SSR interventions seek to accomplish. The imperatives for SSR in Africa have varied slightly in that a larger issue needs to be addressed in order to generate the fundamental change required: a change in the conceptualization of security and a change in the manner in which the role of the state security sector is envisaged. This is the assumption underlying what needs to be achieved to reform Africa's legal and constitutional frameworks in light of the general lack of public participation in policy matters (particularly security policy matters). A broader change in the relationship between state security and citizens will be the foundation for real reform. This is also because, in most contexts, the relationship between state security agencies and the public has been severely compromised due to the actions of those agencies during conflict or under authoritarian rule.

A second issue for consideration is that the breakdown in the relationship between the security structures and the people has been part of a larger political crisis and the systemic erosion of the public space. The security forces in such instances operate as an extension of a political agenda, which is particularly skewed towards the security interests of the regime. The most imposing challenge for SSR in Africa, from a civil liberties and democratization point of

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view, is to curb the tendency of ruling regimes to use state security resources against the people for narrowly defined interests. In other words, the governance systems (the ways in which decisions are made and implemented) do not allow for sufficient checks and balances and controls on the employment of force and protection of human rights.

Current SSR Practices in Africa

This section provides a brief outline of some contemporary experiences with SSR in Africa, offering some insight into current reform approaches and practices and the challenges they have faced. Although there are many examples from which to choose, this chapter discusses Guinea-Bissau and the Central African Republic (CAR) since both have undertaken recent reform initiatives. Some of the current and future challenges facing the implementation of SSR in Africa are highlighted.

SSR in Guinea-Bissau

One of the smallest countries in Africa, Guinea-Bissau began attracting international attention as a potential target for SSR in 2006. The former Portuguese colony has a long history of military domination of the political environment. A militarized liberation struggle (1963–1974) was followed by internal political upheaval and violent contestation for political power, which culminated in military coups in 1980, 1998 and 2003, and a civil war from 1998 to 2000. Following decades of instability, there was much hope that following the restoration of regular elections in 2004, the West African state could emerge from the shadows of poverty and begin a new era of peace and development.

Reform in the security arena in Guinea-Bissau began with a focus on disarmament, demobilization and reintegration (DDR), but after three failed attempts at DDR, attention shifted to SSR in 2005. It was in 2005 that the UK Security Sector Development Advisory Team began engaging with domestic and international partners to develop a national strategy for SSR that defined a set of measures to restructure and reorganize the defence and security establishment (Observatoire de l’Afrique, 2008: 4). An SSR strategy document was used to mobilize international support for SSR in Guinea-Bissau and was presented to international partners for funding in Geneva in November 2006. Despite initial pledges of support by partners at the round table, progress in SSR stalled because of recurring cycles of political instability within the country (Peacebuilding Commission, 2008a: 2).

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In terms of developing a comprehensive and holistic strategy for SSR, the national documents that guide the process are:

- “SSR Strategy Document”(October 2006): This document defines the areas for intervention as security, justice, defence and veterans of national liberation.
- “2007–2009 Three-Year Investment Plan for SSR” (October 2006): Developed to attract international donor support for SSR in Guinea-Bissau, this plan outlines projects and expected expenditure.
- “SSR Plan of Action for the Restructuring and Modernization of the Security and Defence Sector” (September 2007): The “Plan of Action” was devised as an operational guide for the implementation of the “SSR Strategy Document”.

The budget estimate for SSR activities as planned in the above-mentioned documents is US\$184.3 million. By June 2008, international partners had pledged only 23 percent of the total budget and Guinea-Bissau was planning on committing a further 10 percent from the national budget (Peacebuilding Commission, 2008a: 3).

In 2007, there was continued engagement on the issue of SSR in Guinea-Bissau with the establishment of various international and national coordinating and management committees. These included:

- International Partners Group for SSR in Guinea-Bissau;
- International Contact Group on Guinea-Bissau; and
- Organizational Framework for SSR Implementation, Monitoring and Evaluation made up of the three-tier SSR Inter-Ministerial Committee, Steering Committee and Technical Coordination Committee.

SSR programming and interventions in Guinea-Bissau have mostly focused on the military and police, and have included military infrastructure rehabilitation, training, census of the armed forces and reintegration of demobilized personnel. The Justice and Security Programme is being supported by China, Portugal, France, Germany and UN agencies, and includes administration of justice, rule of law, access to justice and penitentiary infrastructure and administration.

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In March 2008, the Organisation for Economic Co-operation and Development (OECD) undertook an SSR in-country consultation to identify structural challenges to SSR in Guinea-Bissau and to develop short-term actions to overcome them (OECD, 2008). The following specific structural challenges were identified during the consultation:

- weak parliamentary oversight and control system;
- need for better aid coordination;
- need for national capacity building in key sectors;
- lack of support and training for civil society organizations;
- lack of a national sensitization, information and communications policy; and
- need for more coherent links between the SSR process and counternarcotics activities and Poverty Reduction Strategy Paper frameworks (OECD, 2008).

In June 2008, the European Union (EU) launched the Security Sector Reform Mission in Guinea-Bissau to assist with the implementation of the national SSR action plan (International Security Information Service [ISIS], 2008). The EU SSR team provides experts to: “advise and assist with a “holistic” approach, encompassing both military and police reform and in establishing benchmarks and a coherent legal framework for the police to work within and building the capacities of the judicial services to conduct efficient criminal investigations” (ISIS, 2008).

The EU SSR mission acknowledged that the task was challenging due to the host country’s violent past, failing infrastructure and weak economy and civil society (ISIS, 2008).

Two factors present significant challenges for SSR in Guinea-Bissau: the drug trade and the settling of political scores through violence. In March 2009, Chief of Staff of the Defence Force Lt.-Gen. Batista Tagme Na Waie and President João Bernardo Vieira were assassinated. The assassination of the president had been preceded by an assassination attempt in November 2008, following the defeat of Vieira’s alliance in parliamentary elections. It has long been speculated that senior political and security officials are involved in the lucrative drug trade that transits through Guinea-Bissau, and that involvement may have been a motive.

The assassinations of March 2009 also demonstrated that the military, and in particular the army, is the central pillar of power in Guinea-Bissau. Although the military did not seize power following the assassination of Vieira, reports of abuse and intimidation of critics of the armed forces by military personnel have since increased.

The Guinea-Bissau experience with SSR highlights several lessons and is illustrative of current practices and experiences with SSR across Africa. First, it should be noted that concerted efforts were made by the international SSR stakeholders in Guinea-Bissau to adhere to SSR guidelines and best practices as outlined in documents such as the *Handbook on Security System Reform* of the OECD's Development Assistance Committee (DAC). This is evident in donor attempts to foster coordination among external stakeholders and in their focus on holistic, multi-sectoral planning.

The focus of planning for SSR in Guinea-Bissau was primarily conceived as a plan with budgetary allocations to be used to generate donor support for SSR and secondly as an implementation plan for national actors. The process seemed largely driven by international actors with local political power actors using SSR to garner international goodwill. There does not seem to have been much focus on developing planning for reform "based upon a broad assessment of the range of security and justice needs of the people" (OECD DAC, 2007: 21).

Furthermore, it was always going to be an ambitious task to reform the security sector in Guinea-Bissau, given the status and powerful position of the armed forces and the relationship between the military and political power brokers. Further complicating these political dynamics are the activities of organized crime and the international narcotics trade. Richard Moncrieff of the International Crisis Group explains as follows: "The problem with the reform agenda to date is [that actors] have applied bureaucratic logic to a political problem. This [approach] never got to the heart of the problem. People at the top are prepared to use violence to settle political scores, and until that is sorted out, the rest is just playing around the edges" (*African Security Sector Monitor*, 2009).

Security Sector Reform in Central African Republic

The CAR is one of the most insecure states in Africa. This chronic insecurity stems from internal instability marked by violent contestations for political power, violent crime in the form of banditry and cross-border incursions, and a volatile regional security environment. National authorities have experienced difficulty in extending its control beyond the capital, Bangui, and the national government

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is plagued by lack of capacity and a general shortage of resources to address the multitude of emergencies that prevail (Peacebuilding Commission, 2008b: 1). The inability of the CAR government to provide security and justice services throughout the country has resulted in widespread conflict and lawlessness, most particularly in the northern region (Amnesty International [AI], 2007a).

AI reports that the northern areas have become a free-for-all — a hunting ground for the region's various armed opposition forces, government troops and even armed bandits, some of whom come from as far away as West Africa to kidnap and loot in local villages (AI, 2007b). The security situation for the people of CAR is further threatened by extortion, intimidation and abuse at illegal checkpoints that are rampant in certain areas (AI, 2007a). Military personnel often man the illegal checkpoints, due to the lack of regular pay for the uniformed services and the inability of the government to meet the financial burden of maintaining the armed forces (Multi-country Demobilization and Reintegration Programme [MDRP], 2007: 14).

The history of the CAR has been defined by civil unrest, international involvement in armed violence, coups and a struggle to establish some form of stable government. In 2002, former army chief of staff, François Bozizé, spearheaded an armed opposition against the CAR government led by President Ange-Félix Patassé. Patassé utilized support from Libyan government forces and the now notorious Movement for the Liberation of Congo, led by Jean-Pierre Bemba, to counter the coup. Supported by the Chadian government, the coup resulted in the overthrow of the Patassé government on March 15, 2003.

The unrest did not, however, cease under the Bozizé government as forces loyal to the ousted president launched an insurrection. In 2005, the northern area of CAR fell into total lawlessness, with human rights violations perpetrated by both sides of the conflict — a situation made worse by rampant banditry. Known as *Zaraguinas*, many of the bandits of northern CAR are former members of the armed forces who were displaced through changes of political regime and who have resorted to criminality, notably the lucrative business of kidnapping, to survive (AI, 2007b: 6). Government forces within CAR, facing armed insurrections while attempting to establish structures capable of extending the government's authority, have failed to counter the *Zaraguinas*, who operate with virtual impunity (AI, 2007b: 6). The armed insurrection and banditry has displaced more than 200,000 people in the northern region, and rape, looting and kidnapping are commonplace.

On June 21, 2008, the government and two of the three principal politico-military groups in the country signed a peace accord in Libreville, Gabon. The agreement

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called for a ceasefire and committed the government to pursue political dialogue and to initiate a DDR process. In June 2008, the CAR government also published a priority plan for peacebuilding, to be supported by a grant from the UN Peacebuilding Fund(PBF).³⁸

SSR was identified in the priority plan as the first area of intervention (Peacebuilding Commission, 2008b: 1). It was envisaged that the process of the Inclusive Political Dialogue (IPD), SSR and DDR would be mutually reinforcing. As explained in a report of the Peacebuilding Commission:

The IPD process would allow parties to engage in a national reconciliation dynamic, and to define modalities for the cantonment of politico-military movements and for the return to stability in the country; the process of SSR would for its part allow for a thorough reform of the institutions essential for the stability of a democratic state; the DDR process, finally, would allow for the reintegration of rebel groups into society (Peacebuilding Commission, 2008b: 2).

The SSR process in the CAR stalled largely because of the sequencing requirements created in the peace agreement. An amnesty law was to be promulgated, a condition for the political dialogue process, which in itself was a precursor to the planning and execution of DDR and SSR. Although not widely accepted by the parliamentary opposition and certain armed parties, the amnesty law was promulgated by the president in October 2008.

Two particular elements of SSR are of special importance to the CAR: stopping human rights abuses; and expanding the state's capacity to provide security and justice services to the people. The demobilization of the various armed groups is the foundation for the restoration of stability, but previous unsuccessful experiences with demobilization in the region — coupled with the fact that demobilized soldiers form the core of the *Zaraguinas* — underscore the immense challenges that such a programme will face.

Similar to the experience in Guinea-Bissau, the SSR agenda for the CAR has been developed in consultation with international partners and experts. In

38 The UN PBF was launched in October 2006 in response to global demand for support to countries emerging from conflict. The role of the PBF is to establish a bridge between conflict and recovery at a time when other funding mechanisms may not yet be available. In helping to address the most immediate out of the multiple challenges facing post-conflict countries, the PBF seeks to minimize the risk of a relapse into conflict. It aims to stabilize and strengthen government institutions, thereby enhancing their capacity to sustain the peace process. For more information, see UNPBF (undated.).

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April 2008, a National Security Sector Reform Seminar produced an ambitious two-year reform schedule that coordinates changes across the security system and tasks government institutions with concrete steps for implementation (CAR and UN Development Programme [UNDP], 2008: 5). In May 2008, a National SSR Committee was established by presidential decree to develop and update SSR policies, ensure programmatic coherence and the implementation of the priority action plan (Peacebuilding Commission, 2008b: 3).

In terms of the content of the SSR plan of action, specific activities were earmarked for the 2008–2010 timeframe. It is divided into five sectors with specific activities and objectives under each. Adapted from the UNDP publication, *Crucial Steps: Security Sector Reform in CAR*, “Table 1: Security Sector Reform Activities,” details some of the activities in each sector.

Perhaps what is most evident from the SSR plan is its overt focus on short-term interventions. Furthermore, it prioritizes engagement with civil society actors or the promotion of a national dialogue that could mobilize broader public participation. One of the implications of the tight timeframes is that broad-based consultation will not be possible; this poses certain challenges for the long-term legitimacy and sustainability of reforms. Positively, the plan does feature a balance between efficiency-focused reforms (manpower and training) and governance-promotion initiatives (legal frameworks and parliamentary oversight).

Table 1: Security Sector Reform Activities

Army and Gendarmerie	National Police and Paramilitaries	Justice and Penitentiaries
<ul style="list-style-type: none"> • Establish training on humanitarian law • Develop a code of conduct • Create a parliamentary committee to update laws governing the military • Create military detention centres and impose punishments • Establish recruitment centres in all regions • Enforce the retirement age • Build suitable military housing • Deploy soldiers to northern regions and re-establish garrisons 	<ul style="list-style-type: none"> • Develop legislation that defines the status of the national police • Appoint a Director General of the National Police • Publish a code of conduct • Rehabilitate and build new police academies • Reinvigorate internal oversight mechanisms • Establish admission criteria to enter the police academy • Supply officers with essential equipment, including uniforms • Acquire communications equipment to link Bangui with outlying areas 	<ul style="list-style-type: none"> • Revise legal code texts • Train village and neighbourhood chiefs on legal roles and basic judicial rules • Re-evaluate fees for judicial proceedings and public records • Provide basic infrastructure to courts • Recruit magistrates and legal clerks • Revise training programs for magistrates • Conduct a national survey of prison conditions • Create a civilian corps of trained prison guards
Intelligence Services	Governance and Financial Management	
<ul style="list-style-type: none"> • Distinguish the mandates of different agencies and update the existing legal framework • Create a single authority for intelligence • Identify and meet the needs for communications and computers • Identify and meet the needs for vehicles and other modes of transport • Create and operationalize prefectural-level intelligence liaisons • Create standard training procedures for intelligence officers • Recruit more analysts and organize training in analysis 	<ul style="list-style-type: none"> • Expand the authority of the Defence Committee to include most security-related issues • Develop specific training for members of parliament on security and defence issues • Provide training for security forces in conflict prevention and resolution • Dismantle illegal checkpoints and reduce legal ones • Provide literacy and civic education training for mayors and village and neighbourhood chiefs • Institute regular financial audits of all government departments 	

SSR Challenges in Africa

From the two case studies presented here and other experiences with SSR in Africa, several challenges to SSR implementation can be identified:

- In practice, local ownership has translated into the engagement of a narrow political elite in SSR processes. This is partly due to the lack of organized civil society groups with the resources and skills to engage at decision-making levels. It is also due to the fact that the politics of security and the politics of power are so closely entwined in many African states that only certain actors with access to political power are in a position to engage on issues of security. Local ownership has to entail the active involvement of both the political authorities and civil society. The current trend is for government actors to select civil society representatives to participate in deliberations on SSR, but this is rarely more than token or symbolic representation, and the actors chosen characteristically have strong links to the regime.
- It has become clear that the broader context in which an SSR intervention is undertaken will be the prime determinant of its outcome. The national and regional political, security, social and economic contexts will fundamentally affect not only the nature, but also the potential impact of reform activities.
- SSR is innately concerned with changing power dynamics, creating new balances of power and arrangements for power sharing. One of the major stumbling blocks to SSR in Guinea-Bissau came from the fact that any reform to the military involved a reduction of the military's defining influence over politics. Furthermore, considering that the reform process aimed to downsize the army from 19,000 troops to just over 3,000, trenchant resistance was to be expected. If there is no national initiative to change the power relations, there is very little chance that a donor-led intervention will achieve fundamental reform.
- What is evident in both case studies as well as in other areas such as Burundi, the Democratic Republic of the Congo and Southern Sudan, is that there is often a mismatch between the identified problems within the security sector and the interventions pursued. For example, in the CAR, one of the major challenges was the presence of illegal checkpoints and the irregular remuneration of the armed forces, which prompted many soldiers to resort to extortion, bribery and other illegal practices. However, the SSR plan for the CAR focused much of its attention on

steps to curb corruption within the military, such as the establishment of a code of conduct and the provision of training. This exemplifies the largely technocratic approach that has been adopted in many SSR programs.

- Although non-state actors play significant roles as sources of security and insecurity in Africa, there is very little focus on them in current SSR interventions. Donors and partner governments have tended only to engage with non-state actors through DDR initiatives. The proliferation of informal or non-state security and justice service providers highlights the state's lack of capacity to provide such services and could also be indicative of a mismatch between formal security and justice norms and local practices. In SSR planning and programming there is a need to consider the nature and impact of informal structures and norms, and the roles of non-state actors. Donor support to non-state actors and informal structures could bolster security and justice service delivery (especially in the immediate post-conflict period) and activities within this sector could be harnessed to positively impact stability.
- The utility and legitimacy of the concept of SSR is being threatened by the inability to identify central values or criteria that can be recognized as change within the security apparatus and classified SSR. At the moment, any and all reforms within the security sector regardless of the intention, motivation or desired outcome, are being packaged and sold as SSR. As such, it becomes difficult to determine if SSR is truly part of the peacebuilding agenda or if it is just being used as a means to justify and solicit support for building state security agencies.

Future Challenges for SSR in Africa

SSR is a resource-intensive activity dependent on donor support and the mobilization of national resources. The current downward trend in the global economic market will impact all development initiatives on the African continent, not only because of decreases in the amount of international aid available, but also because of the potential negative impacts of the global financial crisis on the ability of the state to maintain expenditure levels. The International Monetary Fund (IMF) finds that the global financial crisis greatly compounds the policy challenges confronting the region as it strives to consolidate its economic gains and meet the Millennium Development Goals (IMF, 2009: 2).

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The International Labour Organization forecasts that global job losses could exceed 51 million by the end of 2009 (World Bank, 2009: 9). Labour markets in sub-Saharan Africa will not experience the full impact of the global contraction immediately, but when they do, overall levels of poverty and the potential for social unrest will increase. In the many African states where patronage, nepotism and corruption are rife within the public sector, this increased economic pressure could inflame opposition to the government and cause instability.

The global economic slowdown will have several implications for SSR. First, there will be a general decrease in the amount of donor financial assistance available to fund SSR programs, which will affect the sustainability and depth of reforms. Second, African states will adjust their expenditures on the security sector. This could manifest itself as decreased expenditure and a “forced” restructuring of the security sector. Alternatively, there is the potential that this could lead to the expansion and entrenchment of repressive security systems intended to contain opposition and social unrest. Third, with economic growth slowing and employment opportunities set to decline, key prerequisites for SSR, such as DDR, will be a challenge to implement.

Optimistically, the global economic crisis may cause states in Africa to re-prioritize government spending and re-evaluate policies and priority areas. For the security sector, this could entail a reassessment of the role and function of state security actors and stimulate improved policies and processes to ensure that the security providers are adequately resourced to fulfill their mandates. Moreover, it could spur a reassessment of the tasks assigned to security agencies on the continent. The military tends to dominate the security sector in Africa; a case can be made that demilitarization is more cost-effective than the current militarized approach to security (Harris, 2004: 3).

The crisis could also provide an impetus for more collaborative regional security structures. Sharing security resources on a regional level could, over the long term, decrease national expenditures. Also, due to the trans-boundary nature of many of the current threats facing states in Africa, regional response mechanisms might prove more practical, efficient and cost-effective. The move towards the regionalization of security is well underway on the continent. The African peace and security architecture, being advanced under the auspices of the African Union, already has a normative and operational foundation that is finding expression in, for example, the African Standby Force and the Regional Early Warning System.

SSR needs to be better linked to broader poverty reduction strategies and post-conflict reconstruction agendas. Moreover, given that the international

community is not going to provide open-ended support for SSR programming in Africa, more consideration needs to be given to the timing of SSR interventions and the prerequisites for SSR interventions. What are the factors that contribute to the success or failure of SSR initiatives? When can international resources best be utilized to create real differences in the provision of security and justice services to the people? This is the age-old question of sequencing that seems to haunt SSR interventions the world over.

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13

THE FUTURE IS NON-STATE

Bruce Baker

Introduction

The security sector is much wider than state agencies, but state agencies have largely preoccupied the attention of security sector reform (SSR); the future lies in addressing the remaining majority — the non-state agencies. This chapter focuses on non-state policing agencies with particular reference to Africa. It argues that the fragile nature of the post-conflict state structures and the requirements of the post-conflict local environment necessitate partnership with non-state actors for the delivery of policing services.

The Meaning of Non-state

Non-state policing conjures up different things to different people, so this chapter will begin by describing the phenomenon. The term applies to a wide range of local collectives (this piece excludes commercial companies) providing everyday policing and may include customary leaders, religious organizations, ethnic associations, youth groups, work-based associations, community police forums, conflict resolution non-governmental organizations (NGOs), the lowest and informal levels of local government and entrepreneurs.

In Africa,³⁹ examples include:

- **Vigilance groups:** private citizens organized on a voluntary, as-needed basis to combat local crime (Buur, 2006; Heald, 2006; Buur and Jensen, 2004; Fourchard, 2008; Last, 2008; Pratten, 2008);

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The focus of this chapter is on Africa as it is the continent the author knows best.

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- **Religious** (especially Islamic) **police**: organized by religious or sometimes political leaders in a community to oversee moral conduct (Peters, 2001; Casey, 2007; Adamu, 2008);
- **Ethnic or clan militias**: acting to protect a whole cultural web that makes a clan or ethnic group distinct (Menkhaus, 2007; Nolte, 2007; 2008; Mkutu, 2008);
- **Civil defence forces**: which can be protectors (as well as predators), providing security within their area of operation (Reno, 2007);
- **Semi-commercial anti-crime groups** (von Schnitzler et. al, 2001; Ruteere and Pommerolle, 2003);
- **Work-based security groups**: organized by and for the benefit of trading communities such as market traders and taxi drivers (Baker, 2007a; Lund, 2001);
- **Local government security structures**: informal (and largely autonomous) that provide everyday policing (Baker, 2007b);
- **Customary structures**: where chiefs intervene to prevent or resolve customary, civil and often criminal cases (Kyed, 2007; Jackson, 2005; Fanthorpe, 2006; Bennett, 1985; Koyana and Bekker, 1998); and
- **Restorative justice community-based organizations or peace committees** (Massaquoi, 1999; Wood and Shearing, 2007).

Given this diversity, it is not surprising that these local collectives derive their authority from a wide spectrum of sources, including economic interests (legal and illegal), residential areas, cultural communities, religious authorities, individuals and governments (national and local) themselves. In fact, they are often linked in some way to the state police, which makes “non-state” a less than adequate conceptualization, and the breadth of links often goes unrecognized. There are many examples of links to state police in post-conflict African states: taking offenders to non-state customary and ethnic courts; asking non-state groups for help (for example, when it concerns suspects); receiving details of suspects from non-state groups; sitting in non-state headquarters; using non-state groups for traffic control, vehicle inspection and motoring offences; patrolling with non-state groups; training non-state agents to police their neighbourhoods or work communities; turning to non-state groups for crime-prevention advice and initiatives; and receiving from non-state groups the cases

they cannot or will not handle. In other words, the one (and some cynics say, the only) thing that non-state groups have in common is that they are *not* the state police. Other distinctive features include: frequently seeking to enforce a different moral and social order; being based on voluntarism, for the most part; and calling upon personal sacrifice for the well-being of the group (whether neighbourhood, tribal, religious or union).

Without understanding the complex and overlapping world of non-state policing and how people negotiate their safety, security and justice requirements, it is impossible “to determine priorities for external assistance aimed at helping...Without such knowledge, external interventions are likely to be ineffectual and counterproductive” (Organisation for Economic Co-operation and Development’s Development Assistance Committee [OECD DAC], 2007: 41). Where audits have been carried out in Africa, for instance, it has been found that non-state groups are the *primary* providers of protection, deterrence, investigation, resolution and punishment for most Africans in most circumstances (Baker, 2005a; 2005b; 2007a; 2007b; 2009; Baker and Scheye, 2007: 2009). Like the OECD DAC, this chapter finds that the evidence suggests that “in sub-Saharan Africa at least 80 percent of justice services are delivered by non-state providers” (OECD DAC, 2007: 17). In Africa, customary courts are often the dominant form of regulation and dispute resolution and are estimated to cover up to 90 percent of the population (Chirayath, Sage and Woolcock, 2005: 3). The UN Development Programme claims that these networks: “are the cornerstone of dispute resolution and access to justice for the majority of populations, especially the poor and disadvantaged in many countries, where informal justice systems usually resolve between 80 and 90 percent of disputes” (Wojkowska, 2006).

Data from the national crime victimization survey in Nigeria (CLEEN, 2005) shows that 50 percent of Nigerians look to non-state policing for their protection from criminal attacks. In four of Nigeria’s federal states, 16 types of local non-state policing systems were found, and in two of the four states, these systems were the population’s preferred choice of delivery 88.9 percent and 62.5 percent of the time (Alemika and Chukwuma, 2004: 6). The evidence, therefore, overwhelmingly supports the claim that local non-state justice is a significant provider of services in Africa (and elsewhere).⁴⁰

40 For more evidence concerning other countries, see: Peru and Colombia (Faundez, 2003); Bolivia and Colombia (Lee Van Cott, 2000); Bangladesh (Roy, 2004); Bangladesh and the Philippines (Golub, 2003); India (Hansen, 2005); Timor–Leste (Hohe and Nixon, 2003); Afghanistan (Senier, 2006; Nixon, 2008); Indonesia (Woodhouse, 2004); Solomon Islands (Menziés, 2007).

The prevalence of non-state actors in post-conflict and developing states does not itself provide a justification for increased engagement of these non-state policing groups under the auspices of SSR. Many policy makers, practitioners and experts hope to see such non-state actors decline and disappear. So why argue that the future of policing is non-state? For two reasons: the nature of the post-conflict state structure and the requirements of the post-conflict local environment.

The Nature of the Post-conflict State Structure

From the Western perspective, post-conflict states are weak, fragile and ineffective. From that same perspective, post-conflict states need strengthening to be recognized as states: that is, they are deemed to require institution building, professionalization, equipment modernization and management reform. According to this view, post-conflict states must undergo change to be able to offer adequate security to their own citizens; however, the required change is expensive, highly complex and requires a cultural transformation that cannot be engineered overnight. Therefore, the prospect of establishing and sustaining state structures that serve the entire population seems remote. The nature of the post-conflict state does not lend itself to a speedy transformation to resemble the Western state.

It is of no surprise that nearly all studies on post-conflict state building in the security and justice sector find that little has been achieved. Call and Cousens admit that efforts to build security institutions have not been “especially encouraging” (2007: 8–9). Englebert and Tull argue that the results of UN peace operations in Africa “have been paltry, particularly as regards the establishment of self-sustaining state institutions” (2008: 106). Despite large investments, the World Bank admits that “the numerous rule of law assistance programmes in post-conflict or fragile countries have so far resulted in few lasting consequences” (Samuels, 2006: 15). To persist with the state-centric paradigm and its normative position concerning the necessity of a state monopoly on force, will only bring disappointment. It would build policing reform on two false assumptions: that the post-conflict state is able (or even willing) to deliver policing to a majority of its population and that it is the principal actor in policing provision.

Yet post-conflict states need not be viewed from the Western-centric perspective of failure. Post-conflict states can be seen as another (if more acute) version of the “hybrid state” typical of African and many other developing countries (Boege et al., 2008). The hybrid state has a form of governance in which state and non-state actors share the distribution of public goods. In other words, the state does

not have a privileged position as the political framework that provides policing. It has to share authority, legitimacy and capacity with other structures. These two frameworks may overlap in cooperation or competition and it may be that the state has hardly penetrated society. However, even where state policing is absent, there will be a social order that is policed to some degree; the lack of a state rarely means anarchy, only that different institutions are providers of security.

As Boege et al. (2008) argue, “it might be theoretically and practically more fruitful to think in terms of hybrid political orders.” In that context, “hybrid” implies not only parallel state and non-state forms of order and governance arising from different societal sources and following different logics, but also a recognition of mutual influence that creates a distinct political order of its own. Many post-colonial states have retained “indigenous mechanisms of socio-legal and political organization from their own historical experiences” since these “are considered more appropriate” than those offered by international donors (Roberts, 2008: 79). In much of the post-colonial world, the political order is very different from that of the Western experience; it consists of a clientelistic state and overlapping layers of formal and informal spheres of power with a long history.⁴¹

In this post-colonial context, where the state is often absent on the ground, it is not just the institutions that are different:

People do not perceive themselves as citizens or nationals (at least not in the first place). They define themselves instead as members of particular sub- or trans-national social entities (kin group, tribe, village)...it is the community that provides the nexus of order, security and basic social services. People have confidence in their community and its leaders, but they have no trust in the government and state performance...As members of traditional communities, people are tied into a network of social relations and a web of mutual obligations, and these obligations are much more powerful than obligations as a “citizen.” People do not obey the rules of the state, but the rules of their group. Legitimacy rests with the leaders of that group, not with the state authorities (Boege et al., 2008: 10).

If “fragile” post-conflict states are re-conceptualized as “hybrid” political orders, new options for governance can be envisaged — ones where policing is not the prerogative of the state alone. Choosing to work with such a hybrid policing

41 See Ekeh (1975); Clapham (1982); Jackson and Rosberg (1982); Lewis (1992); Sklar (1993); Bratton and van de Walle (1997); Sandbrook (1998); Boone (2003); Engel and Erdmann (2007).

governance structure negates the necessity for major post-conflict state policing institution building. Many of the policing actors in hybrid orders do not require large-scale training, capital outlay or management restructuring. Reform in this context means supporting and strengthening locally embedded groups that are already providing policing in a flexible, low-cost and locally owned manner.

The Requirements of the Post-conflict Local Environment

A second reason why the future of policing reform is non-state is because non-state actors are typically well adapted to the post-conflict local environment, with its suspicion of the external, limited access to state funding, a shortage of professional skills and remoteness from national oversight bodies. This is an environment hostile to building effective national policing systems, but one that is the natural home of non-state systems. Many non-state policing actors already possess (to varying degrees) the very things that others have sought with great difficulty to build into state actors, namely local ownership, use of local resources, low cost, high effectiveness and accountability.

Local Ownership

For policing reform to be effective there has to be “local ownership.” Yet, according to many (Nathan, 2007; OECD DAC, 2005a; Scheye and Peake, 2005), a major problem in current SSR has been the *lack* of local ownership. Local ownership is usually limited in practice to the ownership of the strategic decision making level — the government, national politicians and national civil society (OECD DAC, 2007: 73). It often ignores ownership by the general population and overlooks countryside diversity. For many donors, “local ownership clearly means ‘their’ ownership of ‘our’ ideas” (Suhrke, 2007: 1292). And programs that ignore local security networks and promote the urban-based state police are seen as domination and paternalism. Further, in post-conflict countries it may well be that the state has little legitimacy and the police none, as a result of the *insecurity* they have caused. It will take a long time to win back the support of a citizenry that has a well-grounded suspicion based on half a century of abuse and on their experience of a police force that has served a regime rather than the people.

Says Nathan, “What is required is not local support for donor programmes and projects but rather donor support for programmes and projects initiated by local actors” (2007: 8). It is evident, therefore, how valuable local non-state policing could be in a program designed to enhance security. It offers the opportunity for

policing reform to support policing services that are actually functioning locally and that are known, used and supported by the people.

Ironically, many recipient governments and donors are reluctant to provide support to these local policing networks on the grounds that they are deemed culpable of abuses and corruption. There is, however, little point in offering policing reform if the actors are already operating policing systems that conform to democratic standards. It is the *failings* of the state police that are used to garner support for reforming them. There is no reason, therefore, why the same argument is not valid for supporting the reform of non-state police. As long as support for such local networks is not strengthening repressive and abusive policing, but moving them towards more democratic policing, then there is a strong case for including them within the policing reform process.

Financial Sustainability

Post-conflict states have severe fiscal restraints. Their finances are over-committed and dependent upon uncertain revenue streams. The expense of police reform and reconstruction is considerable: training and equipping 150 police in the Liberian Emergency Response Unit cost about US\$5 million. Hence, setting up new state police forces with the associated training, equipment and accommodation, let alone sustaining the new force at those levels, is extremely problematic. Even donor budgets are restricted. A survey of African states found that under-funding was “true of virtually all instances” of SSR programs (Hutchful and Kayode Fayemi, 2005: 84). The scale of the financial shortfall is sometimes overwhelming for states faced not just with restoring or reconstructing state policing structures after conflict, but of establishing an entirely new system. Under-financed police will remain urban-based, under-trained, under-equipped, ineffective and unsupported.

In this financial environment, it is surely in the interest of all to reconsider the non-state sector that requires minimal financial support to sustain and reform. As Samuels observes, non-state providers “may be more effective and less costly” (2006: 18) as there are networks that are already in every village and township and (in case of commercial security) around every economically valuable location. Building on structures that currently exist — even if the long-term intention is to replace them with something provided by the state — makes practical sense, and they may well remain after the donors have fatigued and departed. Policing reform literally cannot afford to ignore the skills and resources of some of the non-state policing networks.

Human Resources

Too often policing reform miscalculates the human resources available in post-conflict states to design and implement police reform programs. Governments in post-conflict countries usually lack the people with the requisite knowledge, expertise and skills to staff all the security institutions and agencies. One study suggested that sector-wide approaches to justice and security programs were not yet achievable in fragile states, partly due to serious shortfalls of human capital (Stone, 2005: 20). Nor are human resources simply a matter of professional training and experience. The role of untrained local people can be easily undervalued, just as the importance of professionalization can be exaggerated. When the Peace Committees of South Africa first began, their organizers talked with local people about leadership and asked what qualities were needed (Wood and Shearing, 2007). The reply was that the most important quality was not technical know-how, but respect. As a result, the code of practice that was drawn up stated that members would, *inter alia*, respect the Constitution; work within the law; refrain from using violence or taking sides; avoid engaging in gossip; and heal rather than hurt. The success of the program is that it built civility and created social capital by bringing (non-professional) people together to create safer communities. Existing networks of non-state policing, offer the opportunity for the focus of SSR to shift from building state policing institutions to creating the conditions that will make effective policing possible.

Accountability

Non-state policing is frequently dismissed for its lack of accountability. A worldwide study of SSR programs found that donor plans for the security sector have done little to expand accountability for formal state systems themselves (Law, 2006). It is true that accountability can be formally enhanced relatively easily by the appropriate legislation, internal institutional disciplinary and auditing mechanisms, and external oversight structures. But implementation is another matter. States struggle to control the use of force by their own police and to coordinate their own interior security agencies. The complex web of institutional and social practices whereby one section of power holders scrutinizes the other — and whereby the public scrutinizes the whole and one another — necessitates a public demand that power holders be held to account, a willingness by power holders to be held to account, constitutional powers to affect that accountability, freedom to use those powers effectively and the necessary abilities to make use of those powers (Goetz and Jenkins, 2005). Given the complexity of developing accountability, it is no surprise that donors have: “tended to concentrate on the efficiency of security actors as opposed to their

accountability...Building capacity for the civil management authorities...has tended to figure more prominently than the building of parliamentary, judicial and civil society institutions capable of overseeing and monitoring the security sector, and keeping it in check" (Law, 2006: 17).

There should not, therefore, be any generalized presumption that accountability and protection of human rights is best achieved through state systems. The dismissal of non-state policing as unaccountable or, at best in the case of commercial security, only accountable to their paying clients, is too sweeping. It may in fact be the case that non-state systems, as they are closest to their clients, are more "people-centred," "locally owned" and amenable to the preservation of human rights and the delivery of an accountable service. Bringing non-state actors into SSR will not necessarily enhance rights accountability, but it may make an important difference to performance accountability.

With limited resources it may be better to focus on the area where initiatives are most likely to lead to short-term improvements in effective policing, namely performance accountability, as desired by local populations. This is vital in post-conflict states where the provision of policing is skewed towards the powerful, the wealthy, males, regime clients and the urban population. The key to this form of accountability is the responsiveness of policy makers and service providers to local needs. None is more suited to this than a local security system.

Effectiveness

One of the principal goals of policing reform is for people to perceive themselves as more secure and that criminal offences are more effectively handled and prevented. However, one of the handicaps of donor-driven policing reform is that it tends to rely on external staff and professionals who rarely have any background or expertise in the partner country, its politics, its culture or its security situation. Further compromising effectiveness is the donor penchant for centralization. Focusing on creating effective centralized, coordinated, state-provided policing when the state has limited capacity, legitimacy and even sovereign authority, is not straightforward. Many post-conflict states have artificial borders, heterogeneous populations and personalized structures of kinship, religion and community that may matter more than nationality. Further, centralization tends to be concerned more with institution building than improved service provision; therefore, the central focus should be how to work with existing actors, as opposed to how new structures can be built where they do not exist.

The OECD advises external actors working on SSR to make full use of local knowledge so as to be effective (OECD DAC, 2007: 41). An even better strategy is to employ those with local knowledge in the first place. Those most likely to be aware of the dangers facing local people and in the best position to protect them are local policing providers. Likewise, those best equipped to track down the perpetrators of crime are those with local knowledge. This is why the police already link up with non-state policing as they seek fugitives and suspects. These linkages need to be recognized and strengthened in SSR to ensure that the new and reformed institutions of state are effective in practice.

A Multi-layered Approach that Integrates State and Non-state

Faced with hybrid policing governance, many SSR stakeholders would favour the eradication of non-state elements and the building of a state that provides all public goods. The alternative is to work with multiple authorities in order to maximize their strengths and minimize their weaknesses. The OECD, therefore, calls for states to work with local forms of governance when they “perform the same functions and generate the same outputs as formal state institutions” and urges donors to “focus on supporting dialogue aimed at better integration of state institutions and customary or other non-statutory systems” (OECD DAC, 2008: 36, 38). There is a strong case for making the starting point of reform the identification of who is providing policing, rather than who should be providing it. An audit of security providers offers an understanding of what is available, how effective they are and whether any support can be given to improve and strengthen them. The focus on actual providers, whatever their relationship to the state, goes with the proviso that they can be reformed.

From the perspective of policing reform, looking beyond state policing and recognizing the multiple layering of policing providers — state, commercial, customary, NGO and informal entities — would transform the approach. Equally significant would be the recognition of the existent and potential linkages between state and non-state policing provision. From this foundation, a multi-layered approach to the support of policing providers at all levels can be designed. All can be considered potential providers and partners worthy of support.

Examples of where non-state actors are or could be supported are numerous. For instance, there have been several initiatives to strengthen the skills of non-state policing while enhancing the ability of state agencies to supervise their performance. In Sierra Leone, for example, paralegals undertake work on domestic violence, police abuse, and education and employment rights. They

are supervised by lawyers and monitored by community boards (Open Society Justice Initiative, 2006: 4). In Timor-Leste, local leaders have been trained to provide legal guidance, with emphasis on improving their mediation of civil disputes between community members and conflict resolution within the community (Timor-Leste Land Law Program, 2004). In both cases, the paralegals provide a link between the community and the state services and act as a guide through unfamiliar procedures. Similarly, in Khost Province, Afghanistan, despite government reservations, the Liaison Office has instituted a conflict mediation commission of six tribal elders to provide an alternative dispute resolution mechanism, especially for land disputes (Schmeidl, 2009: 75). The provincial governor refers cases to the commission and approves its decisions.

Specific links between the police and non-state policing groups have taken many forms. In Southern Sudan, for example, police have made links with market associations. In one of the main Juba markets, there is not only a general market association, but also one specifically geared to Ugandan traders with dedicated police officers already assisting it on safety and security. Such existing links between traders' associations and the police lend themselves to further development in joint problem solving.

Baker and Scheye (2007) have argued that there is a case for the establishment of mechanisms to link non-state justice and security to state systems. The registering and recording of decisions reached in the non-state courts needs to be established and supported, as does a mechanism and right of appeal to higher courts, which may be either state or non-state. In addition, where state courts and the police informally refer cases to non-state actors, believing this would provide a more just outcome — as in Southern Sudan (Baker and Scheye, 2009) — such common occurrences could be regularized and brought within the law.

The realization of the need for a multi-layered approach has begun to penetrate practitioner handbooks, though it has yet to be implemented on a significant scale. Thus, the OECD DAC *Handbook* on SSR argues that a multi-layered approach will enhance policing reform: "A multi-layered strategy helps respond to the short-term needs of enhanced security and justice service delivery [and encourages donors] to take a balanced approach to supporting state and non-state provision, while understanding and respecting the context in which these services are being supplied" (OECD DAC, 2007: 17).

Likewise, the UK Department for International Development argues that: "the approach to the security sector has to be comprehensive in nature, taking into account the main actors of the security sector and their functions; namely, all

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jurisdictions with a capacity to use force, both statutory and non-statutory” (Law, 2006: 2).

Further, the World Bank has said that: “in post-conflict countries where the formal mechanisms have completely disappeared or been discredited... informal mechanisms may be crucial to restoring some degree of law and order” (Samuels, 2006: 18).

Such a multi-layered strategy, based upon an understanding that the post-conflict state may not be the majority provider of justice and policing, does not imply the abandonment of support for state providers of policing. Rather, it seeks to offer support to both state and non-state layers of policing provision. This is based on the recognition that programs that strengthen “either state or non-state institutions, one to the exclusion of the other, are unlikely to be effective” (OECD DAC, 2007: 17). It is misguided to focus the *majority* of policing reform on the state police when the concern is to improve the experience of policing for all citizens. Prioritizing state and capacity building ahead of the provision of safety, security and justice, at a time when the post-conflict state is incapable of delivering justice and policing to a majority of its population, seems bound to end in failure. Instead of dismissing non-state structures and pursuing impossible dreams of creating state policing agencies capable of meeting the massive security demands of a post-conflict society, a strong case can be made to develop an entire spectrum of partnerships and associations between state and non-state systems under a common set of principles and ground rules.

Despite the potential gains, bringing non-state policing mechanisms into an integrated policing governance network is a daunting task. Typically, groups within post-conflict societies that are capable of taking local ownership of a transformation process are either difficult to find or have a limited capacity to participate. The world of non-state policing is complex and dynamic, making a common national strategy very problematic. Anything run by volunteers can be unreliable and unsustainable, and non-state policing is not immune to corruption, abuse of power or manipulation by local elites. Further, no one is under any illusion about the fact that they may breach international human rights standards. Besides the problems with the non-state groups themselves, any multi-layered approach will inevitably face resistance and obstruction from certain elements of the local and national elite together with the state police, which will regard official support for groups outside their authority as a threat.

These shortfalls are serious and must not be taken for granted; however, the challenges they present are no more severe than those faced by the state system. Both, after all, share the same or similar indigenous cultures. The failures of

non-state policing are no less correctable than those of state policing systems. The test is not whether agencies *need* reforming, but whether they are *willing* to be reformed.

The question of who should deliver policing services, from a development point of view, should be based on the capacity of particular actors, whether formal or informal, to provide quality and effective policing to citizens. However, ultimately, the question is a political and normative one, dependent upon local contexts, institutional capacities, popular demands, leadership, national trajectory and dominant ideology. It cannot be answered generically and, hence, policing reform should abandon any a priori state-centric bias. This chapter argues that the most appropriate developmental approach to the delivery of policing in post-conflict conditions is one that recognizes the differing nature of states and the presence of multiple providers of security whose services are layered to meet differing contingencies.

Recognizing multiple providers is, however, not the same as integrating them. Nor is listing the benefits and noting the difficulties of utilizing non-state actors the same as actually achieving a holistic approach that brings all policing agencies together in one policing governance network. If the state is deemed unable to provide policing in the medium term, even with donor aid, then it is a logical step to take a different approach that integrates the existing multiple layers of security providers into a system of shared authority over the monopoly of force.

A way forward has recently been suggested by Herbert Wulf. He correctly identifies two conceptual problems facing multi-layered policing across the global, regional, sub-regional, state and non-state levels. The first is the problem of legitimizing the different levels, given the competitive nature of legitimacy. Second, there is the problem of apportioning authority at different levels to avoid disputed sovereignties and achieve clarity of functions. His solution is to adhere to two functional principles, namely, subsidiarity for practice and supremacy for norms. He states: “the monopoly of violence should be exercised according to the *subsidiarity principle*, that is, the lowest level should be the starting point” (Wulf, 2007: 20) — and only when one level is not capable or cannot be tasked with exercising the monopoly of force should the next higher level undertake the task. Concerning supremacy in norm setting, he argues for it to be top-down, so that norms of a higher level prevail over those of a lower level. Of course, none of the levels will function perfectly at all times, but in the multi-level approach it is anticipated that where one of the levels is lacking or incompetent, another takes over. Wulf’s way forward represents an attempt to sketch a framework capable of achieving a public monopoly of force by looking

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beyond and below the state level. His vision of “a legitimate multi-level public monopoly of force, with a division of labour between the different levels and acceptable and agreed norms for the application of force” (Wulf, 2007: 29) offers an alternative paradigm.

Of course, there are doubts as to the political will to formally abandon the claim of the state to be the sole provider of policing. The state in the developing world does not look willing to cede authority it never actually had or to work in partnerships and alliances with non-state policing organizations. Practical difficulties also arise concerning the post-conflict state’s capacity to undertake a steering function to ensure the quality, efficacy and accountability of all policing agencies. It may not be realistic to imagine the state fulfilling four key functions of a network regulator, namely: to license, vet, monitor and regulate the delivery of security services; to ensure that effective policing is equally accessible to all; to protect and preserve civil rights and human rights; and to establish the parameters within which sub-state policing is provided (Meagher, 2005: 7). It may require actual and positive local partnerships to prove that hybrid and multi-layered governance can provide effective, sustainable and locally accountable everyday policing, before the state will think in terms of radical changes to its national strategy.

Conclusion

Once it becomes clear who provides the majority of policing and justice in a post-conflict state, what most people want in those states and the unviable nature of efforts to create a state monopoly of force in unstable and fluid environments, it also becomes obvious that the state-centric approach is untenable. In a hybrid governance context where most policing is delivered by non-state actors, policing reform that places a focus exclusively on either state or non-state institutions is unlikely to be effective (OECD, 2007: 17; Law, 2006: 2). Policing reform has focused in the past on the state and no doubt will continue to provide support for state police. Where the future lies, however, is in support for the non-state.

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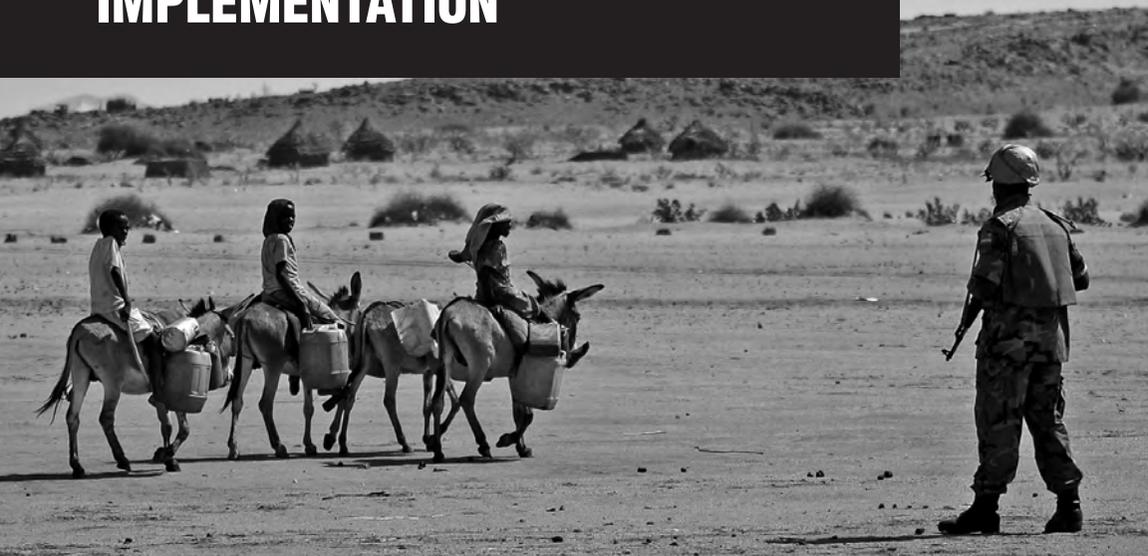
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PART III — CHALLENGES TO IMPLEMENTATION



14

SECURITY SECTOR REFORM AND THE CHALLENGES OF OWNERSHIP

Eirin Mobekk

Security sector reform (SSR) is a very political process aiming to deliver effective security services with democratic oversight, good governance and control. However, SSR is frequently based on a Westernised view and objectives established to meet donor requirements. Since the late 1990s more emphasis has been placed on the importance of local ownership of SSR processes. It is commonly accepted that the notion of local ownership is something that must be promoted. The UN secretary-general reports: “we must learn better how to respect and support local ownership, local leadership and a local constituency for reform, while at the same time remaining faithful to United Nations norms and standards” (UN Ntions, 2004: para. 17).⁴²

The Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD DAC) states that SSR should be “people-centred, locally owned and based on democratic norms and human rights principles and the rule of law” (OECD DAC, 2007: 21).

Considerable experience has shown that unless there is local ownership of SSR processes, they will not succeed. The meaning of the concept is often unclear and ambiguous, however, and the “owners” generally remain unidentified. The UN secretary-general’s report on SSR states that “broad national consultation lies at the heart of national ownership” and that SSR can succeed: “only if it is a nationally led and inclusive process in which national and local authorities, parliaments and civil society, including traditional leaders, women’s groups and others, are actively engaged” (UN, 2008: para. 36).

There is, however, a significant gap between policy and practice when it comes

⁴² Local ownership was also underlined in a statement by the President of the UN Security Council (UNSC) on justice and the rule of law. See UNSC (2004).

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to ensuring ownership of SSR. While advances in recent policy frameworks have underscored the importance of broad local ownership of SSR processes, a minimalist approach is often taken in practice, reducing ownership to consultation with the political and security sector leadership.

There are many challenges to local ownership of SSR — key among them is establishing what ownership means, who the locals are, who decides who owns what and the repeated exclusion of certain groups as owners. This chapter addresses these issues, arguing that local ownership is a process affected by the context, and that a more nuanced picture of both the local context and local owners is necessary to ensure a more inclusive approach to ownership. It also underscores the role that certain local actors play in undermining broad local ownership.

What is Ownership?

Technically defined, ownership means possession. However, ownership of an evolving process such as SSR is complex and multifaceted, which has led to ambiguity. This has also been the case in the development debate on ownership, where the term does not refer to full control or possession over the whole process, but rather to the capacities of local actors “to set and take responsibility for the development agenda” (Reich, 2006: 5). A number of concepts are repeatedly used in the definition of local ownership of SSR, including “buy-in,” consultation and participation. Consultation and participation are not local ownership, although they can be part of the process. Nor is “buy-in” local ownership; it is an external solution to an internal problem where externals seek to convince locals is the right one for them.

Local ownership in the security sector debate ranges considerably from a maximalist approach to a minimalist one. The maximalist approach advocates the need to have the security sector “designed, managed and implemented by local actors,” including a broad cross-section of society (Nathan, 2007: 4). Furthermore, it argues that ownership includes assessment, planning, implementation, documentation and evaluation of security and governance reform initiatives (Ismail, 2008: 127). The minimalist approach, which has been frequently reflected in practice, defines owners as governments and the security sector leadership, and ownership as buy-in and occasional consultation.

Local ownership is broadly defined in policy documents; it is acknowledged to be critical to ensuring the sustainability of reform efforts, but it is often minimally implemented, if at all. A worrying trend can be observed in the use

of the concept “national” ownership among a number of SSR practitioners. In most SSR literature, “national” ownership is used synonymously with “local” ownership (Nathan, 2007: 5; UN, 2008). Yet in practice, the usage has changed and evolved, with “national” equalling “government and/or security sector leadership,” but intimating that this is indeed ownership on a more broad-based level. In its documentation, the Multi-Country Demobilization and Reintegration Program (MDRP) employs “national ownership” and “government ownership” interchangeably (although the MDRP addresses disarmament, demobilization and reintegration and not SSR, this usage does signal a trend). In the last few years, people in the field have started using “national ownership” rather than “local ownership” — signifying an important change. A frequent reality on the ground is that ownership of SSR belongs to a certain sector or sectors, but it is not broad-based as set out by the OECD DAC and other SSR policy frameworks.

It is critical to acknowledge that, as SSR is context-dependent and differs through transitions, local ownership also needs to be viewed differently in different contexts. Local ownership will vary according to whether the country is in a phase of stabilization, peacebuilding, post-authoritarian transition, poverty reduction and development or a fragile state;⁴³ in addition, there are multiple differing contexts within each of these.

Local ownership of SSR should be viewed as a process and not something that can always be present in a predetermined and predefined form in all contexts. In saying that ownership is a process, this chapter is not suggesting that there are circumstances under which there should be no ownership, but rather that local ownership will develop and change over time. Ownership of SSR is not possession, but influence, capability and responsibility of the different phases of planning, implementation, policy making and execution. Not all of these facets will be present simultaneously, to the same degree or from the start in all contexts. Viewing local ownership as an evolutionary process better reflects the different contexts.

A more nuanced approach to local ownership, as a way to *increase* and *broaden* the scope of local ownership, is necessary. At the same time, it must be recognized that the process is often politicized, not only by externals, but also by certain locals. Although externals interact with and frequently choose who owns, locals also often choose to be non-inclusive in relation to local ownership, excluding many local stakeholders and ensuring ownership of SSR only for themselves — a process externals can seek to influence but not control. Moreover, it is

⁴³ It is acknowledged that some of these are overlapping and similar; setting out their definitions is not possible within the scope of this chapter.

something that externals will not seek to change or influence if they have the same view of owners as the “insider” locals. In addition, there are spoilers who do not want SSR to take place and who attempt to subvert the process from the inside, because it threatens their interests.

Who Are the Locals? Who Owns?

There is a tendency by external actors in the field to address and discuss local actors as one mass with similar expectations, desires and wants pertaining to SSR. This may be a way to simplify the interaction or it may be a reflection that externals tend to interact only with one part of the local population. Or, as has been argued, working with local elites can produce “results which are pleasing to the liberal preferences of donors” (Martin and Wilson, 2008: 84). There is a need to understand the layers of local owners in each different context and recognize that they are far from uniform and have varying views and expectations of SSR. Authors have sought to differentiate local owners. For example, Scheye categorizes local owners as: national government and elite; local government and elite; justice and security providers; and customers of the public goods delivered (Scheye, 2008: 63–64). Hansen and Wiharta group the locals into three categories: the population (citizens, civil society and the business community); the authorities (political leadership, civil service and local government mechanisms); and actors in the justice and security sector (Hansen and Wiharta, 2007: 5–6). However, these distinctions need to be more nuanced.

One important distinction about local actors that needs to be made is the difference between “insiders” and “outsiders” — the people who have access to political and economic influence and power, and the people who do not. This may also reflect a rural–urban divide, or social, class and educational divides, as well as ethnicity, tribal, clan and family belonging. There are multiple categories of owners: national government; local government; security sector leadership; security sector actors; non-state security actors; formal justice actors; informal justice actors; political classes; economic elites; civil society; and non-organized or non-represented people. Within each of these categories, there are insiders and outsiders. And there are often critical differences between and among categories, perhaps most pronounced between the political, security sector and economic leaderships, as each wants to influence or control SSR in a specific manner. Moreover, some elements may be actively working against SSR.

Insiders and outsiders⁴⁴ have different levels of authority and influence in the local communities and society. Not only do they possess different levels of power and influence, but also of legitimacy and credibility, combined with the fact that in a post-conflict society many, if not most, will have been party to the conflict to varying degrees. There can be recognition or alignment of interests on certain levels among some of the insiders and the externals, which is why externals tend to identify these as owners while ignoring others, even if they represent only a small part of owners in local society.⁴⁵

Another level that is often forgotten in the equation of local owners is the diaspora. Although not present within the country, the diaspora frequently exercises strong influence on local dynamics and politics, especially due to the economic support it provides in the form of remittances.

Local ownership, therefore, not only signifies the relationship between the “locals” and the “externals,” but also between different levels (insiders/outsiders) of local society. It is not simply “us” and “them,” but also the “haves” and the “have nots” within local society in relation to SSR. These levels and their interaction within local society are frequently fraught with difficulties in a fragile state and can determine the success or failure of SSR. It is, therefore, not only the approach of donors and the international community that may present problems in relation to ensuring local ownership, but also the “insiders” within local society who do not want local ownership (defined broadly) of SSR, but rather seek to control the process.

A deeper understanding of the dynamics within the society where SSR is supported by externals is therefore critical. The argument that it is too difficult for externals to have a more in-depth knowledge of the local situation and actors is, in many ways, a fallacy. They are not entering a country of which nothing or little is known; it is about asking the right people the right questions. The context is not a *tabula rasa*, although externals often act as though it were.

This more nuanced approach to local ownership and the question of “who owns and why?” is necessary. This may seem obvious, yet time and again in practice the approach to local ownership reflects only one particular local view.

44 Note that Reich uses the terms “insiders” and “outsiders” in an entirely different manner, which is not to be confused with how the terms are used here.

45 Johan Galtung’s theory of imperialism, which underlines potential links between different actors in a very different context, argues that the centre in the periphery state is closer to the centre in the centre state than the periphery in the periphery state. See Galtung (1971).

Donors and implementing agencies have thus far been myopic concerning local ownership and focused narrowly on one or, at best, two groups of owners.

Who Decides Who Owns?

There is an asymmetrical power balance between externals and locals in the SSR process in a fragile state, whereby externals have their own objectives and goals for SSR. However, the balance of power among local actors within local society is equally imbalanced and precarious.

The security needs and interests of externals and locals habitually differ, leading some to conclude that they may not even be reconcilable (van Veen, 2008: 4). Externals are predominantly interested in transnational criminal activity that can influence the security and stability in the region. This may include stopping drugs, arms and human trafficking, which may not be the key security priority for locals. But locals also have differing priorities among themselves; the political leadership's priorities may follow those of the externals closely, whereas local communities may worry about, for example, violence against women or being forcefully recruited into armed gangs. A drugs or arms trafficking agenda might, however, still be perceived as locally owned from the perspective of an external as well as certain layers of local society, since the different layers perceive their security and the predominant threats to it differently.

A challenge to local ownership is donor funding. First, SSR programs are predominantly funded by external actors in post-conflict and fragile states and no donor will completely relinquish funding control. If, however, local ownership is to be more than lip service, then externals need to accept local solutions. Clearly those solutions must be rooted in democratic oversight and accountability, but within this there are many solutions, and SSR donors and practitioners tend to promote the ones with which they are both familiar and comfortable. Second, the nature of donor funding cycles in SSR leads to short-term projects even if it is acknowledged that SSR is a long-term process; local ownership could increase with a long-term view of SSR. To ensure a broader inclusive local ownership, short-term SSR needs to be replaced by long-term visions and focus on outcomes rather than outputs. For a long time, SSR practitioners have been focusing on immediate outputs, but this strategy has failed time and again, as the cases of Haiti and Timor-Leste show.⁴⁶ The first time around, SSR support to both countries focused overwhelmingly on

⁴⁶ For the first external support to SSR in Timor-Leste after 1999 and its weaknesses, see, for example, Conflict, Security and Development Group (CSD) (2003).

the police and the output of getting them onto the streets quickly. In the case of Haiti, this strategy of minimal training combined with limited support to the judicial system was one factor in the subsequent derailment of the police force and the need for additional support to SSR. If local ownership is seen as a gradual, evolving process, then short-term funding cycles deter local ownership and encourage external control and possession. Moreover, if there were more coordination between the different agencies and organizations involved with SSR, ownership would increase since some organizations, such as the UN Development Programme (UNDP), traditionally work more closely with local owners (at all levels, insiders and outsiders).⁴⁷

Furthermore, SSR needs a level of political will, a level of willingness among the security sector to reform and a level of democratization. Other problems may include a context of instability and insecurity, a vacuum of leadership and spoilers. The Democratic Republic of the Congo (DRC) is a case in point: SSR has been negligible due to limited political will to advance SSR, the presence of conflict and questionable democratization. Transitional governments are often the first “owners,” or at least actors that externals supporting SSR will face; they may not support SSR, act as spoilers or be indifferent to it. Since they may not be in power after the transition, they may use their time in power to advance their own interests, meaning that external SSR actors will lack a legitimate interlocutor and focusing “ownership” of SSR processes only on these transitional governments may be counterproductive. It has been suggested that to enhance ownership “all concerned parties [need] to enter into a framework agreement” (Hansen, 2008: 54). The problem with this is who defines the concerned parties; not all the concerned parties may have the voice they need to be considered “concerned.”

One argument raised by SSR practitioners against local ownership is that in fragile and post-conflict states, low capacity levels make ownership very difficult. Capacity strengthening, particularly of technical and management capacities, is a part of the SSR process and is long term. However, the fact that locals have been viewed as one mass with similar opinions, desires and wants regarding their security sector also affects how their capacities and capabilities are viewed — namely as more limited. The critical issue here is that there is never a complete absence of capacity; technical expertise on SSR is usually limited, and management and decision-making capabilities reduced. Capacities also vary among the different levels of actors, but they know what makes them feel secure regardless. Moreover, although certain local actors may be less capable of

⁴⁷ Enhancing coordination is admittedly an enormous challenge, since coordination and cooperation in SSR among different organizations have been extremely difficult at times, particularly between groups that have short-term vs. long-term perspectives or security vs. development as primary objectives. See also, Anderlini (2008: 107).

expressing their security priorities than actors in stable democracies (van Veen, 2008: 5), they do not necessarily lack an understanding of those priorities or lack a desire to achieve them. Donors need to reach out and ask the right questions.

As it has been pointed out, capacity building is not value-neutral; it involves decisions regarding what kind of security sector is built and for whom (Donais, 2008: 13). It may be that the externals are not sufficiently focused on identifying existing capacity; indeed, the insiders may not want to draw on that capacity. Externals often assume they know what is important for locals, but when asking them, particularly non-traditional interlocutors, they may get very different answers. Since capacity exists, albeit in different forms, it is perhaps more useful to talk about capacity enhancement and strengthening than building (Ismail, 2008).⁴⁸ In addition, in some circumstances limited capacities may play less of a role than internal political struggles and varying agendas of the insiders.

Ignoring Owners, Reaping Failure

Local partners are defined and identified by externals supporting SSR, who also tend to define the parameters of “ownership.” This has led to the regular exclusion of key groups, particularly civil society and non-state security and justice actors.⁴⁹ The importance of these groups of actors is reflected in most SSR normative frameworks, but it has yet to be significantly acknowledged in practice.

Civil Society

Civil society is often excluded from SSR because of a “lack of expertise in security matters” (Bendix and Stanley, 2008: 99). As stated above, however, they know what is a priority for their own security and what is not; more critically, they have the relevant local expertise that externals lack. The selection of local interlocutors is often based on language capabilities and recognizable organizational structure (“they are like us”) — reflecting a Western perspective on civil society. Moreover, those local partners tend to feature “the principles, values and interest of the externals” (Reich, 2006: 13). These groups habitually take the form of what may be termed “super NGOs,” a few core local NGOs

48 Ismail (2008: 128), for example, uses the term “capacity-upscaling.”

49 It is beyond the scope of this chapter to properly address the issues of civil society and non-state justice and security actors; however, their importance in relation to ownership should be underscored.

that represent the whole country, but have more in common with the externals than the people they represent and spend more time talking with externals than locals. In addition, in response to donor-driven demands, newly created NGOs do not reflect the local environment. SSR deals with organizations and institutions; accordingly, this has resulted in “mushroom” or “briefcase” NGOs (Reich, 2006: 14).⁵⁰ When externals create and support NGOs for the purpose of establishing “ownership,” rather than tapping into existing structures, this creates a problem for the sustainability of reforms.

Since SSR practitioners frequently follow Western definitions of civil society when seeking local counterparts, an argument raised is that civil society simply does not exist in many countries and, hence, it cannot be involved in SSR. However, civil society may perhaps not be instantaneously recognizable to the externals,⁵¹ or it may not operate in a way that externals understand or feel comfortable working with. Civil society is not always structured as completely separate from the state, which is a common defining characteristic of civil society (Pouligny, 2005: 497); it may be structured around tribes, kinship or “other forms of association barely visible” to externals (Bendix and Stanley, 2008: 100). Furthermore, it may not be “civil” at all (Ebo, 2007: 47).

Acceptance that civil society in a fragile state may not be organized along similar lines as in the West and may not be as vocal or developed, should not hinder the support and promotion of civil society as owners. Furthermore, an issue that is not always sufficiently underlined when discussing local ownership is that some insiders do not always want to include civil society; frequently, the political, military and police leadership have also worked to exclude it. As noted above, civil society is oftentimes seen as a competitor for authority and resources in post-conflict and fragile states. Insiders may, therefore, very carefully promote ownership only for a select few.

Non-state Security and Justice Actors

Non-state security and justice actors are insufficiently, if at all, addressed as part of SSR. Although policy documents emphasize the importance of non-state security and justice actors,⁵² in practice, SSR practitioners focus mainly on formal security and justice systems. One reason for this is that externals prefer to work

50 See also Pouligny (2005: 498).

51 See also Obadare (2004).

52 See, for example, OECD DAC (2007).

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with organizations and, therefore, favour formal state institutions,⁵³ as they are entities they know how to interact with and they understand their structure. In excluding non-state actors, however, only a fraction of SSR is addressed and potential owners are excluded. This is a vast omission as, for example, more than 80 per cent of all justice in developing states is carried out by traditional justice mechanisms (UNDP, 2003). Moreover, many traditional justice mechanisms feature informal security actors, hence dual or parallel processes of justice and security exist. Therefore, SSR in practice, even if not in policy, ignores a majority of local concerns and realities regarding justice and security.

As there has been more focus on non-state security actors than justice actors, the comments here will concentrate on informal justice actors. There are numerous different traditional informal justice mechanisms (TIJMs), which can also vary within one country. There are several positive aspects of TIJMs, including low cost, accessibility, cultural relevance, mediation features and speed of proceedings. However, human rights and particularly women's rights are frequently abused in many TIJMs (but not by all). For example, women frequently have no access to TIJMs, many of which are run by men; decisions concerning crimes against women are taken by men, Afghanistan being a case in point.⁵⁴ Abuses also occur in formal systems, however, as the informal systems reach a substantially larger part of the population, yet are still not addressed in SSR this becomes more problematic. Moreover, the elders or councils running TIJMs frequently have multiple roles, which can influence decisions and, as many TIJM rulings and proceedings are not recorded, no decisions are based on precedence, meaning that rulings on rape, theft or assault can differ every time.

In some contexts TIJMs may be perceived as legitimate actors by the population, or at least more legitimate than the formal systems.⁵⁵ Yet people may be turning to them not because they are viewed as legitimate, but because there is no other choice. In addition, structures and norms have emerged in the aftermath of conflict purporting to be "traditional"; this label has been used as a way to establish their legitimacy, as has happened in both Timor-Leste and Afghanistan. Focusing external support and reform efforts solely on formal systems not only fails to address the majority of justice actors, but is unsustainable over the long term.

53 See also Scheye (2008: 67, n. 40).

54 Among the Pashtun, but also other ethnic groups, the customary laws are presided over by *jirgas* (a tribal assembly of elders) consisting of men only. Women are not allowed.

55 See also Ebo (2007: 31).

Most countries lack the financial capabilities to establish a nationwide formal justice system; non-state mechanisms must, therefore, be a part of the process of reform. It is not only externals that exclude non-state justice actors. In the DRC, for example, there was an unwillingness among members of the formal justice system to focus on TIJMs; they worried that external funding would be redirected to TIJMs and, moreover, that this was considered a negative or “wrong” way to conduct justice.⁵⁶ Therefore, there needs to be a focus on the linkages between formal and informal systems; external and local SSR actors need to support, engage and reform *both* formal and informal systems. If, however, informal justice actors and the people who use the services of the informal sectors on a daily basis are not included in SSR, they are then also excluded from any meaningful involvement in local ownership of SSR, even in the formal sectors, simply because they do not have access to formal justice and security sectors. To ensure that the actors in the informal justice and security sectors have ownership of SSR, they need to be part of the process.

The Need to Move Forward on Ownership: Concluding Thoughts

There is policy agreement that local ownership of SSR is essential for sustainable reform efforts, but this is generally where the agreement stops. What ownership is, who the owners are and what exactly is owned tends to be more ambiguous. More importantly, there is a vast gap between policy and practice as regards local ownership.

This chapter has emphasized that local ownership is a much politicized, context-dependent process — one that changes both with the environment and development of SSR. Local ownership cannot be present in a predetermined, predefined form prior to SSR taking place. This is not to say that there may be no ownership in certain circumstances; on the contrary, this chapter argues for a broader and more inclusive approach to ownership through an enhanced contextual understanding of the environment in which SSR is supported.

This chapter advocates a much more nuanced understanding of who the locals are in each context; it stresses that there will always be local “insiders” and “outsiders” with differing power, influence and legitimacy. The insiders’ interests may or may not be closely aligned with those of the externals, but they frequently do not have the interests of the outsiders in mind. An asymmetrical

56 Author interviews, Kinshasa, DRC, 2006–2008.

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power relationship exists between external SSR actors and “locals” because of external funding cycles and external security priorities. There also needs to be awareness of the imbalanced relationship that exists among insiders and outsiders, with insiders often excluding outsiders from the process and insiders’ security priorities often taking precedence. SSR practitioners have tended to define owners very narrowly, thereby excluding key groups, especially civil society and non-state security and justice actors. The key is not to predetermine who the local owners are by using the externals’ vision of the world. When the externals decide that local ownership is important, they also choose who is to be included in the process — basically who the locals are — reflecting the externals’ perceptions, norms and values. Without a more nuanced picture of owners and the internal dynamics of the host society, SSR, in the long term, is unsustainable. Local ownership is an evolutionary process, impacted upon and defined by its context and actors. A differentiated picture of who local owners are, an acknowledgement that ownership will not be the same in all circumstances and a focus on the inclusion of traditionally excluded groups is critical to ensuring that ownership moves forward, not only in policy, but also in practice.

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15

CIVIL SOCIETY AND THE FUTURE OF SECURITY SECTOR REFORM

Marina Caparini

Introduction

This chapter offers a brief assessment of the engagement of security sector reform (SSR) with civil society. Despite general agreement on the contributions that civil society can make to SSR and governance, civil society organizations (CSOs) tend to remain on the sidelines. This is due to various factors, including a preoccupation with state building and the favouring of top-down, technocratic approaches to SSR, an excessively narrow interpretation of which civil society actors should be engaged and the (re)securitization of security assistance. The result of these trends is increasing disregard for the centrality of democratic governance in SSR and little progress in developing practical strategies for supporting civil society's role in SSR. Indigenous community-based civil society groups in particular have much to contribute to SSR; however, they remain undervalued and marginalized in many SSR initiatives. This marginalization will probably undermine the long-term objectives of SSR programs insofar as these include the establishment of legitimate, responsive and publicly accountable security systems. This chapter makes the case for broader and deeper engagement of civil society in SSR efforts — including both modern and traditional forms — as a means of achieving more accountable, inclusive and democratic security governance.

Civil Society

“Civil society” is frequently used colloquially as a synonym for society or the general population. A more precise and analytically useful meaning of civil society refers to the sphere of uncoerced collective actions of citizens that develop around shared interests, ideas and values. Civil society thus encompasses a

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broad variety of associational forms that mediate the space between the family (private sphere), the market (economic sphere) and the state (political sphere). These forms may include groups such as professional associations, charities, issue-based groups (for example, those promoting human rights or protesting national involvement in a conflict), non-governmental organizations (NGOs) and social movements.

However, civil society is still a famously vague term. There is disagreement, for example, over whether civil society includes political parties or faith-based (religious) groups, labour unions or, for that matter, the media. Moreover, the lines between civil society, the state, the market and the family are often rather blurry. This is demonstrated by NGOs that are market-driven or established by the state to conduct security or justice policy analysis, participatory forms of community and local government, or groups of local businesses that band together to improve community safety or act as mediators between conflicting parties. Definitions of civil society are also increasingly challenged by those who maintain that kin groups and traditional authorities (tribal leaders, chiefs) in the developing world exercise the sorts of functions that qualify them as civil society actors. These debates are not merely academic; specific approaches to SSR are often premised on unspoken assumptions about who or what constitutes civil society and, therefore, should or should not be engaged.

Civil society is thought to contribute to democratic governance in several important ways. Emerging from Western liberal political theory, civil society as the voluntary coming together of people to promote their shared interests, ideas or values is believed to result in at least three inter-related types of beneficial effects: “accountability,” “voice and participation” and “democratic culture.” First, civil society groups have the potential to function as informal monitors of government and state performance, holding powerful actors to account, and as repositories of expertise and information that may inform policy debate. As such, they constitute a form of vertical accountability vis-à-vis the state. Whereas horizontal accountability (O’Donnell, 1999) entails the legally enabled and empowered checks and balances imposed by the state upon itself via its various branches (executive, legislative, judiciary and regulatory institutions), vertical accountability concerns the accountability of elected political leaders to the citizens, most clearly expressed in free elections. However, elections are periodic, and voters have the opportunity to “throw the rascals out” (remove their elected representatives) only once every four years or so. Elections, consequently, function as a necessary, but very blunt, means of accountability in a democracy.

Civil society groups have come to be seen as a counterweight to the power of the state, as another means of holding political leaders accountable during the long periods between elections. They also can seek to hold accountable other government actors who are not endorsed by public mandate, such as administrators, the judiciary, and police and security forces. They may do so by activating judicial proceedings and thereby triggering other horizontal accountability mechanisms (such as other branches of the state) into performing their oversight and accountability functions, by mobilizing support and collective action, and by influencing public opinion. Similarly, an independent media functions to monitor the government and hold powerful interests and institutions to account. Perhaps some of the most striking examples of CSOs attempting to play a monitoring and accountability role in security governance have been the recent efforts of a broad coalition of US-based human rights organizations, civil liberties associations and legal activists to press the Obama administration to investigate and, if necessary, prosecute abuses linked to the “war on terror.” Members of the campaign have lobbied policy makers, submitted Freedom of Information Act requests for the release of official information, worked with investigative journalists, conducted public interest litigation and employed skillful public information campaigns.⁵⁷

Second, civil society groups are valued because of their putative capacity to provide “voice,” that is, to articulate and channel the demands from various groups and sectors of society towards government, thereby helping such groups to participate in the shaping of government policies. Importantly, CSOs can give voice to marginalized and vulnerable groups whose views frequently lack representation in public affairs and are excluded from formal political processes. CSOs are viewed as potentially assisting governments to be more inclusive and responsive to the needs of all citizens, including often overlooked or marginalized groups, through the identification, coordination and articulation of public demands. Women’s organizations have been credited with playing a critical role in the consolidation of democracy in many states because of their capacity to represent and advocate for a group that has been traditionally excluded or marginalized from political, social and economic structures. The ability of CSOs to give voice and facilitate greater participation of citizens in forums with the aim of influencing state decision making is encompassed in activities ranging from ad hoc public consultations to more institutionalized mechanisms for civil society input into policy processes and public administration.

Third, CSOs — in particular, voluntary or membership-based groups — are often democratic in structure and process, with members debating issues,

⁵⁷ See, for example, American Civil Liberties Union (ACLU) (2009).

electing executives or taking decisions and managing their affairs in ways that have led them to be considered “schools of democracy.” Such groups are believed to inculcate democratic values and practices such as dialogue, mutual trust, compromise, solidarity and tolerance. This aspect of civil society, the most contentious in academic debate but also potentially the most transformative, has been far less reflected in the SSR literature and practice.

Through these links to accountability, voice/participation and democratic culture, civil society and a free press are strongly associated with democracy. If SSR is fundamentally about establishing democratic, accountable governance over the safety, security and justice sectors, the engagement of civil society becomes both relevant and necessary. In modern societies, the very existence of civil society and a free press is premised on the state’s respect for fundamental freedoms, in particular, the freedom of citizens to associate, to form organizations and to express their views and impart information and ideas through the media. These fundamental rights provide safeguards against an all-powerful state.

Local Ownership and Civil Society

The issue of civil society engagement in SSR is closely linked to that of local ownership. According to the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD DAC): “the core values for SSR are to be people-centred, locally owned and based on democratic norms and internationally accepted human rights principles and on the rule of law” (OECD DAC, 2005: 12).

SSR is a policy agenda that promotes people-centred approaches to security that are consistent with democratic norms and development goals. Recent work on the issue of local ownership in SSR (Donais, 2008) has revealed the range of opinion that exists on the issue, with some believing that the main actors who matter in SSR are national-level political and institutional elites, particularly in conflict-affected contexts. Others subscribe to the view that domestic civil society must be engaged at all stages of SSR processes if they are to possess legitimacy and long-term sustainability.

This chapter maintains that civil society has largely continued to be marginalized from efforts to foster local ownership of SSR despite growing recognition that its exclusion is harmful to long-term development and democratization. This tendency in the SSR field mirrors trends in the broader field of development aid. The Paris Declaration on Aid Effectiveness, adopted in 2005 by more than 100 countries and aid agencies, contained provisions on “country ownership.”

However, the advisory group on implementing the Paris Declaration recently recommended that: “As the expression “country ownership” suggests a narrow or centralised interpretation of ownership, [the Advisory Group on Civil Society and Aid Effectiveness] recommends a transition to the concept of “local and democratic ownership” emphasising ownership not just by central government agencies, but also by parliaments, local governments, citizens, communities and CSOs” (OECD, 2009: 126).

This notion of democratic ownership implies broad participation — not simply ownership by the small circle of government officials involved with SSR — to better ensure that SSR reflects the needs of citizens. CSOs have similarly criticized the Paris Declaration’s “top-down” approach, which assumes that policies developed at the national level adequately consider or reflect the needs of people and local communities while ignoring the bridging function between local and national levels that can be performed by parliaments and CSOs (Steinle and Correll, 2008: 9).

A contradiction is apparent between the mantra of local ownership and its virtual absence in the actual donor-driven SSR process (Nathan, 2008: 20). Similarly, in spite of the practically universal claim that SSR is a highly political undertaking and thus must be contextually rooted, emerging practice appears to rely on generic checklists and rapidly deployable international personnel lacking regional knowledge. In terms of civil society engagement, it fails to engage with broad sectors of the population in favour of specific types of NGOs. All of these trends suggest that externally supported SSR risks becoming a largely technical process that ignores the profoundly political responsibilities of the state for mediating social demands and expectations regarding the provision of security, safety and justice.

In other words, SSR is being conflated with institutional reform, and local ownership with ownership by political and institutional elites. This tendency leaves civil society, and the redefinition of society–state relations that is implicit in the transformative, democratizing agenda that SSR purports to pursue, on the margins. Specifically, what is needed is wider and deeper public participation in the development of safety, security and justice systems that are fundamentally responsive to the needs of those they are mandated to serve.

The problem is that, with a few noted exceptions, SSR programs in practice remain largely devoid of inclusive and participatory approaches in which the needs and views of communities and diverse social groups are articulated. Moreover, SSR is in substance often insufficiently responsive to the safety,

security and justice needs of all communities and people within the polity. Although a usual nod to the role of CSOs in democratic governance and SSR may be encountered in the policy and academic literature, civil society is at risk of remaining on the margins of SSR in countries where it has traditionally been repressed, excluded or co-opted.

Engagement of Civil Society in SSR in Practice

It is important to underscore that there have been several examples of good practice in the engagement of civil society groups with SSR and security sector governance. Some positive initiatives have supported indigenous civil society in SSR through contextually rooted research, capacity building of local advocacy NGOs and the development of regional networks.⁵⁸ In terms of inclusive SSR process, the creation of post-apartheid South Africa's first defence White Paper in 1996 was notable for its inclusive consultation process and the extent of public and parliamentary scrutiny of the White Paper. The White Paper process and that of the subsequent defence review elicited input from a broad array of non-governmental experts, NGOs, religious organizations, former soldiers and other members of civil society. The process helped to develop a national consensus on defence, build public confidence and strengthen the legitimacy of the armed forces. By contrast, inappropriate policies and scandals characterized the policy issues (force structure and procurement, intelligence methods and oversight) on which CSOs lacked sufficient expertise to engage in policy debate (Nathan, 2007).

In Guatemala, the 1996 peace accords brought an end to 36 years of internal armed conflict. The War-Torn Societies Project (since renamed Interpeace) developed a participatory action research project on civil-military relations and reform options for the democratic control and reform of the armed forces. The project adopted an inclusive approach in which representatives of Guatemalan civil society, in particular academic institutes, participated in meetings with civilian and military officials and collaborated in an intense research and dialogue process that generated specific reform recommendations. This was followed by a similar initiative on public security reform and another on developing the capacities of CSOs to conduct policy analysis and to collaborate with political parties in parliament. Through its inclusive approach, the project is considered to have made a significant contribution to developing local capacities, particularly of academic institutes and certain NGOs, and in fostering a social and political

⁵⁸ For three recent examples, see Conflict, Security and Development Group (CSDG) (2008); Cole, Eppert and Kinzelbach (2008); ASSN (n.d.).

dynamic of dialogue and inter-sectoral collaboration in security governance in post-conflict Guatemala (Giupponi, 2006).

In Sierra Leone, efforts were made to strengthen the role of civil society vis-à-vis the police. Police reform efforts focused on transforming the highly centralized police system into one with significant devolution of authority to the local level of police, which would respond directly to the needs of local communities. To create a more responsive police and build trust and confidence in the police, local police partnership boards were created and community residents were invited to participate and voice their concerns at monthly meetings; at the same time, a new department was instituted within the police to investigate public complaints of police misconduct and corruption. Particular attention was focused on establishing police support units for the needs of women and children, who had been subject to widespread and systematic abuse during the conflict, including rape and sexual violence, and who experienced continuing problems of sexual and domestic assault after the conflict (Horn and Olonisakin, 2006: 116–17).

Despite the progress in police–society relations, transforming military–society relations in Sierra Leone has proven problematic. The public harboured deeply engrained feelings of distrust and fear towards the armed forces, which along with rebel forces had perpetrated atrocities against the civilian population on a massive scale during the 11 years of internal conflict. Ginifer (2006: 808) specifically identifies the state-centric approach to SSR and the failure to treat civil society as a partner in SSR or to prioritize finding ways to create or restore public confidence and trust in the armed forces as a major factor in the continuing problems encountered in post-conflict Sierra Leone. Continuing public disillusion was also allegedly attributable to the government’s failure to tackle corruption, ensure accountability and improve security sector governance, despite the sustained infusion of external assistance. Since 2006, however, when Sierra Leone began to systematically engage civil society in SSR processes, public perceptions of the armed forces have allegedly improved to the extent that citizens are said to no longer fear the army (Jackson and Albrecht, 2008: 8).

Finally, although it is too early to assess the outcome, actors involved in the ongoing police reform process in the Democratic Republic of the Congo have consciously striven, by means of a participatory process, to facilitate the development of a collaborative relationship between state officials and local CSOs. Workshops held with civil society representatives and members of the media have also sought to build expertise and capacity to engage with government decision makers on policing and safety issues (Institute for a Democratic Alternative for South Africa [IDASA], 2007).

Constraints on Civil Society in SSR

Notwithstanding these encouraging examples of civil society engagement in SSR, there are four trends that threaten to undermine civil society's role in future SSR processes: "sequentialism;" donor preferences to work with policy NGOs as representing civil society; the securitization of aid; and emerging methodological practices in SSR, all of which strengthen top-down approaches to SSR.

First, for some observers, the issue of civil society participation is essentially a matter of timing (sequencing): where there are immediate internal or external security threats, the need for stabilization and state building assumes higher priority than measures to establish democratic control, accountability and transparency. In such cases, it has been argued, democratization, accountability and ensuring respect for human rights can only be addressed once basic levels of security and stability have been established. This problem was flagged by the OECD DAC: "Tensions can arise between, on the one hand, the objective to enhance democratic control and accountability of security forces and, on the other, efforts to improve operational capacity to stabilise the security situation ...This highlights the need for a participatory framework through which the needs and views of all stakeholders can be articulated and addressed" (OECD DAC, 2005: 22).

However, the inclusive participatory framework the OECD DAC recommendations has not been taken up within many of the challenging environments it describes, and what has emerged is top-down SSR that focuses on state institutional development and changing the mindsets, capacities and behaviours of political and security elites. Consequently, SSR in post-conflict contexts has not yet been concerned with democratic consolidation (Brzoska, 2009: 7).

The US-led foray into "coercive democratization" in Iraq has been a signal in this sense, leading to the resurgence of the notion of sequencing among key US policy makers (Whitehead, 2009: 221). As a reaction to the highly optimistic expectations of democracy-promotion efforts in the 1990s, "sequentialism" advocates concentrating assistance on non-democratic countries or states emerging from conflict or authoritarianism to achieve the rule of law and well-functioning state institutions before focusing on democratization. Democracy assistance experts acknowledge that, in certain contexts, where a state has collapsed or is beset by intense civil conflict, there must be some prioritization of the creation of state institutions with adequate capacity and of something resembling a state monopoly on force. However, beyond the establishment of

these minimum conditions, state institution building should be undertaken in tandem with democratization (Carothers, 2007: 19).

In Afghanistan, both traditional and modern civil society have been largely excluded from the state-building process, and both were perceived as a threat to the process of drafting a modern constitution by external actors and the Afghan political elite (Schmeidl, 2007: 73). CSOs have essentially been assigned a service delivery role; major Western donors expect CSOs — together with the private sector — to step in for a state that is unable to provide key services in education, health, housing and social welfare. Missing from this approach to reconstruction has been the engagement of civil society in acting as watchdog on the state, holding government administrators and political actors accountable and demanding transparency (Howell and Lind, 2008). The marginalization of indigenous civil society from SSR is a symptom of the de-prioritization of the essential security needs and concerns of Afghan citizens by international actors. This has resulted in the International Security Assistance Force coalition's failure to control the growing insurgency, and the concomitant failure to secure support and legitimacy from local populations. Only very recently have key US actors called for addressing governance on par with security and better responding to the security concerns of local populations, albeit as a component of counter-insurgency strategy (McChrystal, 2009).

Second, the perceived weakness of indigenous civil society in developing, post-conflict or post-authoritarian contexts works to reinforce a top-down approach in SSR. In many of the contexts in which SSR is being undertaken, local civil society is perceived as weak, divided and lacking capacity to contribute substantively to SSR processes. However, this perception may be based on assumptions derived from Western experience and expectations with regard to civil society and its particular forms familiar to Western policy circles engaged with security issues. Donors tend to prefer working with like-minded and familiar actors who speak a common language (not only a Western language, but the language of logframes, monitoring and evaluation and due diligence), which in practice in the SSR domain tend to be implementing actors such as international non-governmental organizations (INGOs) and policy- and advocacy-focused NGOs.

However, policy-focused NGOs may not be well-rooted in the society, are often composed of elites with few links to local communities, tend to reflect the priorities of donors rather than those for whom they claim to speak and may lack legitimacy in the eyes of the broader population. Notwithstanding these criticisms, some of these NGOs can make extremely valuable contributions in promoting legal reform, international awareness-raising and lobbying for greater donor attention and desired policy responses from Western capitals, UN

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agencies and other international bodies in New York, Geneva and The Hague. Nevertheless, engaging civil society in SSR processes should involve not only those who seek to hold political elites accountable and engage in elite-to-elite discourse, but also those who seek to influence the expectations and demands of local populations, to give voice to and hence empower the most vulnerable and marginalized in society.

In such contexts, there needs to be a more flexible approach, one that returns to the broad notion of civil society, understood in the sense of collective and voluntary associations of people who seek to advance common interests and values. In developing Islamic states, for example, local religious and tribal leaders are not usually considered part of civil society by donors, nor are they engaged by the government, foreign development agencies or NGOs in development and governance reform projects (Wardak, Zaman and Nawabi, 2007: 44–45).

In Afghanistan, a country where Islam is “integrally intertwined with Afghan identity and society,” *ulama* (the Islamic legal scholars or mullahs trained in Islam and Islamic law) function as the “custodians of Islamic law” and are often highly influential figures in the social and cultural life of communities (Ahmed, 2007: 302). In Afghanistan and other Islamic states, Islamic legal scholars potentially constitute an untapped resource in efforts to construct the rule of law, efforts that have encountered growing resistance and hostility due to their being perceived as involving the imposition of foreign laws and normative standards (Ahmed, 2007: 299). International actors promoting good governance, democratization and particularly human rights, cannot credibly claim to be serving the needs of local populations in Islamic societies unless and until they engage seriously with Islamic law (*sharia*), which is central to the lives of millions of Muslims. Rather than ignoring religious law or merely assuming that international human rights law trumps Islamic law, those promoting human rights norms should engage especially with Islamic reformists and jurists who seek to reinterpret legal texts, move away from traditional enforcement mechanisms and pursue transformative legal projects (Modirzadeh, 2006).

Beyond serving as an informal check on the still corrupt and abusive Afghan state, some observers maintain that the *ulama* have considerable potential to mediate inter-ethnic divisions and facilitate communication between the insular international development community and Afghan society (Ahmed, 2007: 273–74). Another type of traditional structure in Afghanistan that generates social trust are the *shuras*, or local councils of elders, that mediate disputes, dispense justice and organize the provision of security to their communities when needed. Empowering local self-governance in this country, where ethnic and tribally dominated central state structures have been used to oppress other tribes and

ethnic groups, is viewed by some observers as essential to democratization in Afghanistan (Shahrani, 2009: 12). Justice and SSR processes in traditional societies should, therefore, examine how to broaden their engagement beyond secular elites and engage religious and traditional authorities at various levels, from the national to the village level.

The third factor contributing to a top-down approach to SSR and marginalization of civil society is linked to the (re)securitization of aid. The prominence of security in the interests and agendas of donors tends to diverge from the notion of inclusive and participatory SSR linked to development and democratization objectives as elaborated in OECD documents. For example, one observer notes that US SSR programming is: “largely dominated by US national security requirements, rather than development. Indeed, SSR assistance is often intended to primarily further US national or global security — for example, training SWAT-type police that can partner with US personnel on counter-narcotics missions. The US may not necessarily be developing the capacity of partner states to provide safety and security to their own citizens” (Sherman, 2009: 10).

The most obvious manifestation of donor agendas that contribute to a top-down, state-centric approach to SSR is the emergence of the “war on terror” following the attacks of September 11, 2001, in the US. However, with a few exceptions (Ball and Hendrickson, 2006; Aning, 2007; Hills, 2006), there has been surprisingly little critical analysis by the SSR community of the impact of counterterrorism objectives of key Western donor states on their support for the fundamental governance objectives of SSR.

International relations experts have posited a politics of fear propagated by security professionals, predicated on alleged risks of global chaos and existential threats that are alleged to require the collaboration between police, intelligence services and armies at the national and international levels (Bigo, 2006). Development experts have asserted that the “war on terror” has securitized the approaches of development agencies in most of the key donor states. Further, the “war on terror” has affected state–civil society relations in both donor and recipient countries. It has fostered suspicion of civil society groups among various governments as suspect and potentially dangerous, as evidenced by the questioning of southern CSOs by Western governments and funding agencies. Dagnet surveillance of international communications has jeopardized the work of US-based human rights organizations with local activists in authoritarian or repressive societies (Washington Office on Latin America [WOLA], 2009). In some contexts, it has led to the constriction of civil society space through crackdowns on NGOs, including the scrutiny and specific targeting of Muslim organizations and charities in the US and the UK as possible terrorist fronts. “War

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on terror” language has also been appropriated by authoritarian governments to suppress political opposition and perceived enemies (Howell et al., 2006; Howell, 2006: 127–28). These strands are complex and beyond the scope of this chapter. However, it is likely that the constriction of space for civil society and the heightened scrutiny and suspicion of their intentions has constrained the range of civil society actors that can participate and engage in SSR processes, and particularly the organizations that speak for marginalized or vulnerable groups.

Lastly, a top-down, state-centric approach to SSR that marginalizes civil society is supported by the methodological approaches in SSR that treat it as a technocratic exercise undertaken by those possessing highly technical knowledge and expertise operating in relative isolation from political processes. The idea that experts within a particular policy field tend to cluster together in the way that they define problems and solutions has been described through Haas’s notion of “epistemic communities” (Haas, 1992: 19). These transnational networks of experts are particularly relevant to the field of SSR. In most transitional contexts, domestic expertise and agency in SSR resides within the executive branch, in ministries and the agencies and services to be reformed. Externally, technical expertise resides with international experts — whether in the form of state military, police or security advisers — provided through bilateral assistance, international advisory teams, and foreign contractors; it also involves NGO personnel sent in to advise, help plan and implement SSR programs. While the role of external expertise is often essential, the failure to embed such assistance in a broader social context through the participation of indigenous experts and non-governmental stakeholders, parliament and broader civil society groups raises the likelihood that SSR will remain a top-down, technocratic exercise.

One study (Taylor et al., 2009: 28) notes that many spaces for civil society in governance are “increasingly managerial rather than political, allowing for expertise but not voice.” The technocratic tendency is further reflected in substantive approaches concentrating on developing professionalism, efficiency and modernization of the security sector, while delaying or de-prioritizing aspects including the democratic control, accountability and transparency of the security sector (Sayigh, 2007). In other words, the nature of SSR assistance to date, and the general absence of more participatory and inclusive processes, have contributed to SSR becoming, in practice, a top-down, technocratic and depoliticized process involving national and international networks of experts. While this approach may make SSR more acceptable to both Western donors and recipient governments, it raises serious doubts about the public legitimation of reform of a key state sector, and about democratic governance of the security sector more broadly.

Engaging Civil Society in SSR: Suggestions to Donors

There are various ways that the SSR community of scholars, practitioners and donors can help to alleviate some of the problems identified above and ensure that civil society becomes better integrated into SSR programs. SSR is fundamentally a governance project; SSR efforts must accordingly focus not only on reform of national institutions and building the capacity of civil servants who deal with security and justice affairs, and change the mindsets of political leaders, but they must also aim to develop the expectations and capacities of the population to demand effective and accountable governance and they must seek to (re)build public trust and confidence in the institutions of the state.

Donors and other external actors should move beyond vague notions of civil society and ritual acknowledgement of their importance to SSR; they should begin to specify more clearly their objectives and the particular types of civil society actors they seek to support and engage in SSR processes. Strategies for engagement must be tailored to the civil society actors in question, whether this be the general population (public opinion), community-based or grassroots associations, academic institutes, NGOs or the media. Donors should assess the engagement of specific types of civil society actors in SSR processes as potentially serving the objectives of accountability, voice or democratic culture. Engaging the community-based and voluntary organizations that give voice to disenfranchised groups may better serve the quest to establish security institutions that are responsive to local needs than engaging INGOs.

Donors often possess leverage to encourage local civil society groups to form networks and umbrella organizations — that is, to collaborate more actively and develop a more coordinated position and voice. Often competition among indigenous NGOs that rely heavily on foreign donor funding inhibits cooperation. This rivalry and failure to cooperate and coordinate advocacy efforts limits the impact that the indigenous NGO community can have on effecting change in the security sector and in holding government accountable.

Similarly, donors also often possess the leverage to create space for indigenous CSOs in contexts where the political and security elite view them as rivals for funding and public influence. It is particularly vital that donors lead in promoting an inclusive and participatory approach to SSR where recipient governments are inclined to shut out civil society groups.

Donor approaches need to evolve to find ways that encourage governments undertaking SSR to be accountable to their citizens for their performance in providing or regulating safety, security and justice. Donors should accordingly

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support mechanisms that give voice to citizens' perceptions and preferences regarding security and justice, such as public opinion surveys, citizens' committees on community safety and related issues, citizen police review committees, human rights ombudsmen, and free and independent media. Donors should also insist on greater transparency and public input into SSR processes.

Similarly, donors should also encourage the broader engagement of SSR programs with indigenous grassroots organizations that have the ability to influence public attitudes and change in specific local constituencies; they should secure their inclusion as early as possible in the SSR process. Voluntary and grassroots organizations are of interest in terms of their potential impact in inculcating democratic values, patterns of behaviour and expectations among their members.

There is also a frequently noted continuing failure to contextualize SSR assistance — that is, to better understand the specific history and socio-political environment in which SSR programs are planned and implemented. This includes the nature of contemporary state–society relations within a specific setting. The SSR community has a good idea of how civil society operates in liberal democratic states and of their contribution to security sector governance. However, post-conflict and post-authoritarian contexts are complex spaces, not blank slates devoid of civil society, as is often assumed. Donors and other external actors can influence and complicate the terrain in which civil society is operating, empowering some actors and, perhaps, strengthening tendencies that are undesirable. For example, donors may conflate certain high-profile NGOs operating at the elite level with local civil society, empowering them with resources, but making them sites of contention and competition for power and resources (Howell and Lind, 2008: 17).

As a step towards better integrating civil society groups in SSR, more sophisticated approaches to understanding the unique context within which they exist need to be established. The ARVIN (Association Resources Voice Information Negotiation) framework is an example of an analytical tool that is being developed by the World Bank; it may offer a more comprehensive means of mapping CSOs and developing strategies for their empowerment. It identifies the five critical conditions or factors within specific contexts that enable (or prevent) CSOs to engage in public debate and hold government accountable. The use of such analytical tools can help engender a more sophisticated and nuanced understanding of local civil society; it can also assist in the crafting of better approaches to civic empowerment in security governance. At the same time, it is important that the SSR community recognize that assistance contains

inherent assumptions about how civil society is organized and shapes how civil societies develop in recipient countries. Donor strategies that focus on advocacy NGOs are likely to beget more advocacy NGOs, while other forms of civil society will remain unnoticed and unengaged.

Definitions of what constitutes civil society might also be revisited. Donors might consider, for example, whether opposition political parties should be considered part of civil society as a means of broadening civil society empowerment efforts insofar as the parties are organized around the collective interests of their members, and when in opposition, they do not form part of government. Parliamentary oversight is enhanced when parliamentarians — of both the governing and opposition parties — develop sufficient expertise to review legislative proposals, budgets and policies critically. While a certain number of opposition party members may be involved in SSR training as part of parliamentary assistance programs, normally they would be members of parliamentary committees on defence as well as internal and national security; they would thus constitute a very small percentage of those receiving SSR training. A broader approach to civil society capacity building would increase literacy in the political class on SSR issues and help erode monopolies of expertise within state security agencies and government.

This chapter has outlined some of the problems that SSR is encountering with regard to the participation of civil society. It underscores that civil society inclusion is integral to the notion of SSR, and that the transformation of systems that provide security, order and justice goes directly to the transformation of the relationship between the state and society, as well as relationships within society itself. Inherently political, SSR seeks to redefine the state–society relationship with regard to provision (or regulation) of some of the state’s most essential services. CSOs are critical to achieving the long-term governance-related objectives of SSR, particularly democratic ownership of reforms, civilian oversight and transparency, and responsiveness of the state to the needs of the population. However, civil society, in particular indigenous civil society, has remained largely marginalized in SSR programs that tend to be state-centric, top-down and technocratic. While advocating civil society’s broader and deeper inclusion, it must also be recognized that NGOs, local and international, raise other questions about accountability, voice and legitimacy. Challenges for the future include: better integrating civil society in SSR processes to achieve broad-based consultation, debate and deliberation in the public sphere on SSR; holding SSR actors accountable for inclusive SSR; and, ultimately, ensuring that security sector policies and actors are responsive to the needs of populations.

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16

JUST ADD GENDER? CHALLENGES TO MEANINGFUL INTEGRATION OF GENDER IN SSR POLICY AND PRACTICE

Jennifer Erin Salahub and Krista Nerland

Introduction

In early 2009, the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD) released an addition to their 2007 *Handbook on Security System Reform*, a chapter entitled “Integrating Gender Awareness and Equality.”⁵⁹ This chapter does not feature prominently on the website⁶⁰ for the *Handbook*, nor has the volume been reissued to include the substantive gender chapter, even though the original chapters do not include strong gender-based analysis. This situation reinforces many of the arguments that will be made in this chapter regarding the ways in which gender equality is, contrary to the title of the DAC’s new chapter, *not* widely integrated into security sector reform (SSR). Rather, gender is treated as a late add-on to a pre-existing model of SSR, much as the gender chapter was appended to the *Handbook*. Far from a quick addition to existing SSR paradigms and assumptions, the full integration of gender equality into SSR policy and practice will be a long-

⁵⁹ It is, in fact, somewhat surprising that gender issues were not more fully integrated into the original *Handbook*, given that the DAC’s own *Guidelines for Gender Equality and Women’s Empowerment in Development Cooperation* notes the importance of “giving priority to participatory processes to ensure that women’s experiences and needs, as well as those of men, are an integral part of reconstruction processes” (OECD DAC, 1999: 31), as does the text of UN Security Council (UNSC) Resolution 1325 (2000) on Women, Peace and Security (UNSC, 2000).

⁶⁰ The website was accessed on April 1, 2009, two months after the chapter was released (OECD DAC, undated). The chapter does appear on both the Conflict and Fragility main page and on the Gender and Development main page. Its absence from the page for the *Handbook* may simply be an unfortunate oversight, but it reflects a broader disconnect between gender and SSR policy and programming.

term project. It will require substantive changes in both developing countries and donor countries, particularly in Northern models for democratic security systems that are being applied in Southern contexts.

This chapter begins with a short overview examining why it is important to integrate a gender perspective into SSR policy and practice. Based on that assessment, it challenges the current Northern-based model of SSR in principle. The chapter will then survey the existing good practices in gender and SSR, exploring questions about the implementation of these good practices, and how and why they may not be producing adequate results. Lastly, it proposes ways to overcome these challenges and better integrate and promote gender equality in SSR in the future.

Why Does Gender Matter for SSR? Policy and Practice

Given the crucial role that SSR has played in donor efforts to stabilize conflict and post-conflict situations in places like Afghanistan, one might ask why gender matters for SSR. Are there not other security priorities that must be addressed first? The notion that gender can easily be separated from security reflects a shallow understanding of what security means in practical terms, and only serves to undermine the effectiveness of SSR programming. Gender equality and the promotion of equal rights and responsibilities between women and men in creating and maintaining secure environments for all, intersect with SSR at the heart of the security–development nexus. For donors and those participating in SSR, gender concerns matter both for policy and practice.

On the policy side, the effective inclusion of gender-based analysis is crucial to the realization of a security sector that respects democratic and human rights principles. As women’s rights are human rights and therefore inherent and inalienable, those involved in SSR — be they international- or national-level participants — have a duty to uphold women’s rights throughout the SSR process, including while taking political decisions about SSR priorities. Moreover, as has been widely noted, women and men experience security and insecurity in different ways, as do girls and boys.⁶¹ In this way, including gender analysis in SSR planning acts as a tool for ensuring that meaningful security is available to meet the needs of different groups of people — men, women, girls and boys. National governments and their international supporters must respond to these varied security needs as they develop new standards

⁶¹ See, for example, Rehn and Johnson Sirleaf (2002); Enloe (2004); McKay and Mazurana (2004); Vlachova and Bason (2005).

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and procedures for military, police, border services, intelligence, justice and correctional service personnel, and for the civilians who oversee them.

For instance, it is well understood that women experience rape and other forms of sexual and gender-based violence more often than men. Differences between men and women, such as physical strength combined with the different socio-cultural norms that surround women's sexuality and social roles in many contexts, influence women's perceptions of security and insecurity. As a result, women's priorities for security and SSR — and indeed, their conception of what security really means — may differ from that of men. Moreover, cultural norms often situate issues of sexuality in private rather than public spheres. When women choose to bring their grievances into public spaces to have them addressed by the institutions nominally established to do so, or to claim their right to protection by the state or its agents, they may face severe socio-cultural consequences. In some instances, these consequences could include physical threats, particularly if, for instance, the source of the threat holds a position of authority in a security institution.

This difference between women's and men's security needs and their perceptions of security, highlights a fundamental question: what do we mean by security? Or, put differently, security for whom? Given that the vast majority of security decision makers are men, it is unsurprising that security is defined largely in terms of security for men and the state institutions they populate. Thus, in the early days of SSR planning, rebuilding military and paramilitary institutions are often a priority; providing gender sensitivity training for community police officers, creating space for and encouraging women to join security institutions and seeking out the active participation of women's organizations are not. This may be particularly true if SSR is seen as contributing to the stabilization of a fragile or conflict-affected state; a case in point is Haiti, as a recent study by The North–South Institute (NSI) on reform of the Haitian National Police demonstrates (Fortin and Pierre, 2008). While these short-term gender-blind efforts can yield some important security dividends, when decisions about stabilization in the short term or reform in the longer term do not respond to women's and men's different experiences of security and insecurity, the resulting policies, programs and institutions do not adequately address their different security needs. Gender-sensitive SSR, for instance, could result in different force structures in the army, a greater focus on community policing or investing in recruitment of women into all security sector institutions.⁶²

62 There has been some progress towards this goal, including the creation of family support units, which target women and their security issues, in many conflict-affected states. However, work needs to be done to expand these kinds of institutions and to ensure that they are not seen as a low-status assignment; adequate funding and training is required, as are opportunities for promotion.

Lastly, and perhaps most importantly, gender matters to SSR policy because of women's right to agency over their own security and, indeed, their own lives. In the absence of an environment in which women feel secure, they are unable to fully realize their inherent rights as independent human beings — such as educating themselves or providing for their families. Creating the space in which women can fully participate in their security, including defining security for themselves and their communities, as well as providing that security to others through participation in the institutions responsible, is fundamental to the principles of democratic and rights-based SSR, and to the effective provision of meaningful security. Moreover, support for these principles does exist internationally, at least rhetorically, through commitments such as UNSC Resolution 1325 (2000) on Women, Peace and Security. Suggestions for how this may be implemented are myriad, but generally focus on privileging the voices of women, frequently through civil society organizations and through affirmative action programs, to recruit more women into parliaments, administrations and security institutions.

For practitioners, gender becomes even more salient as it can lead to increased operational efficiency through the contributions women can make to security sector institutions. In many cases, women police officers or women members of the armed forces may have better access in certain situations than their male counterparts. A key and often-cited example comes from Afghanistan, where the police have found that the absence of women in their ranks puts them at a significant operational disadvantage. When people dressed in burkas approach checkpoints, male police officers are unable to search them because of cultural restrictions (Valasek, 2008: 1). With an all-male staff, people wearing burkas pass through with relative ease, a weakness that has apparently been exploited by militant men dressing as women to facilitate their access to parts of Afghanistan. Women police officers are able to fully search people wearing burkas, thereby closing this operational loophole.⁶³ Moreover, such cultural restrictions on the ways men and women can interact — which exist in most societies, not just in Islamic ones — impede the full provision of security to the female half of a population, when the security providers are mostly men. For instance, survivors of sexual assault may find it easier to disclose their experience to security officials

63 It is interesting to note that even the Taliban included women in the ranks of the police to increase their operational efficiency. However, apart from this responsibility, these female police officers faced the same discrimination and restrictions that most Afghan women face. In addition to being treated as second-class citizens, these women were considered second-class police officers, excluded from most policing tasks regardless of their rank. Today, women police officers face similar challenges; moreover, they are often targeted by insurgents, making their security one of many issues involved in the integration of women into the Afghan National Police (Murray, 2009).

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of the same sex. Creating space for women to fully participate in the security sector better enables those service providers to fulfill their roles effectively.

The importance of women's active participation — in addition to rigorous gender sensitivity training — throughout the ranks of all justice and security institutions is only underscored by the fact that many women perceive and experience male-dominated military and paramilitary forces as threats rather than as protectors, particularly in post-conflict settings. Numerous respondents in a recent community-based survey in Southern Sudan, for instance, suggested that the security forces — including armed groups, the army and police — are themselves perceived as a major security threat in their communities (Lokuji, Abatneh and Wani, 2009: 12–15).⁶⁴ This perception undermines the ability of security institutions to fulfil their protection mandates.

Moreover, the experiences of NSI and its partners in researching and supporting SSR policy-making processes suggests that gender concerns are rarely a top priority in (re)building functioning security sectors in conflict-affected states, particularly among high-level policy makers and donors. In Sudan, for instance, measures that have been taken to “protect” women from insecurity during and after conflict have either broken down or been largely ineffective. Female combatants are generally excluded from the benefits of the Sudan People's Liberation Army (SPLA) transformation process, and SSR policy makers have not prioritized accountability for past abuses, including for perpetrators of sexual violence (Small Arms Survey, 2008: 1). In Haiti, in spite of recent quotas for female recruitment into the police, discriminatory practices and harassment have undermined women's inclusion in the security forces (Fortin and Pierre, 2008: 27).

While the above may be a limited selection of examples, they represent just a few of the ways in which gender considerations are simply not being integrated into SSR in a systematic fashion.⁶⁵ As the OECD DAC's recent chapter on gender and SSR notes: “in many countries, SSR policies and programming currently fail to involve both men and women in decision-making processes and do not

64 Similar perceptions were also reported in Sierra Leone at the start of the SSR program there. For more information, see Stone et al. (2005).

65 This is also the result, of course, of immense cultural challenges. Indeed, gender can become a flashpoint issue for broader cultural struggles between the international community and conflict-affected states. While a systematic imposition of gender equality would be unlikely to work — and would be unlikely to occur, given that Northern security sector models do not themselves privilege gendered concerns — creating space for a wider range of voices (including both men and women from different walks of life) may have more resonance and, in fact, broaden local ownership over SSR processes.

adequately acknowledge gender dynamics in attempting to understand issues” (OECD DAC, 2009: 1).

Steps towards substantive reform — including gender quotas and units dedicated to domestic violence — rarely reach their full potential. Generally, this is because individual initiatives around gender are not supported: political will is often lacking; other institutional changes that support women’s inclusion in the security sector and political decision making are superficial or non-existent; and little attention is paid to the complex ways in which gender links to and interacts with insecurity.

Room for Improvement: SSR Models

Because integrating gender into SSR is so important for achieving meaningful security for a wide variety of people, and because policy makers, in spite of good intentions, have struggled to integrate good practices in this field, this chapter argues that it is time to take a step back and look at the assumptions being made about these processes. Why is it, exactly, that integrating gender into SSR has proved so difficult? This chapter suggests that the SSR model itself limits the extent to which reform efforts have been able to meaningfully include women and other groups marginalized from security decision-making processes. The fundamental assumptions underpinning the SSR paradigm do not challenge the power dynamics that govern security sectors, which limits the ability of SSR to effectively address the security concerns of women. In short, instead of being a part of the way security is conceptualized at the highest levels, gender remains an afterthought to the dominant model of security and security sectors.

Much of the literature on gender and SSR relies on constructions of women as vulnerable and in need of protection, which is provided by the security sector. Decisions about what constitutes security and how to provide it are inherently political; they are typically made by men even if they are allegedly made for women. The vulnerability discourse fails to recognize or support women’s agency in the creation and maintenance of their own security (Cook, 2009); gender-sensitive SSR, as it is currently practiced, happens *for* women, rather than *with* them. This construction of women helps to foster their exclusion from the political processes that control security structures. Indeed, SSR policy and practice have not effectively supported women’s participation in high-level security sector decision-making processes. Even within the *Gender and Security Sector Reform Toolkit* (Bastick and Valasek, 2008), overall an excellent resource on this topic, efforts to bolster women’s participation in the security sector tend to concentrate on recruitment and retention at the lowest levels of the security

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apparatus. Although this is useful in operational terms, it does not do much to develop the fundamental political commitment to taking a gender-sensitive approach to security problems. For this, women would have to be integrated in substantive terms at all levels of the political and policy process.

It should be noted that although SSR is based largely on a Northern model of the security sector, Northern security sectors have themselves not traditionally been willing or able to substantively integrate women into their forces, address sexual and gender-based violence or thoroughly consider gendered aspects of security. Northern security services — both those sent to work on SSR in conflict-affected states and those working domestically — are still dominated by men. In Canada, women make up only 18 percent of the police force; in the US, the number is still smaller, at 12–14 percent.⁶⁶ The proportion of women in the higher ranks of Northern security sectors is even lower. Top policy makers in the security field are rarely women. The Inter-Parliamentary Union (IPU) and UN Division for the Advancement of Women (UN/DAW) revealed that as of January 2008, women held 1,022 ministerial portfolios across 185 countries, but only six of these were in the areas of defence and veterans affairs (IPU and UN/DAW, 2008; Bastick, 2008: 8). SSR in conflict-affected states is, simply put, modelled after security sectors that do not do a particularly good job of prioritizing the involvement of women, particularly at the highest levels.⁶⁷

The low proportion of women in Northern security sectors also means that women are rare in the practicing SSR community. Because fewer women are trained in the security forces of their home countries, they are also less likely to be represented among the trainers, mentors and policy makers working on SSR issues in conflict-affected states. As Bastick comments: “post-conflict SSR processes tend to be planned, agreed and implemented by men. This is true both as regards the personnel of donors and institutions supporting SSR and the individuals involved in countries’ SSR processes” (Bastick, 2008: 8).

66 Other developed countries follow suit, with Australia posting an impressive, but still insufficient, 29 percent (Denham, 2008: 4).

67 Indeed, the police forces in Northern countries have also experienced tensions in recent years over their respect for civilian oversight, such as journalists video recording security forces at work. The Vancouver police, for instance, recently came under fire for seizing cell phone footage and press cameras during a police investigation, which may contravene the Canadian Charter of Rights and Freedoms. Such incidents reflect tensions in the Northern policing model; officers are hesitant to be monitored by civil society and a free press, particularly as new forms of technology such as YouTube make wide dissemination of footage possible. This hesitance to allow police work to be recorded (and seizure of press equipment without a warrant) speaks to a tendency to avoid oversight where possible. This is another facet of the Northern security force model that warrants further investigation. See *The Current* (2009).

The lesson that application of (often flawed) Northern models in the South can lead to problematic outcomes extends not only to SSR, however, but also to models of gender relations and gender equality. Gender equality in the North, after all, is far from a perfect model. Complicating this further, gender issues often become a flashpoint for broader tensions over colonial legacies and current power imbalances in the global system. It is important to recognize that a balance must be found between respecting domestic cultural contexts and upholding international human rights. Cultures, however, are not homogeneous, nor are they static. To grapple with sensitive issues of gender and security, as well as to effectively and critically utilize (and reinvent) the standard SSR model, women must be integrated into decision-making processes. One of the most effective ways to achieve this balance may be to engage in dialogue with Southern women and to privilege their voices, something practitioners have failed to do in the past.

Progress So Far: Good Practice in Gender and SSR

Few good practices and practical tools exist to support the substantive integration of gender and SSR. Even fewer resources are able to draw directly and deeply on experiences from actual SSR processes. These limitations aside, what does exist is of very high quality, such as the *Gender and Security Sector Reform Toolkit*. However, the *Toolkit* is still new and is only in the first phase of application to practical SSR contexts. The lessons learned during its implementation should prove useful for future editions. In particular, the *Toolkit* could benefit from more numerous and pointed examples that provide details of different options for approaching reform in a gender-sensitive way; such an approach would be more useful than simply providing a list of questions or the ubiquitous, though somewhat shallow, “checklist for mainstreaming gender,” which often allow practitioners to demonstrate their actions in gender equality integration without having to make deep or meaningful changes to the way they work.

Building on the key insights of the *Toolkit* is the new chapter on gender and SSR in the OECD DAC *Handbook*. This welcome addition significantly deepens the *Handbook's* value from a gender perspective by providing more detail on gender issues and analysis. It also privileges the important role that civil society organizations can play in promoting the voices of marginalized populations in SSR processes. However, this integration of gender into the *Handbook* is lacking in several ways. The chapter's existence as an addition two years after the original document was published, serves to reinforce the structures that permit gender blindness in SSR; it is not integrated as a crucial part of the book itself, but rather tacked on as an appendix, issued later. While it is important to focus

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on gender issues specifically, it is equally important to integrate gender across all areas of SSR, from parliamentary oversight to border services to justice reform.⁶⁸ Moreover, while validating the important role of women, the *Handbook* chapter does not do enough to challenge the gender roles and stereotypes that contribute to women's different and continued insecurity. Lastly, the chapter draws on practical resources, such as the *Gender and Security Sector Reform Toolkit*, but its supportive literature is limited and, indeed, the *Toolkit* itself features heavily in the bibliography.⁶⁹

It is important to remember that neither the *Handbook* chapter, nor the *Gender and Security Sector Reform Toolkit* have yet produced lessons learned from practical implementation in SSR contexts. There is significant demand for more resources on how to “do” gender well, particularly from international donors who are focused on demonstrating results in their development assistance programming. The UK's Department for International Development (DFID), for example, notes in a review of its activities that gender is “generally not well represented” in SSR programming (Ball et al, 2007: 19, 60). It did not, however, offer substantive recommendations for how to change this, beyond suggesting that gender must be better integrated into programming (Ball et al, 2007: 19, 21).⁷⁰ There is room for more critical engagement by a variety of actors to fill both policy and programming gaps in this area.

SSR in Practice: The Way We Do It

The way SSR is being applied in conflict-affected environments has also contributed to practitioners' limited success in integrating gender into SSR policy and practice. Analysts have noted that “SSR as it aspires to be — holistically conceptualized, planned and implemented — has, so far, rarely

68 Gender mainstreaming efforts often come with their own set of problems, which encourages practitioners to “check the gender box” and apply a gender analysis in superficial ways. Specific “gender funds” have been having some success in recent years, but they do not promote holistic integration of gender equality, suggesting that a two-track approach — combining mainstreaming and focused programming — may lead to more meaningful results. See for example, Salahub (2008).

69 Ten of the 17 sources listed in the *Handbook's* bibliography refer to the *Gender and Security Sector Reform Toolkit*.

70 Similarly, a recent UN study on SSR and integrated missions also includes little on gender and SSR, except to note that gender rarely plays a role in SSR support activities of UN missions. See Hänggi and Scherrer (2007).

been undertaken or achieved in practice” (Caparini, 2004: 53).⁷¹ Donors often use SSR as a stabilization tool, responding to domestic political pressures and the need for quantifiable results. SSR — which is designed as a holistic concept for use over the long term to promote not only an operationally effective force, but also one that is overseen by and accountable to civilians — becomes a short-term salve to address acute security concerns (Sedra, 2004; 2006). In particular: “working with women or addressing gender sensitivity — issues pertaining to women or men — are still considered to be of secondary importance” (Naraghi-Anderlini, 2008: 105–06).

Crucially, women remain excluded from the top levels of security sector institutions, where political decisions are taken. When they are present at high levels, it tends to be in very small numbers. Literature on the inclusion of women in parliament and the judiciary suggests that their integration in political institutions may have to reach a critical threshold before women can be effective advocates of gender-based concerns, in part because the obstacles to their participation are so great that women may have to adopt what are traditionally considered “masculine” characteristics to acquire and retain those jobs and the respect of their male colleagues. Some theorists argue that until there is a “critical mass”⁷² of women in decision-making apparatuses, it may be difficult for them to act in a way that “represents” women. As a result, where women are moved into high levels without a political commitment to substantive inclusion, change is limited. For instance in 2005, the Haitian police named a high-level commissioner in charge of women’s issues in the police force. Although she is the only woman holding a high-level position in the force, the role of this commissioner is still largely undefined, undermining the impacts she might have had if her role had been more substantively supported, or if there were a broader commitment to the inclusion of women at high levels in the Haitian National Police (Fortin and Pierre, 2008: 25).

Moreover, under pressure to act quickly and produce results, SSR assessment and planning processes may be unlikely to take the time to engage in deep consultation with more marginalized stakeholders outside security institutions, such as women or with civil society. As a result, there may be few women around the table when SSR plans are made and decisions are taken. Particularly because women are still excluded in large part from security sector professions, civil society — where women are much better represented — can provide an

71 DFID evaluations confirm this. In spite of policies encouraging a system-wide approach, “most police and justice reform projects” in post-conflict and conflict-affected states were not linked in this way. For more, see Stone et al. (2005).

72 For more on the concept of critical mass, see Dahlerup (1988).

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entry point of inclusion from which to build towards the goal of including more women in security institutions; civil society can also provide space for women's voices and gender-sensitive training in the meantime.⁷³

Research has shown that security sector decision makers are less likely to listen to civil society actors than to their peers in the security sector.⁷⁴ The relationship between state providers of security and civil society may be one of mutual distrust at times, in part due to the monitoring and “watchdog” role often played by civil society, as well as the legacies of rights abuses by security sector institutions or the individuals who populate them.⁷⁵ Building a more cooperative relationship between these institutions, however, can help assuage this suspicion (Stone et al., 2005: 28). The relationship between the two does not preclude civil society as an access point for women to impact security sector decision making. After all, these perceptions may change over time as women and civil society groups become more accepted parts of the SSR landscape and as a more cooperative — but still independent — relationship is built between formal security institutions and civil society. Inclusion of civil society could help promote women's access until security sector demographics and cultures begin to shift and, in turn, could also contribute to those shifts. As such, the current sidelining of civil society in the SSR process has a substantial cost in terms of crafting a more gender-sensitive approach to reform. It means that national ownership of reform excludes half the population from the outset, and constituencies that might benefit from different or more substantive changes to the security sector are rarely heard. Naraghi-Anderlini points out that: “both the discourse and practice around gender, peace and security issues are emerging in large part from conflict affected countries themselves, led by local actors. These actors are not, however, traditional security actors. These actors are grassroots and are national civil society groups often led by women” (Naraghi-Anderlini, 2008: 105).

73 In NSI's work in Burundi, for instance, Powell notes: “National and international actors... need to find ways of filling gaps in the gender dimensions of police training. An important first step here is to work more closely with women and women's organizations throughout Burundi to help identify priorities and build these into training modules and other initiatives to respond to and reduce gender-based violence” (Powell, 2007: 19).

74 For more on this, see Oelke (2007).

75 In post-conflict societies, vetting of security forces that may be guilty of human rights violations is extremely important for ensuring legitimacy of democratic security institutions. However, vetting is also one of the greatest challenges for SSR, for a variety of reasons. For one example, see Fortin and Pierre (2008).

Gendered approaches to SSR also exist in a particular silo, rarely substantively discussed in the broader literature on SSR. Policy papers on SSR and SSR programming seldom offer a detailed consideration of gender and security issues, unless they are specifically focused on that topic.⁷⁶ This reflects a broader problem with effective mainstreaming of gender into security programming; it remains a discrete concern, poorly integrated into broader SSR thinking.

Finally, senior policy makers in conflict-affected states are also sometimes reluctant to engage substantively with gendered aspects of SSR. Often, this is because some high-level policy makers might have a different agenda for SSR, aside from pursuing the broad shifts in governance and accountability that are at the heart of the SSR paradigm. Sudan, for instance, has been undergoing a large-scale SPLA transformation process through which former SPLA members are being demobilized into the police and prison services at an astonishing rate, arriving unannounced at the police barracks every day.⁷⁷ For policy makers, this can be a useful way of finding work for former combatants who feel entitled to employment and other benefits after “liberating [the] land.”⁷⁸ However, this kind of motive for engaging in SSR — employment generation for sensitive, usually young male, populations as a strategy to avoid or pre-empt renewed violence — does not easily lend itself to the inclusion of women in police services and other security sector institutions.

Although some stakeholders might identify inclusion of women as key to a strong and effective police force that provides security effectively to both men and women, the policy commitment to such a force is likely to be low if SSR is seen as a mechanism for solving an employment problem. This is particularly salient in cases where women have traditionally worked only inside the home or in the informal sector. Policy makers may wish to see them return to that kind of work, rather than to include them in the formal security work force. Even if — as is often the case — women have been involved in the conflict as combatants,

⁷⁶ For instance, a recent SSR guide for practitioners, published by the US Agency for International Development in conjunction with the US Departments of State and Defense, fails to mention gender or gendered aspects of security even once (USAID, DOS and DOD, 2009). Scans of the policy and academic literature on SSR revealed that this exclusion is not uncommon.

⁷⁷ These links between SPLA Transformation and the police and prison services are problematic on a number of levels in addition to the gender dimensions of this practice.

⁷⁸ This is the phrasing used by a former SPLA soldier, according to the chair of the Southern Sudan Human Rights Commission during policy engagement activities in Southern Sudan in February 2009, as part of NSI and partners’ project on peacebuilding and SSR.

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it may be that decision makers take their retreat back into the home (or informal economies) as a signifier of a return to a pre-conflict notion of peace.⁷⁹

Similarly, as gender issues can serve as a flashpoint for broader cultural tensions at stake in the SSR process, donor officials may share the reluctance of their national-level counterparts to meaningfully engage with gender during the SSR process. Donors, many of whom have a colonial history in the conflict-affected areas in which they work, may fear that pushing for broader civil society engagement and especially gender sensitivity in SSR programming, could be seen as an imposition of Northern values; national policy makers may agree. As a result, they may hesitate to press for broader inclusion of civil society and women, which tends to limit the “locals” included in “local ownership” to (male) actors in the security sector. This means that while there might be a broader constituency for gender-sensitive reform in the conflict-affected society at large, donors and policy makers rarely hear their voices.⁸⁰

Towards Gender-sensitive SSR: What Do We Need to Do to Move Forward?

This chapter does not intend to understate the strides that have been taken in recent years to integrate gender into the SSR paradigm in a more meaningful way. The *Gender and Security Sector Reform Toolkit*, as noted, provides an excellent start, but it should be rigorously tested through practical application. The lessons learned through that process should be integrated into subsequent editions so that they can effect more substantive change. This process is beginning,⁸¹ but there is room to complement the *Toolkit* with more concrete examples and substantive analysis of the conditions that tend to support more effective and gender-sensitive SSR processes. It is also worth noting that, as these tools are integrated into practice more widely, they could serve as agents to change the

79 For more on this phenomenon, see El-Bushra (2003).

80 This plays into a legitimate debate over the proper role of external actors, as well as over what “local ownership” might mean in substantive terms. Which locals, for instance, are included in “local ownership”? Is it security sector professionals and decision-makers? Or does the term connote broader inclusion? For more on this, see Martin and Wilson (2008).

81 For instance, the UN Development Programme (UNDP) and UN Development Fund for Women (UNIFEM) released a policy briefing paper entitled *Gender Sensitive Police Reform in Post Conflict Societies* in October 2007, as the toolkits were being developed and released; the paper offers some concrete examples of successful implementation of good practices. See UNIFEM and UNDP (2007).

SSR model itself, for instance, by destabilizing the traditional male dominance of the security sector or by better integrating civil society groups that push for broader change. The tools could, over time, become a lever for more substantive change. In this way, the process of changing SSR so that it better addresses the security of people — both men and women — can be seen as an iterative process of adopting and revising good practices and tools.

However, reinvestigation of the SSR model itself may also be required. Policy makers in donor countries need to reflect on how they understand security and SSR — the origins and the unstated assumptions that underpin SSR, as well as its linkages to the way security systems function in developed societies. Both structural and cultural models of security systems are being transferred through the SSR process. If these “model” institutions in the donor community believe it is “putting the cart before the horse” to include concrete gender-based analysis throughout SSR policy development and programming, then certainly effective gender-sensitive reform will be more difficult to achieve in conflict-affected states.

Finally, there remains a significant shortage of work on gender and SSR from Southern practitioners, analysts and academics. Without broadening the access of women and other marginalized groups to channels of influence over SSR and gender and SSR programming, it is difficult to destabilize narrow conceptions of national ownership that dominate the discourse on reform. Although civil society may be weak in some conflict-affected states, the engagement of women’s groups and other civil society groups (including those that might deal more closely with the security needs of different groups of men) is crucial to making gender a central consideration in SSR processes. It can also act as a first step in supporting women in reclaiming their agency, in giving women and men of all walks of life — not just security providers — a voice in articulating what effective security would mean to them, and in outlining the good practices to achieve their security goals. Working with local groups representing women and marginalized men in this way would be a necessary (but not sufficient) step towards overcoming important cultural and social barriers to integrating a gender approach in SSR, as well as towards the full realization of their rights in society more broadly. Expanding spaces for marginalized Southern actors to voice their security concerns as they relate to their own socio-cultural context may also help to overcome the challenge of respecting the principle of local ownership while advocating for changes to the way some privileged or dominant local groups have been leading these processes. Northern organizations, including governments and civil society organizations, can support these processes by engaging with these groups through deep, meaningful partnerships and helping them to realize common goals of increased gender equality in SSR.⁸²

82 The NSI is building such partnerships with Southern civil society organizations around

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SECURING HUMAN RIGHTS: SHIFTING THE SECURITY SECTOR REFORM PARADIGM

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Introduction

It has become second nature among security sector reform (SSR) researchers and practitioners to claim that successful reform efforts require an overarching vision of the reform process. Tackling SSR means pursuing reforms in different elements of a state's security and government apparatus, from the armed forces to the courts to the legislature, to name but a few.

Different terms are used to describe such a vision. The British government refers to "joined-up" approaches (UK Department for International Development [DFID], 2006); for the government of Canada (2008), it is a question of using the "whole of government"; in the literature, "holistic" is a preferred term of some long-time observers (Caparini, 2004; Wulf, 2004). The move from SSR to security "system" reform by the Organisation for Economic Co-operation and Development (OECD) reflects the desire to treat the security sector and all its parts in a necessarily more holistic way (OECD, 2007a). One element that is often included in passing at the outset in such comprehensive analysis and at best as one sub-heading among many is human rights.

This chapter argues that human rights should be at the forefront of SSR efforts. International, regional and national laws and standards that guarantee human rights provide the comprehensive normative framework sought by those analysing and developing SSR programmes. As the primary duty-bearer, states have the obligation to respect, protect and fulfill the human rights of individuals within their jurisdiction. A state is also the only entity that can legitimately use force within its borders, or govern how force is used. These latter responsibilities are necessarily determined by how the state goes about the former, namely: respecting, protecting and fulfilling its human rights obligations. This chapter

attempts to show that, by shifting the paradigm of SSR to a human rights perspective, SSR becomes part of the process to secure human rights. It argues that this is the most effective avenue to secure long-term and sustainable SSR.

This chapter is organized in three sections. The first section describes how human rights and SSR are both state responsibilities and how the latter necessarily flows from the former. The second section describes the paradigm shift from current SSR models to a process where SSR is understood to strengthen the state's capacity to fulfill its human rights obligations. This includes a brief discussion assessing the evolution of the place of human rights in the SSR model. The third section outlines the challenges of implementing a human rights framework in SSR programs.

Before discussing human rights and SSR as state obligation, it is important to lay out definitions of the key terms used in this chapter. The state is understood both as the key duty-bearer of international human rights obligations and, in its Weberian sense, as having the monopoly on the legitimate use of violence within its territory (Weber, 1921).

Today's understanding of the security sector draws on the widely accepted definitions of the OECD (2007a: 22), the European Commission (2006: 5) and the UN secretary-general (UN, 2008: 5).⁸³ All refer to the security sector — or the security system — in its broad sense, encompassing not only traditional core elements of the security sector, such as the armed forces and police, but also the oversight mechanisms of these forces, including the courts, legislatures, correctional services and civil society, as well as non-state security actors such as militias and private security companies.

SSR is therefore: “a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities that has as its goal the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law” (UN, 2008: 6).

Human rights are the universal legal guarantees protecting individuals and groups from actions and omissions that interfere with fundamental rights, freedoms, entitlements and human dignity (Office of the UN High Commission for Human Rights [OHCHR], 2006). Human rights are understood in their

83 One notable exception is Chuter, who argues that broader definitions of SSR can be problematic as SSR programmes can end up targeting issues that are not primarily security problems (Chuter, 2006).

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broadest sense as the rights described in the International Bill of Human Rights and other international treaties, regional treaties such as the American Convention on Human Rights and the African Charter on Human and Peoples' Rights, and resultant national laws. The International Bill includes the Universal Declaration of Human Rights and its Covenants and Optional Protocols on Civil and Political Rights as well as on Economic, Social and Cultural Rights. These rights are universally held by all human beings, are indivisible, interrelated and interdependent.

Human Rights and Security Sector Reform as State Obligation

Despite the increasing recognition that non-state actors have human rights obligations, states remain the primary duty-bearer in international human rights law. In the SSR literature, the state is also responsible for leading national reform processes that are in line with its human rights obligations. According to the OHCHR: "the State remains the primary duty-bearer under international law [...]. National legislation and policies must detail how the State's human rights obligations will be discharged at national, provincial and local levels, and the extent to which individuals, companies, local government units, [non-governmental organizations] or *other organs of society* will directly shoulder responsibility for implementation" (OHCHR, 2006: 4, emphasis added). This chapter argues that these other organs clearly include the security sector.

So what does this mean? International human rights law places binding human rights obligations on states. States have three types of human rights obligations, as described in article 2(1) of the International Covenant on Civil and Political Rights (ICCPR, 1966). These obligations are to respect, to protect and to fulfill the human rights of the people present within the state's jurisdiction. The covenant currently has 165 state parties (UN Treaty Collection [UNTC], undated).

By agreeing to respect human rights, states agree not to interfere with their enjoyment, and, by extension, states protect human rights by taking steps to ensure that third parties do not interfere with their enjoyment. They also agree to proactively take positive measures, such as enquiries, remedies and reparations to protect human rights and prevent violations thereof. And finally, states agree to fulfill the human rights of individuals and groups living within territory under their jurisdiction by adopting proactive policies and implementing programs. With respect to civil and political rights, these rights are directly and immediately realizable — or enforceable — with no time-bound or progressive element attached to them. Economic, social and cultural rights are to be progressively realized based on available means and resources, and

with a recognition that policy choices — or other means of achieving this goal — rest for the large part on states.

States can violate human rights through commission or omission. An act of commission occurs when the state is responsible — in the non-juridical sense — for the human rights violation being committed, such as when the armed forces are responsible for rape and other acts of sexual violence against civilians. An act of omission occurs when the state has a duty to act, but does not do so when a right is being violated, such as when the police do not stop or prevent rape or other acts of sexual violence from taking place.

It is important to reinforce that a state's obligations in fulfilling human rights as described above, directly affects the security sector and SSR. For instance, a state's obligation to ensure the right to life of the individuals within its territory entails maintaining a healthy security sector in order to prevent others from violating that right.⁸⁴

From a human rights perspective, the security sector needs to be understood in terms of how the state goes about fulfilling its human rights obligations. One criticism levelled at SSR approaches is that they do not clearly describe "what the security sector is actually *for*" (Chuter, 2006: 6). From a human rights perspective, the security sector is clearly one way the state respects, protects and fulfills its human rights obligations. In other words, the state's monopoly on the legitimate use of force, exercised through the security sector, is bound by its international, regional and national human rights obligations.

If a state's human rights obligations provide the overarching framework for pursuing SSR, these reform efforts are then informed by a micro-level understanding of the rights holder. Rights holders, or individuals present within a state's jurisdiction, have rights with respect to SSR. Such rights include access to information, freedom of assembly, freedom of expression, the right to vote in periodic elections and to participate in elections as candidates, all of which contribute to civil society's role in oversight of the security sector. Without the enjoyment of fundamental civil and political rights, citizen participation in debates around crucial areas of public policy such as SSR is either limited, ineffective or both. Therefore, the effectiveness and sustainability of SSR, measured in terms of the security sector's contribution to the protection of human rights, depends on the state's ability to fulfill its human rights obligations

⁸⁴ There is a wide-ranging debate on the exceptional circumstance when a state can suspend certain human rights obligations, particularly in times of emergency or when national security is deemed to be at risk. Some rights, however, can never be suspended. For further information, see Prémont, Stenersen and Osereczuk (1996) and the UN (2001).

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across the board. Of course, members of the security sector, such as soldiers or police officers, also have these rights, subject to the laws governing the security sector in any given state. When these rights exist and the institutions are in place through which they are actively exercised, it is generally understood that a state is a “democracy.”

Rights holders also have economic, social and cultural rights that can be affected by the security sector. This goes beyond questions of budgetary allocation, in terms of balancing state expenditure on the security sector with the need to support education, healthcare or social safety programs. In fulfilling economic, social and cultural rights, the state needs to ensure that the security sector is not violating these rights by commission, for instance in the illegal extraction of natural resources by the armed forces. The state could also violate these rights by omission, by not preventing the illegal exploitation of a country’s resources. In the progressive realization of these rights, the state also needs to ensure that the necessary reforms take place within the security sector. More widespread violations of economic, social and cultural rights, such as pervasive poverty, also have a negative effect on SSR efforts.

Shifting the SSR Paradigm to a Human Rights Framework

As the preceding section has shown, states have an international obligation to respect, protect and fulfill the rights of persons under their jurisdiction. The use — or misuse — of the security sector is understood as one component of fulfilling this obligation. Therefore, reform initiatives should be designed accordingly. Notwithstanding the growing acknowledgement that a comprehensive view of SSR is needed to ensure that the result of reform is greater respect for, and protection of, human rights, the approaches to reform have not yet lived up to this imperative.

SSR as a concept is relatively recent. Its origins can be traced back to the decades following the Second World War.⁸⁵ During this period, SSR almost always took the form of assistance programs that offered “training and supply of equipment designed to enhance the operational capacity of security bodies” (Ball, 2004: 45). With the end of the Cold War, it became increasingly evident that the security

85 Noteworthy exceptions are calls as early as 1915 by women’s rights activists who highlighted the links “between economic, social and cultural issues, on the one hand, and conflict, the production and sales of arms and war on the other” (Farr, 2004: 64). While not calling for SSR in the modern sense, these activists seemed to recognize the relationship between what today are understood to be economic, social and cultural rights, and the activities of elements of the security sector.

sector urgently needed to be made part of the solution: democracy, poverty reduction and development were impossible without adequate security (Ball, 2004: 46; Knight, 2009: 2). Gradually, there was a shift among donors and key international organizations, such as the UN, the OECD, NATO and the European Union, towards adopting comprehensive or holistic SSR policies.

Comprehensive policies, however, have tended to focus on institutional capacity building rather than a human rights approach. For instance, in the widely cited *OECD DAC Handbook on Security System Reform* (OECD, 2007a) and UN Development Programme's (UNDP) *Public Oversight of the Security Sector Handbook* (UNDP, 2008), human rights are identified at the outset as one of the *raison d'être* of such comprehensive policies.

However, the OECD DAC *Handbook* then relegates discussion of human rights to a brief paragraph in a section on democratic oversight (OECD, 2007a: 117). The UNDP *Handbook* goes a small step further, devoting one chapter — the 11th of 15 — to human rights (Forman, 2008). Such policies encourage donors to attempt to strengthen laws, processes and institutions — so-called good governance — to reinforce the capacity of the security sector to perform its duties. While such policies should help ensure respect for human rights, they are insufficient from a human rights perspective.⁸⁶

A human rights approach puts the focus on the relationship between the rights holders and the duty-bearer, and seeks to adjust the institutions, laws and processes to ensure the duty-bearer fulfills its obligations, and that the rights holder enjoys his or her rights. The SSR shift that is needed is from a state-capacity paradigm, to a state-obligation paradigm.

The human rights framework views people as active agents capable of deciding their own futures. However, “the rights-based approach takes empowerment a step further in aiming for not only the ability to sustain oneself, but the additional capacity to influence public policies and make claims in defence of one’s rights” (Jochnick and Garzon, 2002).

Rights holders must thus be an integral part of the policy process undertaken by duty-bearers to realize a right. There is no separation between the state and rights holders, whereby individuals wait passively for their rights to be realized. On the contrary, rights holders, as well as the state, benefit from active civil

86 One shift in approach and paradigm in the security sector was the development of the human security approach in the mid-1990s, which shifted the notion of security from the state to the individual. While acceptance of this approach remains very low (Fell, 2006: 7), it does get closer to viewing SSR through a human rights lens. See Fell (2006) for a broader discussion on the subject.

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society participation in the policy-making process. This is analogous to the notion of “ownership,” which is treated extensively in SSR literature, but is more expansive by treating individuals and communities as active participants in the development of policy rather than beneficiaries or recipients of a service provided by the government — in this case security. What matters is ownership of the process, not just the result.

Achieving this level of interaction between state and society is especially difficult in the area of SSR. The impetus or *raison d'être* of most SSR processes is the fact that the security sector has been or is the cause of significant human rights violations. The security sector also retains a significant degree of power in societies emerging from conflict or with weak governance structures. Thus, engaging the security sector in a reform process that is based on a human rights framework, including accountability and participation, is no easy feat.

It is not surprising, then, that these actors will favour a more technical, or sectoral, approach based on building up their institutional and personal capacities, rather than addressing underlying causes of human rights violations. “If human rights violations are used as a strategy [by the security sector], then training, as advocated by the government, will be of limited use” (Mobekk, 2006b: 11).

This is not to say that capacity building and addressing the root causes of human rights violations are incompatible, but rather that they are interdependent. It is the identification of root causes of rights violations that is at the heart of the human rights framework. If the security sector is in any way involved in the root causes, then only a human rights approach to reform will be effective.

The human rights approach focuses on a number of key principles, which, taken together, form the minimum required for the state to fulfill its human rights obligations.

The first principle is that human rights are universal and indivisible. The absence or abuse of any one category of rights diminishes the prospects for the respect of the others. For example, political participation is meaningless without adequate security of the person; it can be very restrictive in its scope if discrimination is rife in society, and it can appear meaningless if basic needs are not met. For a human rights approach to SSR, this principle is particularly important. The security sector, and the rights directly associated with it — namely the right to life, physical security and freedom from arbitrary arrest, among others — cannot be dissociated from all other rights, including economic, social and cultural rights.

In concrete terms, when planning for SSR, an assessment of the entire human rights situation within the country must be conducted. This assessment, following the normative framework of international human rights law, will highlight issues such as accountability, poverty and effective participation, all of which are important factors affecting the security sector. The human rights assessment, as opposed to a sector assessment, is crucial to demonstrating the link between the rights in legislation (national or international), the reasons for the lack of realization of these rights and potential strategies for their realization.

The second principle is that of equality or non-discrimination. The human rights assessment will have identified particularly vulnerable groups that have disproportionately been the victims of human rights violations, as well as groups that are excluded from the decision-making process due to discrimination. To achieve this result, the human rights situation assessment must place a strong emphasis on disaggregation of data by sex, geographic origin, ethnicity and other relevant factors (van Weerelt, 2001). Planning for the reform of the security sector should prioritize these vulnerable groups and ensure that entrenched discrimination is not perpetuated in the new or reformed security system. Examples abound whereby ethnic divisions and state discrimination that led to conflict are then perpetuated in attempts to professionalize ethnic-based armed groups into the regular army (Mobekk, 2006b).

In addition, a thorough analysis of the human rights situation and the identification of vulnerable groups will allow SSR practitioners to give relative weight to various problems, to understand the causes of the rights violations and to identify strategies for mitigation. For example, the use of sexual violence in the Democratic Republic of the Congo (DRC) as a weapon of war by all armed groups, should have been the primary focus of SSR following the Sun City Accord in 2002. Unfortunately, the international community did not apply a human rights framework and focused almost exclusively on integrating the armed groups into a common army (Davis, 2009). The reintegration of armed actors accused of human rights violations into the formal security sector is incompatible with a human rights framework and risks endangering any process aimed at making the security sector a legitimate actor in the eyes of the local population. Sexual violence continues to be practiced by armed groups as well as members of the newly integrated regular army in the DRC.⁸⁷ The same was true for the case of Burundi, where the UN operations in Burundi acknowledged that they did not take into account the special needs of women (Mobekk, 2006b).

⁸⁷ For more information on sexual violence in the DRC, visit the website of the Congolese Women's Campaign against Sexual Violence in the DRC at www.drcsexualviolence.org/

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The third principle is participation and inclusion. As mentioned, rights holders are not simply recipients of the good will of states that deliver rights; they are active participants in the development and implementation of policies that aim to deliver those rights. This essential principle of the international human rights framework means that every individual has the right to participate, contribute to and enjoy civil, political, economic, social and cultural development in which all human rights can be fully realized (van Weerelt, 2001). For this to happen, an enabling environment must exist for civil society to achieve its full potential. The SSR literature is replete with case studies calling for more local ownership (Nathan, 2007). This “ownership” must go beyond single-event participation activities designed to legitimize the reform process in the eyes of the beneficiaries.

Effective participation and its inclusion within SSR means addressing the root causes of exclusion and the lack of access to decision making so that civil society can fulfill its oversight role of the security sector in the long run. The Jakarta-based Institute for Defense, Security and Peace Studies, drawing on human rights principles, led a comprehensive, year-long study into how Indonesian civil society organizations had or had not been successful in playing an oversight role in the SSR process in Indonesia between 1998 and 2006 (Makarim and Yunanto, 2008). One of the main findings of the study was that civil society had more influence on the SSR process in Indonesia whenever it was able to encourage the participation of civil society actors from across the country — and not just from the capital, Jakarta — and from civil society sectors not traditionally linked with SSR. Effective participation processes must also meet the tests of being timely (before decisions are made), open (equal opportunity for access), transparent (clear with respect to process and purpose), informed (access to information, education) and iterative (ongoing participation). The human rights framework calls for work at multiple levels of society to identify and address the causes of human rights violations. Violations can occur at the household, community, local, regional or national level, and SSR programs that empower rights holders to participate at all these levels are more effective than simply addressing the issue from the top down (Rand and Watson, 2007).

Fourth, the human rights framework for SSR must focus on accountability and the rule of law. As noted above, the UN has been moving towards a more comprehensive approach to SSR, by taking into account the entire justice and security system in order to develop societies based on the rule of law. Without accountability for breaches of law, the laws are nothing but words on paper. The human rights assessment must not only seek to identify human rights violations and their causes, but also to identify and hold the perpetrators of violations to account. At its core, SSR is an attempt to make the military and police accountable to laws, democratic oversight and checks and balances, rather than

having them be subject to the discretion of individual commanders or police chiefs. Impunity in the security sector weakens legitimacy and perpetuates human rights violations.

A focus on the rights holder therefore allows for the identification of: the constraints that people face in claiming their rights; the specific groups that are most affected; the extent, causes and perpetrators of rights violations; the policies that discriminate against individuals or groups; the duty-bearer's obligations and breaches of those obligations; and the strategies required to implement policies to respect, protect and fulfill human rights obligations. All of this taken together represents the manner in which SSR efforts should be conducted, the result being a security sector that contributes to fulfilling state obligations to respect, protect and fulfill human rights, rather than undermine them. This approach is not, however, without its challenges.

Challenges to Implementing a Rights-based Approach to SSR

Three of the primary challenges to applying a human rights framework to SSR are related to politics, accountability — including for violations of civil and political rights — and the respect of economic, social and cultural rights.

The first challenge to applying a human rights framework to SSR is political. Given the vested interests and power structures of most countries undergoing or in need of SSR, the process in itself is challenged from its inception. As noted succinctly by one observer: “Military, police and intelligence organizations may be required to play a key role in protecting the new political dispensation and the rights of citizens, but they can also subvert those rights and undermine or destroy the democratic project” (Nathan, 2007: 29).

SSR is often implemented as part of post-conflict peacebuilding processes in which the belligerents in the conflict are in the process of transforming into political actors with aims of governing. In this context, states emerging from conflict and undergoing SSR are often unwilling to engage in addressing the human rights of vulnerable groups, eliminating discriminatory policies, encouraging civil society participation and, most of all, ensuring accountability for past crimes. For example, the Maoists in Nepal claimed to have taken up arms to demand justice, but once in government following the cessation of hostilities, did not make efforts to bring perpetrators to account for grave crimes committed during the conflict (Human Rights Watch [HRW], 2008). States that are willing to tackle these challenges head-on (and there are few — Argentina

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following the return to democracy in 1983 is one example) are often unable to do so given the opposition of the security sector itself to more systemic change.

Weak security sector institutions are also vulnerable to being co-opted by political actors intent on retaining power through violent or other illegal means. The police and military are often used by corrupt politicians to further their stay in power, and to threaten or eliminate opposition movements. One example is Haiti, where, following the return of democracy in 1995: “progress [in police reform] unraveled as a political stalemate that began in 2000 hardened and once again political influences, corruption and misconduct started to seep into the [Haitian National Police]” (O’Neill, 2004: 43).

In addition, the principle of non-intervention and national sovereignty in international law is wrongly perceived to limit the ability of donor governments and the UN system to push for a human rights framework in SSR initiatives. Recent debates at the UN show clearly that some states are concerned that SSR will result in alleged interference in areas of perceived state sovereignty, including human rights (Security Council Report, 2008; Knight, 2009: 4). Donor governments should expand their definition of “local ownership” to go beyond the government in recipient countries to include citizens and local communities in these countries. The views of both are essential to sustainable SSR, but they are not always aligned.

Notwithstanding the fact that the UN peacekeeping mandates are subservient to a normative framework based on the UN Charter and international human rights and humanitarian law, the *Capstone Doctrine* of UN peacekeeping anchors the consent of the parties as an overarching principle (UN Department of Peacekeeping Operations [UNDPKO], 2008). This says nothing of the coercive nature of peace-enforcement mandates or the complicated mechanisms involved with integrated UN missions. Suffice it to say here that this presents a significant challenge to the international community in ensuring the application of a human rights perspective to SSR in states that are unwilling or unable to apply it.⁸⁸

The issue of local ownership is a key element of the Paris Declaration on Aid Effectiveness. Signed by more than 100 ministers and senior officials from donor and recipient countries, this declaration calls for developing country ownership over development priorities and processes as well as mutual accountability

⁸⁸ For a broader discussion of SSR in the context of various UN missions, see the so-called *Brahimi Report* (UN, 2000).

for development results between the donor and the recipient of aid.⁸⁹ Recent interpretations of the declaration construe such approaches as human rights obligations (OECD, 2007b). In terms of SSR, international donors must, therefore, strive to ensure that this mutual accountability includes human rights obligations in SSR processes.

Convincing those with power in particular situations that significant reform to protect human rights is needed is no easy feat, especially when those in power are responsible for human rights violations and still have the capacity to use force to maintain that power. However, any strategy to build this political will (or break down opposition) would necessarily include a focus on ensuring civilian control of the military and on ensuring greater access to decision making and decisions by citizens. These are key considerations within a human rights framework. The more citizens have control over decisions that affect their lives, including on the question of security, the less spoilers can influence the pace of reform.

As mentioned previously, one of the main impediments to the establishment of a security sector that respects and protects human rights is the lack of accountability. Human rights add value to the SSR agenda by drawing attention to the accountability to respect, protect, promote and fulfill all human rights of all people; they hold the key to improved effectiveness (van Weerelt, 2001). The accountability imperative is threefold: first, perpetrators of past crimes must be held to account and prohibited from reintegrating into the security sector; second, accountability mechanisms must be established to prevent or prosecute future crimes; and third, victims of human rights violations must be given access to justice and reparations. All of these are, of course, connected. Davis writes with respect to the DRC: “That those accused of serious human rights violations have not, to any meaningful extent, been brought to justice is not only a question of retributive justice for past crimes, but also means a missed opportunity to prevent current and future crimes” (Davis, 2009: 19).

The SSR-related processes of disarmament, demobilization and reintegration, as well as vetting within the military and police, are essential to ensuring accountability for past crimes. In countries emerging from conflict, these cannot be divorced from transitional justice mechanisms, which are intended to give recognition to victims of human rights violations and contribute to a sustainable peace, reconciliation and democracy. Accountability for past crimes is, however, usually negotiated away during cessation of hostilities and peace talks.

89 For more on the Paris Declaration, see OECD (undated).

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Indeed, as the Burundi case demonstrates: “disregarding vetting is a choice reflecting political realities and the need to ensure stability, but in the long-term it can have a significant negative impact upon the armed forces and their behaviour” (Mobekk, 2006b: 14).

In the DRC, the focus on elections and short-term stability led not only to a failure to address justice and human rights issues, but the ways in which the political institutions and army were formed also led to entrenched impunity (Davis, 2009). The failure to ensure proper vetting of the Haitian National Police, particularly following the dismantlement of the army in 1995 and the integration of military officers who had committed abuses into the police force, has contributed to persistent violations committed by the police in recent years (Fortin and Pierre, 2008).

An SSR that ignores past human rights violations is thus bound to fail. International justice mechanisms such as the International Criminal Court can assist in the prosecution of some of the main authors and perpetrators of grave crimes. In addition, the responsibility of the state for violations of international humanitarian law across borders, not just within its jurisdiction, must be examined and taken into account in SSR processes. Notwithstanding the importance of international justice, local transitional justice mechanisms will be necessary to ensure the security sector that emerges is legitimate in the eyes of the population and respects human rights. Transitional justice must be a priority of reform efforts and the participation of victims must be assured.

In the longer term, transitional justice mechanisms must contribute to the broader aim of building capacity in the national judicial system, strengthening the rule of law and ensuring that oversight and transparency mechanisms are implemented that prevent a recurrence of human rights violations. For this to happen, the SSR processes cannot be dissociated from judicial reform and wider democratic reform processes. A paradigm shift is needed whereby the transition from conflict to peace is accompanied by a change in the political system from one where the security sector is abusive, corrupt and politicized to one that is accountable, transparent, legitimate and compliant with human rights obligations (Mobekk, 2006a).

A comprehensive human rights assessment would identify the areas where this paradigm shift is most needed, particularly with respect to the judicial system institutions, such as the judicial branch, the public prosecutions office, the availability of legal aid, corrections, civil society oversight, parliamentary

oversight, as well as national human rights institutions.⁹⁰ In addition, the assessment would identify the impediments for the participation of rights holders in democratic processes — either the absence of spaces for participation in public policy debates or more concrete violations of political rights (such as the right to vote in periodic elections and run for elected office, for example). This process would also address the rights of members of the security sector itself, particularly where restrictions are enforced to civil and political rights due to the need to ensure neutrality and discipline (Born and Leigh, 2008).

Victims of human rights violations must also be granted access to justice and reparations for abuses committed by the security sector. International customary and treaty law protects the right to remedy for wrongful acts committed by the state, and the right to know the truth about human rights violations. In addition, international law on reparations has developed considerably in recent years: “it establishes an emerging obligation on states to provide redress for violations of human rights abuses” (Mobekk, 2006a: 11).⁹¹ This is critical to SSR if state security agents and institutions are to move from being perpetrators of human rights violations to protectors and guarantors of human rights.

The issue of justice and accountability is particularly complex in countries engaged in or emerging from conflict. The debate on sequencing the different areas of post-conflict reconstruction invariably includes discussion on whether peace and justice are compatible or contradictory aims. It is the view of the authors that a sustainable peace, which must include SSR, cannot be achieved without a measure of accountability for grave crimes. Entrenching impunity within the new state security apparatus will invariably lead to mistrust by the population and perhaps the continuation of serious abuses on the part of the now formalized and reintegrated combatants. Given this imperative, the human rights framework is applicable to all types of situations, with the emphasis on accountability processes being of particular importance to countries emerging from conflict in which grave crimes were committed.

The third major challenge to implementing a human rights approach to SSR relates to the respect for economic, social and cultural rights. One of the main causes, and effects, of armed conflict is competition for control of resources. Armed actors violate human rights in an attempt to control resources and deprive enemy groups of basic subsistence goods such as food and water.

90 For an interesting discussion of the role of national human rights institutions — or ombudsman institutions — in monitoring the security sector, see UNDP (2007).

91 See, for example, the Nairobi Declaration (ND) on Women’s and Girls’ Right to a Remedy and Reparation (ND, 2007).

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As has been clear in the DRC, Sudan and elsewhere, the participation of armed actors in the extraction of natural resources also contributes to the perpetuation of conflict and the proliferation of human rights violations. The underlying causes of poverty are a significant impediment to effective SSR for two principle reasons: the lack of access to economic opportunities for ex-combatants and the need to wrest control over basic services from military or paramilitary control.

In the first case, the human rights approach would place ex-combatants, as well as the communities to which they return, as a vulnerable group worthy of special attention, notwithstanding the potential backlash that this would generate among people who did not take up arms and are just as poor. In Burundi, demobilized former combatants have not reintegrated well, adding to the problem of insecurity and the risk of renewed conflict, since ex-combatants are largely unemployed and weapons still abound (Mobekk, 2006b).

With respect to the issue of control over economic resources, the challenge is related to the overall management of the economy by the state in a manner that respects its human rights obligations to progressively realize economic, social and cultural rights. In Indonesia, the military's involvement in the economy undermines civilian control over the armed forces, fuels human rights abuses, contributes to crime and corruption, weakens the economy and distorts the function of the military itself (HRW, 2007).

The indivisibility of civil rights with economic and social rights is, therefore, self-evident and must be taken into account in SSR programs. Poverty is a human rights violation in itself, but also inhibits the enjoyment of all other rights, including the right to participation in the decision-making process surrounding SSR. To the extent that violations of economic, social and cultural rights are caused by the security sector, either through commission or omission, SSR must ensure that the state is held responsible and implements policies to redress the situation through reform and accountability.

Conclusion

This chapter has described what a human rights framework for SSR entails and some of the challenges inherent in implementing this approach. While significant, the challenges are not insurmountable, and new efforts to integrate a human rights approach to SSR would likely yield positive results for rights holders affected by a security sector that is a threat to the enjoyment of rights, rather than a guarantor. A human rights framework for SSR will give real meaning to the "systems" or "holistic" intentions of current reform efforts.

It brings in legal norms and tools as a means to secure freedoms and human development, and it seeks to empower people to take part in the decisions that will affect their lives (van Weerelt, 2001).

What is clear is that human rights violations committed by the security sector, by legal or illegal armed groups, are even more destructive when left to fester and develop into open conflict. The main challenge, therefore, is to address the underlying causes of human rights violations as a preventive strategy, thus precluding the need for a complete overhaul of the security sector if the entire society descends into armed conflict. The best strategy, one that minimizes the challenges mentioned above, is one that engages in SSR for the prevention of human rights violations.

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THE FINANCIAL DIMENSION OF SECURITY SECTOR REFORM

William A. Byrd

Introduction and Background

Considerable experience has been built up with security sector reform (SSR); much has been written about this important area of activity and best practice documents, such as the *OECD DAC Handbook on Security System Reform* (Organisation for Economic Co-operation and Development's Development Assistance Committee [OECD DAC], 2007), have been prepared.⁹² While the literature includes discussions on the financial dimension of SSR,⁹³ this area remains a relatively neglected part of the SSR agenda and related programming. For example, financial sustainability is a critical aspect over the medium to longer term, but as SSR usually faces and must respond to urgent short-term demands, longer-term considerations — including financial sustainability — may not receive serious attention. Moreover, sound public financial management (PFM) can play an important role in addressing the significant governance concerns associated with the security sector, but lack of attention to PFM aspects of SSR means that this potential is usually not realized.

This chapter first lays out a number of basic linkages and principles relating to the financial dimension of SSR. It then discusses some issues and problems encountered during SSR implementation, as illustrated by selected country examples. The final section puts forward a limited number of conclusions and recommendations.

92 See also the extensive documentation and information available from the Global Facilitation Network for Security Sector Reform (GFN-SSR), including GFN-SSR (2007).

93 See, for example, OECD DAC (2007: 83–84, 91–93), World Bank (2005 and 2006), Middlebrook and Peake (2008) and Byrd and Guimbert (2009).

It should be noted that there is considerable variation in definitions and terminology, in particular regarding which activities and institutions are included within the ambit of the “security sector” (or “security system”) and which are not; the same applies to the meaning of “reform” in the context of SSR. This chapter does not delve into definitional issues, but given its purpose of focusing on the financial dimension, it seems appropriate to take an expansive perspective both on the breadth of the security sector itself (including justice, intelligence, corrections, the armed forces and police) and on what is encompassed in the term “reform” (such as building up security forces *de novo*, restructuring and re-staffing security forces that have gone wrong and downsizing through disarmament, demobilization and reintegration).

Key Linkages and Principles

Underlying the importance of SSR and its financial dimension are the critical linkages between security and development.⁹⁴ These linkages operate in the short run, as a modicum of security is essential for economic activity and economic growth to take place, and economic activities need to generate sufficient resources to pay the costs associated with security; they also apply over the medium to longer run. Historically, the development of today’s industrialized countries has been closely associated with the evolution of their security sectors, in particular, through the nexus between the military dimension and state formation.⁹⁵ North, Wallis, and Weingast (2009: 153–54) argue that consolidated political control over the military has been an essential prerequisite for these countries to make the transition to political and economic systems characterized by “open access” and resulting in sustained modern economic growth. On the other hand, in recent decades there have, unfortunately, been many examples of developing countries where insecurity and conflict, as well as damaging roles and activities of security forces themselves, have held back or reversed development. This is in fact the rationale for the heavy emphasis on SSR in many international interventions in post-conflict and conflict-affected countries.

The public finance dimension generates additional linkages between security and development. On the positive side, the public sector resources generated by a robust economy can be used in part to enhance security. On the other side, the security sector and its reform can cost substantial amounts of money, and indeed this is, more often than not, the most costly part of a country’s budget,

94 See, for example, Zoellick (2008).

95 Tilly (1992) documents in detail the historical development of European militaries and the role of wars in the formation and evolution of European states.

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leading to trade-offs between spending on security and on other important development priorities. Too much spending on the security sector can, therefore, ultimately worsen security as a result of adverse effects on development from lower spending on other sectors (for example, education, infrastructure or employment generation). Overspending on security, resulting in “too large” a security force, can also exacerbate insecurity more directly, through the risk of *coups d'état*, abuses on the part of security forces and their predatory actions against the population.

Public finances and PFM, therefore, very much matter for SSR and neglecting the financial dimension is likely to increase the risk of failure, especially over a medium- to longer-term period. For example, availability of significant external financing for SSR in the initial stages may run the risk that a “gold-plated,” expensive security sector is designed, which subsequently runs into funding constraints and cannot be sustained during a transition to primary reliance on domestic resources. This has been a risk in the case of Afghanistan, for example (World Bank, 2005; Byrd and Guimbert, 2009). On the other hand, many SSR programs appear to be chronically underfunded from the outset, particularly if they have relatively ambitious objectives, with problematic consequences.

Finances are closely related to governance (that is, the oversight and accountability of a sector that commands arms and power, and which can engage in violence as well as the credible threat thereof, for example to extort resources). In this context, a key principle is effective oversight of security forces by the civil authorities, without which the security sector can easily become a source of insecurity and adversely affect a country's development. In addition to its other dimensions, an important part of oversight is financial oversight, which includes a sound budget process for the security sector, payment controls, procurement, accounting and auditing, and legislative review as well as transparency, including public availability of information.

There are also linkages to capacity building and institutional development, which are as critical in the security sector as in other sectors, especially for countries emerging from conflict or facing chronic state weakness and fragility. Adequate resources need to be effectively deployed for capacity building and institutional development, on a sustainable basis that does not leave the security sector dependent on expensive external capacity over the longer term. In particular, the management and oversight institutions for the security sector should not be neglected in terms of capacity development while the security forces are being strengthened and restructured.

The service delivery perspective on the security sector needs to be kept in mind when building security forces and sector institutions. Security is essentially a public good, from which the entire society can benefit (albeit often to varying degrees). This is most obvious in the case of defence of the entire country against external threats. Local security (such as in the form of police) is a local public good, and justice is a public service. However, there are some important distinctive features of security as a public good that have implications for how to approach SSR:

- There can be systematic or ad hoc discrimination in the provision of security and justice services; in particular, marginalized groups or individuals can be excluded from access.
- Individual security “transactions” generate losers as well as winners (arrested and prosecuted criminals, losing parties in civil cases).
- Security involves coercion and violence (threatened or actual), which can be misused, in which case the security forces easily can become a source of insecurity.
- Although private provision is an option for some types of security services, this can become highly problematic where physical force and violence may be used.⁹⁶
- Due to the public good dimension and the threat or use of violence and coercion, monopoly is called for in the provision of many security services; competition in the realm of security tends to result in insecurity rather than improved security.⁹⁷
- Monitoring of security service provision is difficult, not only because there are challenges in developing appropriate indicators, but also because beneficiaries and monitors can be threatened by the armed security forces being monitored.

⁹⁶ This is in addition to the concerns about inequity of access that arise in the case of private provision of other public goods and services, heightened by the importance of basic security in daily life.

⁹⁷ However, there may be some degree of choice, for example, in the resort to formal vs. informal justice systems, and it is possible to engage in competitive contracting of some security-related activities, such as landmine clearance.

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A key principle that is emphasized by PFM analysts and practitioners working on SSR is that the security sector should be incorporated within the ambit of the full range of PFM processes, standards and controls. There is no justification for treating the security sector as separate or exceptional — whether in a nation’s budget process, fiscal reporting, procurement procedures or accounting and auditing. The need for confidentiality with respect to some aspects of the security sector may call for special arrangements (such as closed budget hearings) but does not justify exempting the security sector from good PFM practices.

The application of PFM principles to the security sector can thus be approached as follows in the standard three-fold categorization of PFM (aggregate fiscal discipline; allocation of resources across sectors, sub-sectors and programs; and utilization of resources for given purposes):⁹⁸

Aggregate fiscal discipline: In order to play their role in mobilizing, allocating and appropriately utilizing public resources, government budgets need to be realistic (reasonable predictors of actual resources available and utilized, avoiding systematic under- or over-budgeting), and they need to be affordable (large budget deficits for unproductive purposes or financed by loose monetary policy have damaging consequences for inflation and growth). This principle means that the security budget and its main components should be prepared against a clear national security strategy and strategies for the different subsectors, and that security sector policies and expenditures must be affordable — both in the short term (annual budget) and in terms of the implications for spending in future years. Hence, the security sector should be fully incorporated in the annual budget formulation process, subject to aggregate fiscal constraints and sector ceilings like any other sector, and fully incorporated in medium-term fiscal projections and planning. All government transactions in the security sector should be on budget, including any revenues earned directly by security sector entities.

Allocative efficiency: Allocating fiscal resources appropriately across and within sectors is arguably the most difficult of the three levels of PFM and this also holds for the security sector. Some common-sense rules and guideposts can be used, but these cannot be applied mechanically. Examples include the levels and allocation of resources in the security sector in other countries, complementarities between and within subsectors (such as between police and justice, or between staffing and equipment for security services) and strength of the public-good rationale for budgetary spending. There is, however, no substitute for fully taking into account the specifics of the country context and

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This discussion draws on Byrd and Guimbert (2009: 11–16).

the situation faced. Addressing gross anomalies and misallocations between and within subsectors is more important than striving for, let alone fine-tuning, “optimal” allocations. Process is very important in this regard, to ensure that allocations are arrived at through a sound budgetary process with adequate consultations and negotiation between the various security sector ministries and management institutions on the one hand, and the ministry of finance and cabinet on the other.

Operational/technical efficiency: This refers to the extent to which appropriated public resources are used efficiently and effectively for the specified purposes. Sound budget execution is critical in this regard — for the security sector just as much as for other sectors — including the whole range of PFM systems and processes (procurement, payments, internal audit, accounting and reporting, external audit). It is also important to measure performance to the fullest extent possible. This is far from straightforward in the case of the security sector, in part because the ultimate outcome of security is not easy to measure and, moreover, because it is difficult to evaluate expenditures aimed at averting low probability, but potentially catastrophic outcomes such as the outbreak of wars and other forms of armed conflict. However, there is much scope for the use of intermediate indicators such as preparedness, readiness, training, input indicators and unit costs.

More generally, indicators of sound PFM can and should be used for the security sector just as they are used for the rest of the budget. In this regard, the Public Expenditure and Financial Accountability (PEFA) international task force has devised a set of indicators of PFM performance that is increasingly used (PEFA, 2005). While far from perfect, the PEFA indicators provide a framework for assessing and comparing PFM performance both over time and across countries. An initiative is underway to adapt this framework to assess PFM performance in the defence sector, and the framework is also applicable to the security sector more generally.

The Financial Dimension of SSR in Practice: Issues and Problems

While the approaches and principles outlined above are relevant and can be useful for designing and conducting SSR, their application in practice has been uneven and often lacking. This reflects both strategic issues and more practical problems, as well as what appears to be short-termism and neglect of the financial dimension in most SSR programming so far.

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Most broadly, the programming and budgeting of the security sector and SSR, more often than not, appear to lack a sound strategic foundation, in the form of a national security strategy based on a thoughtful threat assessment and other supporting documents. This was an issue in Afghanistan, which, as of 2009, still lacked a finalized national security strategy (World Bank, 2005 and 2006; Byrd, Ishihara and Payenda, forthcoming). There was similarly no national security strategy for Sierra Leone in the early stages of its SSR process (Albrecht and Jackson, 2009; Middlebrook and Miller, 2006). While it would be unrealistic to expect a full-blown national security strategy when SSR is being initiated in a country, particularly if there is an ongoing conflict, in many cases no strategy existed even after a number of years of SSR implementation and in the absence of outright conflict. This results in a lack of strategic guidance with respect to the aggregate size of the security budget as well as the allocation of resources across security sub-sectors and programs.

A common problem, especially in larger donor-driven SSR programs, is that the recipient country and its government are not in the driver's seat, which goes against key principles of aid effectiveness and engagement with countries facing fragile and conflict-affected situations. In the case of Haiti, for example, the lack of national ownership for SSR and, in particular, the perception that SSR was imposed from the outside, has been cited as a significant problem adversely affecting prospects for success (The Centre for International Governance Innovation [CIGI], 2009: 9). While state weakness and fragility — the very problem SSR programs intend to address — make it more difficult for a government to take charge, it is critical that there be sustained progress in this direction even if full government leadership is not possible at the beginning.

A striking symptom of this problem, which also reflects other undesirable donor practices, is that most SSR funding (often a higher percentage than for civilian aid) falls outside the national budget, with little government control. Moreover, the information available to the government about levels, allocation and utilization of off-budget funding for SSR is often sparse. Again, Afghanistan is a notable example of this phenomenon, where the vast bulk of security sector expenditures have occurred outside the national budget, and compiling accurate information about total security spending and its main components has been a challenge (World Bank, 2005; Byrd, Ishihara and Payenda, forthcoming). In the case of Sierra Leone, more than half of the total security sector expenditure in 2005 was reported to be off-budget, including nearly all non-operating expenditures (Middlebrook and Miller, 2006: 30). In many countries it may not even be possible to ascertain with any degree of accuracy the level of donor-funded off-budget spending on the security sector, typically

including much in-kind provision of goods and equipment, where there may be valuation problems as well.⁹⁹

One specific obstacle in this regard is that certain strategic objectives of donors may impinge upon the orientation of SSR and its financing. In the case of Afghanistan, for example, developing an effective national army to substitute for international forces in both counterterrorism and especially counter-insurgency operations has been an important donor objective, relegating development of the police and justice system to a distinctly secondary status in the early years (World Bank, 2005).

For this or other reasons, financial issues, and in particular the fiscal sustainability of the security sector over the medium term, are likely to be neglected relative to their importance from a national and medium-term perspective. Once again, Afghanistan is a good example (World Bank, 2005 and 2006; Manthri, 2008; Byrd and Guimbert, 2009; and Byrd, Ishihara and Payenda, forthcoming).

While it is understandable that urgent requirements to win (or otherwise end) the conflict and stabilize the security situation must take priority in the early stages of international interventions in situations of conflict and fragility, it is very important to factor in PFM and fiscal sustainability issues early in the SSR process, with increasing emphasis on these aspects over time. In many SSR contexts the needs of the security sector are so great and the revenue-generating capacity of the host country so limited, that the level of external spending required is unsustainable. This equation will change over time, as security improves on the one hand and with economic recovery and enhancements in domestic revenue generation on the other hand. In any case, there needs to be a transition strategy away from long-term dependence on external support for the security sector, which in most situations is politically unrealistic from the perspective of the donor countries.

In some cases, particularly those involving sub-national autonomy or secession, sub-optimal arrangements for the security sector may be built into peace agreements or even constitutions. SSR stakeholders then have little choice but to work within and around such arrangements. A key lesson for the future in this regard is that the PFM and fiscal sustainability perspective need to be very much “at the table” throughout the process of reaching peace agreements and developing political settlements. Even if it is necessary to adopt security

⁹⁹ Another issue is domestically funded off-budget spending by the security sector, often paid for with receipts from business enterprises and economic activities engaged in by security agencies and forces. However, this may be less of a problem (particularly in relative terms) for conflict-affected and post-conflict countries undergoing SSR.

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arrangements that have problematic aspects in the interest of reaching a peace agreement, the issues and trade-offs involved as well as the downstream risks need to be made explicit and clear to the different stakeholders rather than ignored.

Another important issue is that the development of management and oversight institutions in the security sector has tended to lag behind the strengthening of security forces, which may well increase the risks of abuses and predatory behaviour on the part of the latter. At the extreme, this could include threats to overall peace and state building through threatened or actual *coups d'état* (Collier, 2009: ch. 6). Even if outcomes are not so extreme, the problems and distortions resulting from lack of adequate management and oversight of the security sector on the part of the civil authorities should not be underestimated — at a minimum, the security sector cannot be relied on to promote national objectives with respect to security under such circumstances.

Donor financing of the security sector can exacerbate problems of fragmentation and lack of ownership on the part of the recipient government. This arises when individual bilateral donors carve out niches within the security sector and work closely with the government line agencies concerned, but neither side operates within an overarching security strategy or policy framework. The lead donor system that was introduced in the initial stages of Afghanistan's SSR, in the absence of an overall strategy or strong government leadership, is a good example of the serious problems that can result (World Bank, 2005).

Finally, donors' own financial management practices related to the security sector in their home countries sometimes do not necessarily reflect good PFM practice, but these may be transferred to the recipient countries undergoing SSR with donor support. This can have an adverse effect on the process and effectiveness of SSR. An example is defence procurement, where the rationales and historical explanations for exceptionalism in some donor countries should not be imposed on the countries undergoing SSR.¹⁰⁰

Conclusions and Recommendations

This chapter has merely scratched the surface of this important topic. It is hoped that the financial dimension of SSR will receive greater attention in the future,

100 See Ball and Holmes (2002) for a fuller discussion of these issues and, in particular, a strong justification for treating the security sector similarly to other sectors in terms of the budget process and PFM.

and, in particular, that a financial perspective or “lens” will be applied in the design of SSR programs from the beginning, as well as consistently during implementation. Specific recommendations include the following.

National leadership and ownership are critical, but where this is not possible at the outset, donors need to take a sensitive approach that works as much as possible “as if” there were national leadership and ownership. Moreover, where it is absent, progressively developing national leadership and ownership over time needs to be an explicit priority embedded in SSR design and implementation. It is also important that donor initiatives and activities in support of the security sector “do no harm” in this regard; harm could result, for example, from separate, “stove-piped” financing and programs developed by different donors, leading to fragmentation, disconnects and potentially even conflict within the security sector.

In this context, steadily increasing the share of donor-financed security sector expenditures channelled through the national budget is important. While the challenges of improving PFM standards and performance in the security sector to acceptable levels should not be underestimated, “learning by doing” can be an important factor in achieving such improvements, in combination with effective programs to enhance PFM systems and capacity.

Developing and strengthening the oversight role of the legislature with respect to the security sector can be very helpful, including through supporting the legislature and its staff functions. Financial oversight, through regular legislative review and debate on the security budget, as well as review of audit reports on security expenditures, is a good entry point and is fully consistent with the more general fiscal review and oversight functions normally assigned to legislatures.

Ideally, budgeting and financing for the security sector would be based on (and would comprise an integral part of) a sound national security strategy, developed under government leadership and with national ownership and buy-in. However, experience in a number of countries suggests that differences among stakeholders (and often among external partners as well) make this extremely difficult to achieve, especially in the early stages of a country’s SSR and, in particular, soon after coming out of conflict. Therefore, it is incumbent on donors to make sure that good PFM practices, as well as fiscal sustainability considerations, are fully factored into the individual programs they support, particularly where there is a piecemeal approach to building up the security sector over time in response to short-run exigencies.

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This will also require at least a modicum of cross-checking and consistency across different sub-sectors and programs within the security sector (for example, relating to overlaps in the roles of the police and army, or the fiscal cost of the SSR package as a whole). In the absence of a government-led national security sector strategy, other instruments may be able to play a useful role in this regard:

- Post-conflict needs assessments should include the security sector as a matter of course.
- National development strategy documents (which serve as or form the basis for poverty reduction strategy papers) should incorporate the security sector wherever security is a serious constraint to development and particularly where SSR is underway or envisaged.¹⁰¹
- Public expenditure reviews (PERs) conducted by the World Bank, often jointly with other institutions and almost invariably in cooperation with the government of the country concerned, can be a useful instrument for assessing PFM and fiscal sustainability issues associated with the security sector in fragile and conflict-affected situations.

The critical importance of transparency and accountability in the security sector, externally and to the public in particular, must be emphasized. This is especially difficult to achieve in countries facing fragile and conflict-affected situations. Nevertheless, efforts to enhance transparency and accountability may have disproportionate benefits in such situations because the risks and problems associated with the security sector tend to be more serious. Such efforts may also help to enhance the performance of the security sector.

Finally, and from a positive perspective, if good PFM practice and attention to fiscal sustainability are built into a country's SSR strategy and program design from the beginning — even while recognizing the short-term imperatives — it will be much easier to ensure that these aspects are given adequate attention and priority as implementation of SSR proceeds.

101 An example is the Afghanistan National Development Strategy, which incorporated some discussion of the security sector and SSR (even in the absence of a national security strategy) and also included security as an additional country-specific UN Millennium Development Goals (Byrd and Guimbert, 2009).

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19

THE ROLE OF THE PRIVATE SECTOR IN SECURITY SECTOR REFORM

Alex Martin and Peter Wilson

Introduction

It has become widely accepted in theory if not yet in practice, that security sector reform (SSR) should be a locally owned, *political* process that cannot simply be reduced to a set of technical assistance measures (Nathan, 2007; Donais, 2008). Increasingly, SSR is treated as a sub-set of a wider state-building process (Egnell and Haldén, 2009), which emphasizes the need to understand and build on existing political, state and social structures.

Such a widespread acceptance of the political nature of SSR is welcome. It should not be forgotten, however, that SSR must still contain a wide range of technical capacity-building elements if the democratic ambitions of reform are to mean anything in practice. For example, if democratic control over security agencies is to be effective, ministers must have competent, functioning ministries to oversee the agencies and translate ministerial policies into actions. This requires a host of technical capabilities within the ministry, including strategic planning, resource allocation, procurement, human resource management, accounting and all the other basic skills that any large institution requires to function properly.

Typically, governmental and multinational donors do not have a “standing army” of serving civil servants and military and security officers who are equipped with both technical and consulting skills and are willing to deploy (often at short notice) to support capacity building in host countries. It is precisely this gap that the private sector can fill, but this does not mean that donors can simply outsource all reform activity to the private sector. It is essential that they contribute political analysis and support to ensure that capacity-building activities are realistic, relevant to local context and designed to improve accountability as well as effectiveness; in addition, the political ramifications

of capacity-building programs must be understood and incorporated into program risk management.

This chapter examines the division of labour between donors and the private sector in supporting a locally owned, political process of reform that builds both accountability and effectiveness. It argues that SSR should still involve capacity building and technical assistance, even as political change is handled in a more sophisticated way, and that it is precisely the capacity-building element that creates a demand for the private sector to be involved in SSR.

This chapter defines the private sector to include specialist SSR consultancies, development and management consultancies, academia and singleton consultants, plus private security companies. Clearly, these all differ in important ways, and to discuss this would require a separate chapter. The important commonality for the purposes of this chapter is that they all contribute additional skills and can draw on a wider range of expertise than the permanent staff of donor governments alone.¹⁰²

The Need for Capacity to Realize Political Change

The field of SSR currently contains a gap between theory and practice. At the theoretical level, most analysts agree that SSR should primarily be a program of locally owned, political change, to which capacity building should be subordinate. However, at the practical level, some programs are failing to achieve change because the capacity-building elements are not informed by sufficient political understanding. While this chapter strongly supports the argument for greater political sophistication, which has already been made by numerous SSR specialists, it seeks to make a different case. Specifically, it aims to warn against throwing the baby out with the bathwater: an increase in the element of political change should not lead to neglect of capacity building. This chapter argues that both are needed. In particular, a significant danger of reform that operates *only* at the political level — without building capacity — is that it may create a set of demands on security officials that they are unable to meet in practice.

To take a simple example, much structural reform and legislation for intelligence and security agencies demands that the agencies share intelligence with each other, accept control and coordination from bodies including national security councils and relevant ministries, and provide sufficient information for

¹⁰² See Wilson (2006) for a discussion of the players in the private sector in SSR and how they interact with government.

parliamentary oversight bodies and judicial overseers to be able to discharge their duties (OECD DAC, 2007: 140–50). Such reforms seem obvious and are essential if the agencies are to avoid duplication, and if executive control and judicial and parliamentary oversight are to mean anything in practice. However, the provision of confidential materials outside an agency is fraught with dangers for a diligent intelligence or security official. Will the receiving institution protect the material properly? To do so, the receiving institution must use the same level of security protection as the agency — they must vet staff to the same standard, they must use the same system of secure communications, they must even have the same quality of combination locks on their filing cabinets. Such matters might seem trivial and not normally the concern of reformers who wish to focus on matters of greater significance, but to ignore such practicalities presents intelligence and security officials with an unacceptable dilemma — do they comply with the demands of reform and legislation, which would risk revealing the legitimate secrets of their government, perhaps putting lives at risk? Or do they break the law and decline to provide information in order to carry out their assigned role effectively and securely? If a reform process makes demands on officials without giving them the capacity to comply, it risks undermining the credibility of reform and condemning it to irrelevance in practice.

According to this logic, any restructuring of a security sector and any introduction of constitutional changes or new legislation is likely to entail a host of necessary capabilities. A simple clause in legislation stating that “agencies will cooperate” contains a hidden set of demands for new skills and new resources. An honest reform program would conduct a line-by-line analysis of proposed new structures and laws, and create a program of capacity building to meet each one of these hidden demands. As Nathan argues: “Without the requisite institutional capacity, the values and principles of democracy cannot be operationalised” (Nathan, 2004: 4).

The Need for Capacity to Support Day-to-Day Democracy

The above takes the traditional view that reform is primarily a top-down, strategic process in which decisions made at state level have to be implemented on the ground by the agencies concerned; this is indeed how many SSR activities are currently conceived.

However, there is another more evolutionary approach to the challenge of reform (Martin and Wilson, 2008). In this view of “security sector evolution,” change happens on a bottom-up basis, in which agencies try new methods at the street level in response to demands from the population; the successful

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initiatives are adopted and replicated throughout the security system. The aim of supporting such reform is that agencies directly adapt to the security needs of the population, changing their security priorities at the local level to meet specific local circumstances. The World Bank has described such an approach as “the short route to accountability” (World Bank, 2004); people can influence service delivery directly, rather than going via the long route of state-level democratic structures such as parliaments, which in many reform countries are ineffective at best. Such an approach builds on ideas of deliberative democracy¹⁰³ and offers a deeper concept of democratic control of the security sector than the current emphasis on changing the ways that parliament and the executive influence the behaviour of the agencies.

For such an approach to work, the agencies must develop a range of capabilities that will often be unfamiliar in a reform environment. First, the agencies must be able to measure and understand the security needs of the local population. Second, they must have mechanisms to allocate resources to solving those needs. Third, if the right initiatives are to be adopted and replicated, the system needs to be able to measure the impact of its operations in terms of delivering human security (not simply in terms of arrests made or insurgents killed). Finally, the individuals who deliver positive results must be rewarded through an effective human resources system that is based on merit rather than patronage.

Many of these skills simply come under the heading of “good management,” but this hides a number of non-trivial problems that *all* institutions find difficult. These include the development of metrics to capture complex outcomes (Fitz-Gerald and Jackson, 2008), the ability to reward personnel who achieve complex outcomes (Dixit, 2002) and the ability to allow a degree of experimentation while still maintaining a degree of focus and control (Campbell and Park, 2004; Wilson, 2005). As in the example of top-down political change, a simple *political* statement that security agencies should respond more to local people’s needs entails a host of requirements for new resources, new skills, new systems and new behaviours.

103 “A popular conception of both actual and ideal democracy is that democracy is a government that holds regular competitive elections...A somewhat more robust, but still rather minimalist, definition conceives democratic politics as entailing ‘a rule of law, promotion of civil liberties, free and fair election of lawmakers’...[Deliberative democrats] start with the idea that democracy is rule by the people and then deepen and broaden the conception of ‘rule’ by stressing a kind of inclusive and public discussion...[D]eliberation aims to solve *concrete* problems or to devise general policies for solving specific problems” (Crocker, 2006: 316–17).

The Iraqi Ministry of Interior

The history of the development of the Iraqi Ministry of Interior (MOI) provides an example of how the problems of lack of institutional capacity, and some of the solutions, can play out in practice. In particular, it shows how the private sector can supply skills that can complement existing work being done by development donors and through military-to-military or government-to-government cooperation.

In the early days of restructuring after the war, the minister of interior received mentoring from US officials, and the US Army trained large numbers of street-level police officers (Rathmell, 2007). However, when the authors of this chapter asked the then minister how many police officers he had, he was unable to give an answer, even to the nearest 10,000. Obviously, if he did not know how many officers he had, he was also quite unable to answer the second question, “How do you tell them what to do?” The minister had no capable institution between him and his police officers — a functioning ministry — that could do the basic tasks of tracking who was in the police force, where they were and what they were doing. Clearly, in this context, the democratic idea of ministerial control of the police was not being realized in practice.

The core of the problem in Iraq was the single-minded emphasis on increasing the number of security forces. This was an understandable emphasis in its context — in 2004–2005 the security situation in Iraq verged on civil war and a number of complex threats (insurgency, terrorism, organized crime) necessitated the need for greatly expanded Internal Security Forces (ISF), including police, border enforcement, intelligence and facilities protection. The focus on increasing the *number* of these forces deployed was also a function of the fact that the international lead agency advising the ISF was the US military, which, using conventional military paradigms, saw the job primarily as one of “force generation” and looked only secondarily at the job of organizational management. The Iraq police service grew from around 60,000 before the 2003 invasion to more than 400,000 in the space of three years, an unprecedented expansion of security forces in any country outside wartime.

However, recruiting a police officer and putting him on a street corner with a uniform and a gun necessitates a host of complex management systems. The officer needs to know what he is there to do, how he will be rewarded if he does so and how he will be held to account if he does not. This requires planning and human resource management systems capable of establishing organizational objectives and translating them to the level of individual activity. These objectives need to derive from a ministerial strategy, which itself needs

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to be located in a national security strategy and coordinated with the strategies of other government departments, particularly those controlling other security activity, such as the ministry of defence. This requires a complex planning system. This planning system must involve the establishment of high-level goals at the ministerial level, but these goals need to be translated into sub-strategies at the provincial and district levels, and implementation plans at the level of police stations. This implies a coherent programming system, supported by information technology run by competent users. In order for strategic and implementation planning to be useful, it must be linked to resource allocation, so that objectives are determined and prioritized in the context of the quantity of personnel, vehicles, buildings, weapons, fuel and other factors required to achieve them.

This programming system must, in turn, be linked to budgeting, necessitating a complex system of public financial management able to allocate financial resources down to the organization's business units; it must also monitor the execution of budgets at all levels in order to continually assess program implementation. Financial management information systems (budgeting, accounting, auditing computer systems) must be installed and maintained by IT experts, their use trained down to the local level.

The police officer's gun requires bullets, which necessitates both a functioning procurement system and a comprehensive logistics management process, which must operate not only at the central government level, but also be linked to business units nationwide in order to provide logistics and infrastructure where they are needed. Vehicles need spare parts, requiring a national maintenance and sustainment plan. Performance against targets must be tracked using coherent performance indicators, so that resource adjustments can be made where necessary.

These planning, budgeting, procurement and sustainment cycles must be multi-year to allow for multi-year programming and capital investment. Budgets required to deploy and equip security forces must be considered not only in the context of short-term stabilization, but of the longer-term fiscal sustainability of those forces, particularly in a country such as Iraq where fluctuations in oil prices can have a major effect on what public services are affordable from one year to the next. Security planning and budgeting must be a multi-year science, undertaken in the context of broader efforts to rationalize a country's public finances (Middlebrook and Peake, 2008).

This list is by no means exhaustive. However, it shows that a single-minded "force generation" approach is, at best, inadequate, and at worst, downright dangerous

(Rathmell, 2007: 5). There was certainly no shortage of technical assistance at the tactical level, but this was not accompanied by capacity building at the leadership levels, in particular, in the ministry. In Iraq, despite improvements in planning processes at the ministerial level, police officers are not routinely setting objectives and told how their performance will be measured. Promotion remains an ad hoc process based on time served, and often on personal contacts and family or tribal relations. There is no budgeting or accounting system that extends down to the provincial level. An unknown but very large number of vehicles either donated by the Multi-National Force (Coalition) or bought by the Iraqi government are unserviceable due to a lack of spare parts. While Coalition plans were designed to ensure that the Iraqi security forces operated under ministerial oversight, directing, resourcing and controlling those forces in reality requires a large number of routine, but indispensable, management systems.

Similarly, in order to enable the sort of “security sector evolution” approach outlined above, where security services at the local level understand and respond to local concerns and needs, systems are needed that can capture what those concerns and needs are and translate them into plans (and plans into activity) to deal with them. Opinion polls show that most Iraqis — including police and other MOI officials — remain deeply concerned about security. In conversations, however, most police officers readily admit that if they were the victims of crime they would not turn to the police for action or support; instead, they would rely on traditional tribal or militia networks. If police officers themselves are not confident that the police can address their concerns, it is of little surprise that the wider community feels the same way — and little wonder that militias can fill gaps in the provision of security.

At an individual level, Iraqi police officers do know why local people are concerned, and they understand their concerns. As citizens, they share the same concerns. However, codifying information on local security problems and converting it into actionable plans to address these problems, and to measure success or failure in doing so, requires a sophisticated set of public opinion-mapping, planning and performance-measurement capabilities. These systems, in Iraq as in most developing countries, either do not exist or are embryonic.

This is not to say that in Iraq there were no efforts to put in place the sort of institutional capabilities described above. Alongside the “man, train, equip” paradigm of the main US military effort, the Coalition established the Multi-National Security Transition Command Iraq, which included an MOI Transition Team tasked to help the MOI develop the functions outlined above. However, in a conflict situation, and with pre-existing MOI institutional capacity

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severely limited, Coalition “advisers” too often ended up playing a key role in running ministry functions on a day-to-day basis, which may have had the effect of inhibiting the development of indigenous competence and expertise. Furthermore, most US advisers were either military officers or reservists who may have had good knowledge of their own systems, but lacked experience of institutional development or consultancy in post-conflict or post-transition environments.

In 2005, the UK embedded a much smaller team of private sector management experts into the MOI, with some success. The UK team was composed of subject-matter experts in planning, budgeting, human resources management, procurement, training development and legal reform. Their experience from other security sector development projects meant that they understood the fundamental importance of applying the guiding principles of international development — notably the essential nature of “local ownership” of project objectives and methodologies; they also recognized the importance of not exceeding the absorptive capacity of the recipient organization to accept their advice. (Indeed, the small size of the UK team in comparison with the extensive US effort may have been a key advantage with regard to the latter.)

The UK project helped bring about some significant developments at the central ministry level, including the introduction of a multi-year planning, programming and budgeting cycle, the establishment of a human resources management directorate, the implementation of international-standard procurement processes and a three-tier leadership training structure for police officers. These were strategically important advances; however, the UK project lacked the resources to influence the process of scaling up the implementation of new systems and processes throughout the country, and the MOI, while much improved at the central level, has a long way to go before it can coherently manage the activities of the ISF Iraq-wide.

It is worth mentioning that, of the UK team of experts, only two were themselves police officers. While the MOI’s primary function is policing, the most pressing requirement was for support in developing the sort of management systems fundamental to the function of any organization, public or private. This task required planners, human resources managers, public finance experts, international procurement officers, curriculum developers, lawyers, computer consultants and other management experts, rather than security officials. As is argued below, one advantage of outsourcing delivery of the advisory effort to the private sector is the ability of the contracted agent to pull together a flexible, wide-ranging and multi-skilled response necessary to help a complex organization develop complex functionality.

The Private Sector Contribution to SSR

Effective SSR requires the development of a complex range of capacities within security agencies and their overseeing bodies. Some of these tasks are mundane, such as fitting the same standard of combination lock to everyone's filing cabinet; others are extremely complex, such as strategic planning, the creation of locally relevant metrics for human security and the establishment of systems to incentivize public servants to prioritize such targets over private interest. Implementation requires a fine balance of top-down strategy and bottom-up innovation. Above all, it entails a detailed program of change management. A great deal of work has been done on such questions of incentives, strategy and change by business schools, economics departments and management consultancies, which have developed a range of well-documented approaches that have been tested in private and public sector organizations. Most of this expertise, however, has yet to enter the theory or practice of SSR, which is still seen as a "special" area with little or nothing in common with organizational change in other, non-security spheres (Fitz-Gerald and Jackson, 2008).

In principle, there is no reason why government and multinational donors could not directly provide individuals with the expertise to support a locally led program of capacity building. In practice, however, few donors have a "standing army" of serving experts with the necessary diverse range of skills to achieve this. Governments have ready access to a pool of subject-matter management experts in the form of its own civil services; yet few Western civil servants have consulting experience in complex security environments and, in the main, they are busy running the affairs of the countries that pay their wages.

This is precisely where the private sector can help — it has the ability to tap into the market and provide a complex range of experts to meet the specific, unique needs of a given institution in a given country. At best, the private sector can provide a mix of individuals with front-line experience in the delivery of security, individuals who understand change management and individuals with the sort of "soft" consulting skills that focus on "mentoring, not doing" to support local owners to make their own decisions. Such support may take the form of full outsourcing to a consultancy company, or simply drawing on a roster of pre-selected external experts (several donors are developing such databases). The key point is that the range of expertise required is larger than can be delivered in-house from governments alone.

The Continuing Need for Political Engagement

As noted above, a program of capacity building that is conducted without sufficient regard to the political backdrop is unlikely to be effective; it may even be damaging in a number of regards. Government institutions in general, and security institutions in particular (Rathmell, 2007: 6–12), are key parts of the overall political fabric of a country. Control of armed forces, police, intelligence services and other security forces is a fundamental aspect of power in any society — and this can be even truer in countries with recent experience of autocratic government, where security forces are often seen as the guarantors of regime security first and foremost. Developing the capacity of one institution and not another can fundamentally alter the balance of power and is likely to be resisted by some parties as much as it is welcomed by others.

As well as these macro-political considerations, there are also internal, micro-political ones. Most security organizations, even in the West, are not unitary, but contain within them a number of “groups” whose relative power can fluctuate depending on the areas of the organization they control. The Iraqi MOI is a particular case, since after 2003 it was consciously reconstructed on political lines in order to balance the power and aspirations to power of various ethnic and social groups — Sunni, Shia, Turkoman and Kurdish (Rathmell, 2007: 6–12). Introducing systems such as strategic planning, centralized budgeting and transparent performance management by definition means putting more control (exercised through the purse) over security forces in the hands of one group or another.

Capacity building can have a profound effect on the organization’s political power lines. Human resource management is a way of ensuring regularized, accountable allocation of people to tasks. A coherent human resources management system, where job specifications are matched to individuals’ competencies and experience within a commonly understood framework, threatens the system of patronage and nepotism on which many developing world institutions are based. In short, it is essential that SSR practitioners take account of the effect not only of politics on the reform process, but also of the reform process on politics. In the above Iraq example, there was sufficient (or perhaps too much) technical assistance (train and equip) at the tactical level, insufficient capacity building at the institutional level in the initial stages and, in general, a lack of understanding of how these activities interacted with the political sphere.

This understanding of the political nuance of the SSR process — its effects and how it is affected — requires the engagement of the public sector.¹⁰⁴ Only the expertise of diplomats, intelligence analysts and foreign policy experts can inform technical SSR activities to the level required to guide them and maximize effectiveness. The role of the private and public sectors in SSR are, therefore, not mutually exclusive, but entirely interdependent. Without the public sector, privately contracted practitioners will be unsighted on the crucial political dimensions of their programs. Without the private sector, governments will struggle to deploy the right people, with the right experience in the timeframes required to deliver complex programs of change.

Conclusion

It may seem obvious that capacity building is an important part of SSR. Surely, such an argument is hardly worth making, but reviews of SSR programs continue to identify gaps in institutional support that are only belatedly corrected, if at all. It is not only in Iraq that extensive assistance is provided at the highest level of overall restructuring and policy making, combined with operational training at the tactical level, though with little effort initially expended on the capabilities of the intermediary institutions. In Sierra Leone, which is often held up as a model of SSR, and which involved disproportionate¹⁰⁵ resources from across the UK government (Ball, 2007: 10), it was only very late in the process of reform that proper attention was paid to the Ministry of Internal Affairs (Albrecht and Jackson, 2009: 79–80, 131–32). In general, the Sierra Leone Police relied for political support on a direct connection to the vice president, with no effective support or direction from a functioning ministry (Albrecht and Jackson, 2009: 80).

The problem, perhaps, lies in the evolution of the concept of SSR. In the early days, capacity building meant the simple-minded attempt to transfer practices and structures from the donor country into the host country (Nathan, 2007: 2). This quite rightly led to a backlash, introducing an emphasis on local ownership

104 “Managing SJSR [security and justice sector reform] activities is human resource intensive. This review demonstrates that all too often, the UK Government does not allocate adequate staff time to SJSR projects and programmes. This is particularly true for [the Department for International Development], which manages most of the large SJSR programmes. Inadequate human resources can reduce the effectiveness of individual projects or programmes. It can also reduce the positive longer term impact of seemingly effectively implemented activities, as political blockages that are beyond the scope of contractors to overcome do not receive adequate attention” (Ball, 2007: 46).

105 Sixty percent of all security and justice sector reform spending in Africa in 2001–2005 went to Sierra Leone (Ball, 2007: 11).

and the understanding of SSR as a fundamentally political process. This should not, however, lead to the opposite extreme of understanding SSR *only* as a political process. If the political ambitions of SSR are to be realized, a new, more sophisticated understanding of capacity building must be developed. This would focus not on a transfer of models, but on increasing the ability of security ministries and agencies to change in response to their citizens' security concerns. The simple-minded transfer of models could be achieved by seconding serving officials from one government to another, but this more sophisticated view of capacity building requires the orchestration of inputs from across the public and private sector.

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SCALING THE HURDLE OR MUDDLING THROUGH COORDINATION AND SEQUENCING IMPLEMENTATION OF SECURITY SECTOR REFORM IN AFRICA

Jeffrey Isima

Introduction

The agenda of security sector reform (SSR) is globally accepted as the quintessential tool for conflict prevention in unstable states.¹⁰⁶ However, with the exception of a few post-conflict environments, SSR in Africa, in its holistic vision, has remained largely conceptual. In terms of practical implementation, security reforms that take a system-wide approach, embracing all the core security institutions of the state — military, police, paramilitary, penal and justice — as a broad sector, have hardly occurred. Most reforms have been piecemeal and disaggregated; they have proceeded with little sense of the potential and actual drawbacks and risks that unreformed components of the sector or isolated reforms may present. This is not very surprising given that most African countries are in transition, either from conflict to a more peaceful and stable situation or from authoritarian regimes to more democratic political systems. The sheer complexity of transition itself (and this is not the only factor) throws up a host of intractable obstacles (Nathan, 2004) to the wholesale or “whole-of-government” implementation of SSR as prescribed by international standards (chiefly by the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD DAC). Two major areas where the implementation of holistic SSR in African countries

106 That said, more stable states also need to constantly adjust their security institutions and policies in order to respond effectively to new threats in a rapidly changing world, as the post-9/11 security policy changes in the West demonstrate.

has faced some of the most serious challenges are coordination and sequencing of reform programs.

Coordination and sequencing have been recognized internationally as constituting two essential tools for successful reform of national security systems. The sheer multiplicity of external actors in most ongoing SSR projects in Africa, many of which have similar mandates and operate in the same areas, creates the grounds for what has been referred to as “turf wars” among the main (particularly external) actors (Brzoska, 2009: 14). The most obvious dimensions of this tussle include duplication of efforts, parallel chains of command, competition over funds and an unclear division of labour in the field (Brzoska, 2009: 14). Coordinating these various actors and their respective projects is, therefore, crucial for achieving a holistic national strategy of transforming security in any given country. Similarly, it is internationally agreed that various components of SSR, or SSR and other parallel reconstruction programs (in post-conflict cases), such as disarmament, demobilization and reintegration (DDR), small arms and light weapons (SALW) and transitional justice, need to be well timed in relation to one another, as failure in any component can undermine SSR efforts (OECD DAC, 2007: 106). Sequencing is, therefore, not just a catchword appealing to the fancy of SSR theoreticians, but a *sine qua non* for developing and executing a national strategic approach to security transformation and for guaranteeing the sustainability of reforms.

Even in post-conflict countries where SSR has been implemented with rare zeal and relative success, strategic coordination of different reform programs and actors and attainment of optimum sequence of the different elements of reform have been painfully difficult. In some cases, they have been ignored by the main implementers who have muddled through reform hoping to achieve some minimal results. In some others, the failure or inability to overcome the difficulties of coordination and sequencing has generated setbacks to achieving the holistic vision of SSR. Given the crucial importance of coordination and sequencing in SSR, it is tempting to ask: why are these areas so elusive for reformers in the context of Africa and how are they being addressed in practice?

This chapter attempts to find answers to these questions. It explores the practical challenges of coordination and sequencing faced in the implementation of SSR in Africa. It also seeks to yield understanding on how local and international actors respond to these challenges. In pursuit of these objectives, the chapter is divided into three parts: the first deals with the rationale for coordination and sequencing in SSR implementation; the second part examines the real challenges of coordination and sequencing on the ground. Relying on examples from a few cases, the section also explores some of the factors underlying these

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difficulties in Africa. The last part is the conclusion, which looks at the future of SRR in the region and how coordination and sequencing can be strengthened and improved upon. This chapter is based on desk research and the analysis is drawn from documented cases of SSR projects in various African countries.

Coordinating and Sequencing SSR in Africa

The increasing number of external and domestic actors involved in SSR activities in Africa and the fragility of reforming African states (most of which are undergoing precarious transition), combined with the potential risks posed by disjointed, poorly timed, incoherent or contradictory SSR activities, demand careful coordination and sequencing of reforms that seek to transform the security situation in a way that supports the prevention of conflict and an enabling environment for development. A number of crucial issues emerging from ongoing SSR activities drive and reinforce this demand. The most obvious of these issues pertain to complexity, donor interest sustainability, ownership and leadership, strategic framework, synergy and coherence. These issues are discussed below.

Not many African states can boast indigenous institutional, human and financial capacity sufficiently robust to mount wholesale SSR without recourse to external assistance. So far, only South Africa has exhibited this national capacity in the course of its immediate post-apartheid security transformation, albeit with some degree of international support (Cawthra, 2003: 42). Elsewhere in Africa, where large-scale SSR is being undertaken, state fragility, occasioned in most cases by decades of violent conflict, has made such ambitious reforms prohibitive without substantial external assistance. This has meant that much of what goes on as SSR is driven by a considerable host of agencies of donor countries and multilateral institutions, with different priorities and methodologies. This came into sharp relief in Liberia, where the security reform program of the UN Mission in Liberia focused narrowly on police training and the rule of law in isolation from the broader governance of the security sector (Ebo, 2005: 53). Furthermore, there are 13 different UN agencies, 18 donors (bilateral and multilateral), a regional organization, private security companies and more than 300 international non-governmental organizations involved in various aspects of the Liberian SSR process. Managing such an array of powerful international actors and making sense of “who is doing what” is completely impracticable without strong national coordination mechanisms.

Apart from the need for national coordination of external actors, coordination between agencies of particular donor countries is seriously lacking, further

exacerbating the problems of rivalry and contradiction among the different elements of stand-alone reforms. In the Democratic Republic of the Congo (DRC), for instance, a number of international actors, including the UN Organization Mission in DRC (MONUC), other UN agencies, the European Union (EU) and other bilateral donors, are involved in different aspects of SSR in a way that reflects different priorities that are now necessarily complementary. In addition, the overwhelming array of security and related institutions that need to be transformed and relevant policies to be fundamentally reviewed at the same time, require a strategic approach that coordinates and brings out the linkages among the various elements.

This leads to the need for sequencing. Given the range of security challenges to be addressed and the limited expertise and funding to meet them, even the strongest of states would be compelled to prioritize its security reform programs. Yet security is indivisible, and the risks that could result from breaking up the sector for piecemeal reforms on the basis of priorities alone are all too obvious. The various components of SSR as well as other parallel programs of post-conflict peacebuilding are so inter-linked that they must be implemented in close alignment. This is because failure in one component can undermine efforts, if not reverse successes, made in others. An instance of this risk is the post-apartheid reform of the criminal justice system in South Africa, which focused on the governance elements of oversight, police accountability, the rule of law and human rights. Other salient issues of justice sector reforms as well as operational capability of the police to fight crime were not addressed in tandem. This coincided with a soaring crime rate that generated a security vacuum in the communities, which was quickly filled by ultra-violent vigilante and self-protection groups in the mid- and late 1990s (Isima, 2007).

This goes to show that strengthening oversight without building operational effectiveness can undermine safety, just as much as bolstering effectiveness in the absence of oversight (as in many SSR cases) can support repressive regimes camouflaging as democrats. An example of this second type of SSR imbalance is the post-socialist security dispensation in Ethiopia, which, reinforced by the US-led counterterrorist strategy in the Horn of Africa, has been notorious for violating human rights, suppressing democratic pressures and limiting the space for accountability, transparency and democratic governance of the security sector — even though periodic elections are held under the cloak of civilian rule. The need to tackle a particular security challenge may thus require addressing other closely related challenges.

Donor assistance for SSR in Africa is not necessarily altruistic. Rather, it is a projection of national interests that play a significant role in the extent and

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direction of reform. The impact of such interests on SSR activities may not correspond with the security aspirations of the national population. A well-coordinated reform process allows for shared goals between international and local actors, including civil society groups. This approach allows for grounding the process on the views of legitimate domestic constituencies, and ensures that the various activities do not work at cross-purposes. It is also important that even within a donor country or groups of countries, different agencies coordinate their policies. The Conflict Prevention Pool (CPP), formerly called the UK Africa Conflict Prevention Pool is a very good example of this inter-agency coordination in external reform assistance programs. The CPP brings together the three key government departments — the Ministry of Defence (MOD), the Department for International Development (DFID) and the Foreign and Commonwealth Office (FCO) — in a joined-up approach to the country's conflict-prevention assistance to partner countries in Africa. This was demonstrated in Sierra Leone, where all UK SSR assistance provided by these three departments was coordinated through the CPP in a formal space for inter-agency cooperation. CPP also coordinated its work with that of other agencies, such as the Multi-Donor Trust Fund as well as UN Development Programme (UNDP) and US Agency for International Development efforts in DDR (Perdomo, 2007: 107–08).

Sequencing also helps in strengthening the sustainability of reform by linking various elements in such a way that they are mutually reinforcing. Since everything cannot be done at the same time, decisions on priorities and the sequencing of steps need to be made early. There is need for flexibility in making such decisions, however, as specific circumstances may only permit an iterative and evolutionary approach instead of a rather rigid prior strategy for reform. While there is no specific template for sequencing reform, a prior understanding and assessment of the actual situation on the ground is crucial to identifying priorities and entry points for reform. Such an assessment also helps to identify the possible effects of reform on different groups and other reform priorities. For example, the attempt to undertake post-genocide transitional justice in Rwanda threw up the need for a host of SSR, including reform of the police, justice and penal sectors. It was not possible to make meaningful progress with domestic prosecution for the genocide without building the capacity of the police to gather evidence as well as the capacity of the courts and the prisons, all of which had been destroyed by the war (Mobekk, 2006: 13–18). A sequenced, reformed process therefore helps to ensure that other critical reforms are possible.

Local ownership of SSR — a very difficult challenge in Africa — requires effective national coordination of SSR. Strategic national coordination of external assistance program reforms helps to ensure that reforms are owned and led by domestic actors. This is happening in Sierra Leone, with the establishment

of the Office of National Security (ONS) at the presidential level. The ONS is responsible for strategic decisions and planning for ongoing SSR. Increasingly, the ONS is helping Sierra Leoneans to develop the requisite capacity to assume ownership, lead the reform process and ensure adept external support to local needs. It is also helping local actors to think strategically and ask questions about sustaining reform when donor funds start to dry up.

This is a far cry from neighbouring Liberia, where the ongoing SSR work is dominated and controlled by powerful external actors. Ownership of reform also facilitates proper sequencing of SSR, and weak ownership means little national leadership in determining priorities and strategic linking of the various components or parallel programs. This is demonstrated in Liberia, where comprehensive DDR started in 2003, followed by SSR from 2004. However, some key SSR decisions — such as appropriate security force levels, composition of the military, distinction of mandates between the police and the military, provision of community safety during demobilization — could have been undertaken before demobilization had there been strategic thinking to align the DDR program with SSR. Similarly, the SALW program that started in 2005 provided a crucial opportunity for SSR. Even though it was a positive development that the SALW program was launched after SSR had commenced, the SSR program was limited and the requisite visibility of the police to create the confidence for micro-disarmament was absent. As a consequence, there was unwillingness on the part of individuals and communities to give up their arms.

SSR in Sierra Leone provides a rare example of where the issue of coordination among external actors did not emerge as a challenge. This advantage was due largely to the strong and committed leadership of the process under a dominant donor (the UK), and this case illustrates the need for lead donors in future SSR processes. Yet, even in the success story of Sierra Leone, coordination of SSR was not completely without problems. It has been observed that some of the coordination meetings between the CPP and the government of Sierra Leone occurred informally and irregularly, and that there was a lack of consultation with civil society groups (Perdomo, 2006: 108). This does not negate the widely recognized success of SSR in Sierra Leone, but it underscores the point that even the most successful SSR effort may still have to grapple with the challenge of coordination.

The twin problems of coordination and sequencing, therefore, have continued to surface where SSR is being implemented in Africa. Just what are the factors that make it so difficult to ensure that SSR is implemented in a well-coordinated and sequenced fashion in conformity with international normative prescriptions?

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Are coordination and sequencing deliberately ignored by the implementers of SSR in Africa or are they just extremely difficult to achieve?

The Challenges of Coordination

National strategic coordination requires strong national institutional capacity to engage as equal partners with well-resourced, specialized and experienced international agencies. This capacity is always lacking in post-conflict and transitional countries, and a new inexperienced national government usually finds it difficult (particularly at the beginning of reforms) to understand the dynamics of SSR and absorb the volume of external assistance, let alone coordinate the multiple SSR activities that may be undertaken separately by different agencies simultaneously. The capacity to lead national strategic policy-making, planning or budgeting processes is weak; the necessary institutions may not exist and, where they exist, may be too weak to undertake coordination. Sometimes, it may take durable external mentoring to bring such governments up to the level of institutional capacity that enables serious coordination.

Undertaking coordination in Africa (where most states exhibit this institutional weakness), therefore, is a time-consuming exercise that does not happen automatically at the beginning of reform programs. It may take a long time for national capacities to begin to manifest, making it possible for frustration to set in among key stakeholders that have invested heavily in the reform. Frustration itself can discourage the initial proponents of coordination, who may then want to carry on with piecemeal reforms that would produce quick results.

Where the state has failed before the commencement of reform (such as in DRC, Liberia and Sierra Leone), most security services are provided by non-state actors, including private security companies, neighbourhood watches, protection rackets and vigilantes. These forces are never included in security governance arrangements during post-conflict reconstruction work and it is difficult to coordinate their activities. The current training of Liberia's military by DynCorp, a private US-based military company, is an example of how difficult it is to bring non-state actors under national coordination.

Internal coordination of agencies within a given country can also be problematic. This is mostly due to ideological and administrative differences among the agencies. Until the establishment of the African Conflict Prevention Pool in 2002, UK SSR-related assistance was delivered separately through three departments without a coordination of their work. While DFID SSR assistance was delivered under the rubric of poverty reduction as a tool for international development,

the MOD concentrated on traditional military assistance or defence diplomacy and FCO concerned itself with rule of law and police assistance. In addition, the Whitehall SSR Policy Committee, involving the three departments, met regularly to ensure effective implementation of the CPP SSR strategy, as well as cross-departmental coordination.

Institutional culture and ideological traditions are not easily overcome and it has taken a strong SSR vision on the part of the UK government to harmonize its conflict-prevention work in Africa and bring three agencies into one pool for that purpose. Other than the UK, there is a lack of internal coordination of SSR work in Africa among the different donor agencies from a single country, let alone coordination among the donor countries. This is also true for multilateral donors, such as the EU, whose SSR work is delivered through multiple institutions and policy frameworks that are not coordinated.

For various reasons, donor countries find it difficult to coordinate their SSR work in a particular country or region and getting agreement on a strategic framework of engagement is not easy. A major cause of this is the competing interests among different donors. Competing interests among member states and institutions has been a major obstacle to coordination of the EU's SSR engagement in the DRC (Helly, 2006: 8). At other times, it could be the differences in levels of understanding of SSR and its integration among the donor countries. The UK, for instance, has a far richer understanding of SSR than the US and has made more progress in integrating this knowledge into its international development assistance. Instead of a holistic SSR model, the US has preferred traditional security (more military) assistance — usually the train-and-equip model — even though there are indications that this is likely to change in the future. It could also be as a result of differences in policy models among donors, just as the UK's model and approach differed from that of UN Mission in Sierra Leone (Perdomo, 2006: 108). The same differences were encountered in the DRC, where Angola's police model was at variance with that of MONUC, such that there was a lack of a uniform program for police reform assistance (International Crisis Group, 2006: 6). Under such circumstances, donor coordination, though recognized as very important, becomes difficult to operationalize and may even lose its appeal.

Also worthy of mention is the international political tension between SSR and peacekeeping priorities. The UN, especially the Department for Peacekeeping Operations (DPKO), has preferred traditional peacekeeping to SSR. Where it was involved in SSR, such work was subsumed under DDR. Similarly, UNDP SSR-related work has been subsumed under programs on the rule of law. What this means is that internationally accepted standard practice on SSR is yet to be

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fully developed. This is likely to change positively with time, particularly with the establishment in 2007 of a UN SSR Team, located at the Office of Rule of Law and Security Institutions, DKPO, as the specialized unit for the organization's SSR work.

Regional approaches to coordination of SSR are difficult to find. Most donor-funded SSR projects in Africa do not have any plans for coordination at the regional level by the donors themselves. Although the Nordic Initiative (put together by Denmark, Finland, Norway, Sweden and Iceland) represents a model of regional coordination, it is exclusively meant to coordinate their SSR activities in the Balkans (Bendix and Stanley, 2008: 20). Nor are there any mechanisms for African coordination of SSR in operation at the regional or sub-regional levels. The African Union is in the process of developing its SSR strategy and any focus on continent-wide coordination remains to be seen. The same goes for the Economic Community of West African States, whose Conflict Prevention Framework is still evolving. While these African regional initiatives are laudable, it is crucial to insert provisions for regional coordination before progressing to the phase of practical implementation of programs.

A few other obstacles include limited collective experience of SSR coordination among donors, coupled with the fact that SSR is unfamiliar terrain for many donors. Thus, it is not only new or weak civilian regimes in Africa that lack SSR experience; donors do not know how to go about coordinating their SSR and related assistance until they upgrade their knowledge and skill in the field.

Challenges of Sequencing

As with coordination, sequencing has its many practical problems in the implementation of SSR in Africa and the political context is crucial. Contexts where reforms are highly sensitive can prove particularly challenging for sequencing. It can be difficult, if not impossible, to touch upon sensitive areas and issues even though doing so might be appropriate.

There is a potential dilemma between the imperative of sequencing SSR and the need to preserve the holistic character of the SSR agenda. Everything cannot be done at the same time just because SSR must be holistic, as this will lead to failure (not least due to limited capacity and possible bad timing of the different components). Key priorities must be identified early and available entry points optimally utilized as they open up. Yet it is possible to become fixated with the priorities and available opportunities and, therefore, fail to link (or creatively seek to link) ongoing reform in particular institutions to other crucial institutions

within the security sector in a way that treats the various security agencies as a single sector. In most post-conflict countries where SSR is being undertaken (Liberia, Sierra Leone and DRC, for example), the tendency has been to focus the bulk of assistance on the military and, to a lesser extent, the police, prisons and other security sector entities.

While this is understandable, owing to the role of military and militarized police forces in conflict, it has been rare to see, for instance, police reform programs followed up with the reform of penal institutions. Political pressure and demand for quick results in these particularly problematic or threatening areas may therefore interfere with sequencing. Yet a holistic approach need not conflict with the need for sequencing. It can actually facilitate the sequencing of various programs, as it entails adopting a strategic approach that emphasizes the interconnectedness of the different SSR elements. It may be helpful if all the stakeholders (local and external) are persuaded to agree on such a strategic framework.

While there is no template for sequencing SSR in Africa, a firm assessment and understanding of the actual context (political, security and socio-economic) on the ground prior to implementation is key to enabling appropriate sequencing of SSR and other parallel programs (such as DDR) that could serve as entry points in a country, as has been the case in the DRC. This may prove difficult in contexts where local actors are not deeply involved in the process. An inclusive approach that involves civil society and other national stakeholders would provide a good platform for such an assessment.

Conclusion

Insufficient analysis has been conducted on the twin subjects of coordination and sequencing in African SSR projects. The few insights that exist on coordination and sequencing issues are tangential and do not directly focus on these two issues as main subjects of analysis. Even such peripheral knowledge has largely been theoretical and has lacked serious empirical investigation based upon case studies or comparison of real experiences of SSR implementation in the region, making existing knowledge on the issues speculative. It is beyond the scope of this chapter to fill this deficit of empiricism. This review is aimed at addressing the paucity of analysis on coordination and sequencing of SSR in Africa; it seeks to problematize them as main subjects in their own rights.

Sure answers to the questions raised at the beginning of the chapter have not been provided. To arrive at such answers would require a more rigorous

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analysis based on empirical study and the experiences of implementers of SSR projects and programs. The importance of these issues to the success of SSR implementation makes such a study compelling in countries where SSR is being undertaken.

In the meantime, a few observations can be made from what is gleaned from existing knowledge. One such observation is that setting up coordination structures and linking various elements systematically indicates strong commitment to the vision of holistic SSR, a vision that SSR stakeholders should do more than pay lip service to. Such commitment must be demonstrated through effective coordination and systematic sequencing. This leads to the second observation: to overcome (or manage) the challenges of coordination and sequencing identified above requires more than just setting up structures. A key priority would be to strengthen the capacity of such structures so that they can effectively undertake strategic analysis, policy formulation and evaluation (and this is not an exhaustive list).

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ACRONYMS

ARVIN (framework)	(A)ssociated Freedoms, (R)esources, (V)oice,(I)nformation,(N)egotiation and Public Debate: a measure designed by the World Bank to gauge the ability of civil society organizations to engage in public debate and promote social accountability.
AU	African Union
BINUB	United Nations Integrated Office in Burundi
CAR	Central African Republic
CIA	Central Intelligence Agency
CPA	Comprehensive Peace Agreement
CPP	Conflict Prevention Pool, formerly The UK Africa Conflict Prevention Pool
CSO	Civil Society Organization
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DDR	Disarmament, Demobilization and Reintegration
DFID	UK Department for International Development
DHS	Department of Homeland Security
DOD	Department of Defense
DOS	Department of State
DRC	Democratic Republic of the Congo
ESDP	European Security and Defense Policy

ACRONYMS

EU	European Union
FCO	Foreign and Commonwealth Office
GAO	Government Accountability Office
GDP	Gross Domestic Product
GoSS	Government of Southern Sudan
GNP	Gross National Product
GNU	Government of National Unity (Sudan)
IDRC	International Development Research Centre
IMF	International Monetary Fund
INGO	International Non-Governmental Organization
IPD	Inclusive Political Dialogue (Central African Republic)
IPU	Inter-Parliamentary Union
ISF	Internal Security Forces
ISSAT	International Security Sector Advisory Team
MDC	Movement for Democratic Change (Zimbabwe)
MDG	Millennium Development Goals
MDRP	Multi-Country Demobilization and Reintegration Program
MFA	Ministry of Foreign Affairs
MOD	Ministry of Defence
MONUC	UN Mission in the Democratic Republic of the Congo
MoU	Memorandum of Understanding

ACRONYMS

MNLF	Moro National Liberation Front (Philippines)
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
NSI	North-South Institute
ODA	Official development assistance / overseas development assistance
OECD	Organisation for Economic Co-operation and Development
OECD DAC	Organisation for Economic Co-operation and Development's Development Assistance Committee
OHCHR	UN Office of the High Commissioner for Human Rights
ONS	Office of National Security (Sierra Leone)
ORLSI	UN Office of Rule of Law and Security Institutions
PBF	UN Peacebuilding Fund
PEFA	Public Expenditure and Financial Accountability
PER	Public Expenditure Review
PFM	Public Finance Management
PRSP	Poverty Reduction Strategy Paper
PSC	Private Security Company
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front
SAF	Sudan Armed Forces

ACRONYMS

SALW	Small Arms and Light Weapons
SIDA	Swedish International Development Agency
SPLA	Sudan People's Liberation Army
SSPS	Southern Sudan Police Service
SSR/SA	Security Sector Reform / Small Arms section of BINUB
SSR	Security Sector Reform / Security System Reform
S/CRS	State Department Office of the Coordinator for Reconstruction and Stabilization
TIJM	Traditional Informal Justice Mechanism
TNI	Indonesian Armed Forces
UN	United Nations
UNDPKO	UN Department of Peacekeeping Operations
UNDPA	UN Department of Political Affairs
UNHCR	UN High Commissioner for Refugees
UNIFEM	UN Development Fund for Women
UNDP	UN Development Programme
UNDAW	UN Division for the Advancement of Women
UNGA	UN General Assembly
UNMIT	UN Integrated Mission in Timor-Leste
UNMIS	UN Mission in the Sudan
UNODC	UN Office on Drugs and Crime
UNSC	UN Security Council

ACRONYMS

USAID	US Agency for International Development
WB	World Bank
WGA	Whole-of-Government Approaches
WoG	Whole of Government
ZRP	Zimbabwe Republic Police

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Ann Fitz-Gerald is director of Education and Research for the Cranfield Centre for Security Sector Management and a reader in Cranfield University's Department of Engineering Systems and Management (for the Defence and Security Sectors), and the associate dean (Research). She holds degrees in commerce, international relations, security studies and security & defence management. Her PhD examined the impact national disparities with multinational military forces could have on sustainable development programmes running simultaneously with peace support operations in post-conflict states. Following an initial career in the financial sector, she entered Canadian diplomacy which included posts at the Pearson International Peacekeeping Training Centre and NATO Headquarters.

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Nicholas Galletti is the coordinator of Communications, Political Action and Campaigns for the Public Service Alliance of Canada. Prior to this, he worked at Rights & Democracy as senior policy advisor to the president, responsible for strategic planning and government relations, and as regional officer for Latin America and the Caribbean, where he designed and implemented democratic

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Alice Hills

Alice Hills is a professor of conflict and security at the University of Leeds, where her specialist area is security governance in fragile states. Her research focuses on why public police evolve as they do, and what explains the interactions among the public police, governments, militaries and societies in sub-Saharan Africa. Recent publications address issues such as the dialectics of police reform, the possibility of transnational policing, and *Policing Post-Conflict Cities* (Zed, 2008).

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Lauren Hutton is a researcher with the Security Sector Governance Programme at the Institute for Security Studies based in Pretoria, South Africa. She has been working in the broader field of SSR since 2006 and specialises in the democratic control of the intelligence sector. Project activities include: working with parliaments in Africa to enhance parliamentary oversight of the security sector; integrating gender into SSR (with a particular focus on gender and defence); and legislative and policy advocacy and advice regarding the role of the intelligence sector.

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Dr. Jeffrey Isima is currently the coordinator of the African Security Sector Network, a pan-African network of African civil society groups, policy makers, practitioners and research institutions committed to the transformation and democratic governance of African security institutions, policies and practice.

Paul Jackson

Paul Jackson is currently the head of the School of Government and Society and director of the GFN-SSR at the University of Birmingham, UK. He is a political economist with an interest in post-conflict governance and states, particularly in Africa. He has worked extensively for a variety of organizations including

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Alex Martin

Alex Martin is a director of Libra Advisory Group Ltd, which specialises in security and justice sector reform and post-conflict development. He currently directs a major UK-funded program of management development and institutional reform in the Iraqi Interior Ministry. Alex spent his early career as an officer in the British Diplomatic Service, and has expertise in security policy, strategic planning and the institutional reform and management development of security organizations; and experience in training, personnel and recruitment in the security sector.

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Eirin Mobekk is a consultant who specialises in SSR, international policing, UN peace operations, rule of law and transitional justice. She has worked as a consultant to numerous governmental and non-governmental organizations on these issues. She has published extensively, trained and managed projects in all these areas. She received her doctorate at the Department of War Studies, King's College, London. In her capacity as a consultant, she has been involved in many assessment and evaluation missions and conducted fieldwork in several post-conflict societies, including Haiti, Timor-Leste, the DRC, Burundi and Sri Lanka.

Robert Muggah

Robert Muggah is the research director of the Geneva-based Small Arms Survey. Previously, he was global security and cooperation professional fellow at Queen Elizabeth House, University of Oxford. Muggah received his DPhil at Oxford University and his MPhil at the Institute for Development Studies, University of Sussex. He is also a fellow at the Centre on Conflict, Peacebuilding and Development (Switzerland), an associate of the Households in Conflict Network (UK), the Conflict Analysis Resource Centre (Colombia) and The SecDev Group (Canada). In addition to serving as an adviser to the OECD, he has worked with multilateral and bilateral agencies in 20 countries including Congo, Ethiopia, Haiti, Lebanon, Nepal, Philippines, Papua New Guinea, Russia, Sri Lanka, Sudan and Timor-Leste.

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Krista Nerland was a 2008-2009 Security and Defence Forum fellow to The North-South Institute, where she worked with the Peacebuilding and Conflict Prevention team. Her research interests include gender and conflict, the intersections between justice and security sector reform, and regional peacekeeping operations. Krista holds a Masters of Political Science (Comparative Politics) from McGill University.

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Kristiana Powell is a security sector reform (SSR) Programme Officer (policy and research) with the SSR Team in the Office of Rule of Law and Security Institutions in the UN Department of Peacekeeping Operations (DPKO). Her main areas of responsibility with DPKO include SSR in Burundi and the Democratic Republic of the Congo, the emerging African Union-UN strategic collaboration in SSR and SSR best practices and lessons learned. Before joining the UN in November 2007, Kristiana worked for four years as a researcher with the Ottawa-based North-South Institute, focusing on the African Union's peace and security capacities and security sector reform in Burundi.

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Kirsti Samuels is an attorney with extensive experience of the issues of countries in conflict — she has worked in Somalia, Afghanistan, East Timor, Bolivia, Ecuador and Haiti. She is a writer and policy analyst at the forefront of the state-building and peacebuilding field, and has acted as an advisor to governments and development agencies. During 2007-2008, she was the senior programme manager of the Constitution Building Processes Programme at International IDEA. In 2006, she worked in Somalia and Kenya as the lead legal consultant to the Somali transitional government on the questions of constitution-building and grass roots peace process. Dr. Samuels holds a law degree and science degree

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Mark Sedra is a senior fellow at The Centre for International Governance Innovation (CIGI) and teaches in the Department of Political Science at the University of Waterloo. His current research focuses on post-conflict state building and peacebuilding with an emphasis on security issues. He has conducted research on a number of countries and regions, including Northern Ireland, the Middle East and the Balkans; however, the bulk of his research in recent years has centred on Afghanistan. Prior to joining CIGI, Mark was a research associate at the Bonn International Center for Conversion (BICC), a German-based independent think tank specializing in peace and security issues, and a visiting research fellow at the Defence Academy of the United Kingdom. He also served as the 2004-2005 Cadieux Léger Fellow in the Canadian Department of Foreign Affairs and International Trade (DFAIT).

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Clare Short was a Member of Parliament (MP) in the UK for the constituency of Birmingham-Ladywood from 1983 to 2010. For most of this period she was a Labour Party MP, but she resigned from the party in 2006 and served the remainder of her term as an Independent. She stood down as a MP at the 2010 general election. Short was secretary of state for International Development in the government of Prime Minister Tony Blair from May 1997 until her resignation from that post in May 2003. During that time she played a pioneering role in overseeing the development of the SSR concept.

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Finn Stepputat is a senior researcher, PhD, at the Danish Institute for International Studies with a background in economic geography and cultural sociology. He has published extensively on issues of forced migration, armed conflict, relief and development, peace- and state building, DDR and the security–development nexus. Finn has co-edited various volumes including *States of Imagination: Ethnographic Explorations of the Postcolonial State* (Duke 2001); *Sovereign Bodies: Citizens, Migrants and States in the Post Colonial World* (Princeton 2005), and *The Security-Development Nexus. Expressions of Sovereignty and Securitization in Southern Africa* (Nordic Africa Institute and HSRC Press. 2007).

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ABOUT CIGI

The Centre for International Governance Innovation (CIGI) is an independent, non-partisan think tank that addresses international governance challenges. Led by a group of experienced practitioners and distinguished academics, CIGI supports research, forms networks, advances policy debate, builds capacity and generates ideas for multilateral governance improvements. Conducting an active agenda of research, events and publications, CIGI's interdisciplinary work includes collaboration with policy, business and academic communities around the world.

CIGI conducts in-depth research and engages experts and partners worldwide from its extensive networks to craft policy proposals and recommendations that promote change in international public policy. Current research interests focus on international economic and financial governance both for the long term and in the wake of the 2008-2009 financial crisis; the role of the G20 and the newly emerging powers in the evolution of global diplomacy; Africa and climate change, and other issues related to food and human security.

CIGI was founded in 2001 by Jim Balsillie, co-CEO of RIM (Research In Motion) and collaborates with and gratefully acknowledges support from a number of strategic partners, in particular the Government of Canada and the Government of Ontario. CIGI gratefully acknowledges the contribution of the Government of Canada to its endowment fund.

Le CIGI a été fondé en 2001 par Jim Balsillie, co-chef de la direction de RIM (Research In Motion). Il collabore avec de nombreux partenaires stratégiques et exprime sa reconnaissance du soutien reçu de ceux-ci, notamment de l'appui reçu du gouvernement du Canada et de celui du gouvernement de l'Ontario. Le CIGI exprime sa reconnaissance envers le gouvernement du Canada pour sa contribution à son Fonds de dotation.

“There is growing awareness that the theoretical assumptions behind security sector reform do not align with the realities on the ground, particularly in post-conflict environments. This has prompted a new look at where we stand and what is needed to move forward. Mark Sedra has captured the moment in this brilliant book of analysis and recommendations by a stellar group of scholars and practitioners. This is a highly educational must read for anyone who wants to understand this critical issue.”

*Robert M. Perito, Senior Program Officer,
United States Institute for Peace*

“This is a timely and insightful volume, bringing together a rich assortment of expertise from the worlds of both policy and academia. The contributions touch on virtually every aspect of the SSR problematique, offering a textured analysis of where SSR has come from and where it needs to go — an important contribution to an important debate.”

*Tim Donais, Associate Professor,
Wilfrid Laurier University*

“CIGI assembled an extraordinary team of sector experts whose collective work is an impressive element by element analysis of the complexities of SSR. Beyond history and trends, we are offered insight into what works, what doesn't, and what's needed. Practitioner, academic or student; multilateral or bilateral; public, private or NGO sector, there are lessons here for all.”

*D.C. (David) Beer, Former Director General of International Policing (ret)
for the Royal Canadian Mounted Police and currently
an International Policing Advisor for the Pearson Peacekeeping Centre*

“Experience has shown us that SSR is rarely to the forefront of determining policy in stabilisation or post conflict operations. Yet SSR is the means by which governments can be made to work and coalition forces can determine their exit strategy. It is a vital task that requires serious thought. This book will prove invaluable in promoting that process.”

*Major General Andrew Mackay CBE (UK Military), Former commander of
British forces Afghanistan and the former Commanding General of
the Civilian Police Advisory Training Team in Iraq*