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Dilemmas of Security Sector Reform:

Response to "Security Sector Reform in Developing and Transitional Countries"

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Response to “”Security Sector Reform in Developing and Transitional Countries”

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In thinking about security sector reform from the perspective of conflict transformation, there are two points raised by Herbert Wulf’s chapter that seem to be worth closer examination. The first relates to the definition of security sector reform; the second to the notion of a “scale of potentials for security sector reform.”

1. What is, and is Not, Security Sector Reform

Security sector reform consists of a broad range of activities involving a wide variety of local stakeholders and external partners. The unifying factor is the focus on democratic governance. The emphasis on democratic security sector governance is an outgrowth of the relative lack of attention to the application of accountability, rule of law, transparency and participation in Cold War-era security assistance programmes of the major providers in both East and West. These programmes almost always took the form of training and supply of equipment designed to enhance the operational capacity of security bodies with no concern for democratic governance or rule of law. They also focused heavily on the military. During the same period, the donors of development assistance consciously avoided interaction with the security sector, and democratic governance and rule of law considerations were also largely absent from their assistance programmes.

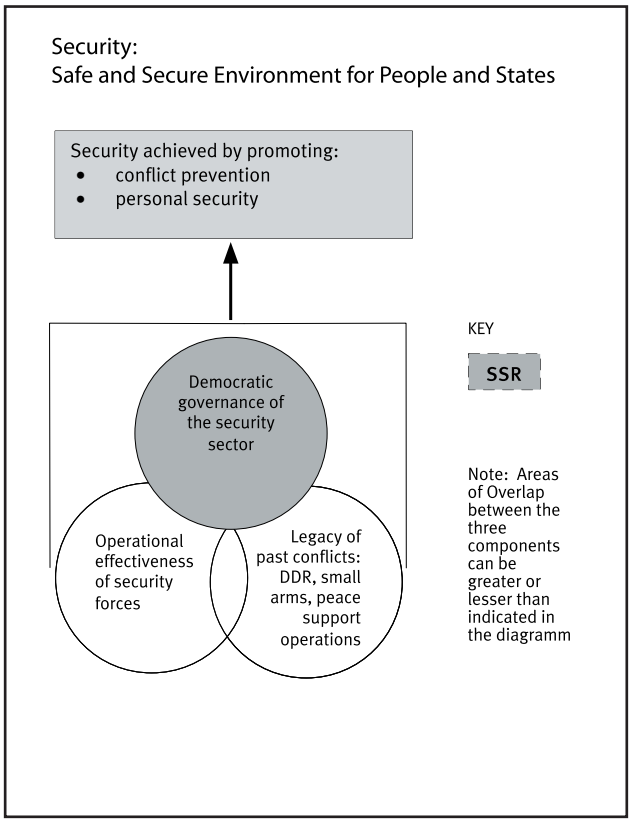
The result was tolerance of politicised security bodies, war as a means of resolving disputes, flagrant disregard for the rule of law on the part of security bodies, serious human rights abuses by security bodies, and high security budgets, among other things. In short, by contributing to insecurity, instability and various forms of conflict, the security bodies were a major part of the problem confronting developing and transitional countries as the end of the 20th century approached.

During the 1990s, it became increasingly evident that the security bodies urgently needed to be made part of the solution. Neither people nor the states they live in are able to achieve democratic consolidation, poverty reduction, or sustainable development without adequate security. It also became increasingly accepted that democratic governance of the security sector is essential to the achievement of appropriate levels and forms of security. Security bodies that are poorly managed and that engage in political and economic affairs with impunity tend to be professionally weak and therefore are unable to adequately protect people and the states they live in against aggression, internal subversion, criminality and other security problems. In many cases, these weaknesses are tied to the quality of democratic governance in the security sector. By the same token, because politicised or ineffective security bodies and justice systems are themselves often a source of the instability and insecurity, they cannot be marginalised in the quest for sustainable development, democratic consolidation, and societies that function by the rule of law.

However, developing democratic governance of the security sector does not by itself guarantee the existence of a safe and secure environment. As the figure below shows, two other factors importantly influence the ability of security bodies to provide the necessary security. First,

security forces need to be able to carry out their constitutionally mandated tasks in an effective and professional manner. Second, for countries emerging from violent conflict, the legacies of war need to be addressed.

The figure also shows that there is a certain amount of overlap among these three factors, the precise nature and scope of which varies according to the environment in which SSR is undertaken. It is these intersections plus the core democratic governance activities that constitute security sector reform. An activity may contribute importantly to enhancing security, but not be "SSR". This distinction is more than academic, since the concept of "SSR" was developed precisely to ensure that the governance-related aspects of security that have historically been ignored receive adequate attention.



It is within this framework that the following assertion in Herbert Wulf's paper should be assessed: "If adequately designed, the supply of weapons, materials and other equipment as well as military and police assistance can also be part of a programme of security sector reform, as the need for the right equipment by African peace keepers illustrates." While certain types of assistance to the military and police may be considered "SSR," the supply of "weapons, materials and other equipment" cannot. Effective peacekeeping forces are important to creating an environment of security, and have the potential to disseminate SSR concepts in conflict-affected regions. Ensuring that they have the appropriate "weapons, materials and other equipment" is an important component of improving their operational effectiveness and in combating the legacies of war. It does not constitute an improvement of democratic security sector governance.

2. "Scale of Potentials" or Contextual Approach?

Herbert Wulf posits that "The opportunities and potentials for reform in different situations can be measured on a scale…." He identifies seven categories of states, where the potential for SSR runs from "impossible" (countries at war) to "major'" (societies in transition to peace and post-conflict societies).

Herbert Wulf is not alone is seeking to distinguish among different types of countries. Work carried out for the United Nations Development Programme (UNDP) in 2001-2002 came up against the same question. Countries were initially viewed in traditional categories: conflict-affected countries, countries emerging from conflict, countries in transition to democracy and so on. It proved, however, to be extremely difficult to capture the full range of responses to country

situations with this sort of categorisation. An alternative approach, which identifies approaches to SSR based on contextual criteria rather than categories of countries, was thought to be have greater potential.[1] The seven contextual categories proposed were:

- Political context
- Psychosocial context
- Normative context
- Economic context
- Institutional context
- Societal context
- Geopolitical context.

Within each of these categories, it is possible to identify a range of subcategories and for each subcategory, suggestions for possible approaches for enhancing security sector governance. This process is demonstrated in the matrix below, and the examples provided in the matrix are intended to be no more than illustrative.

As Herbert Wulf's "scale of potentials" suggests, weak states offer particular challenges in this regard given their significant institutional and human resource deficits. Improving security sector governance may therefore seem a second or even third order issue for these countries.

However, since poor security sector governance has contributed in no small measure to the decline of economic and political governance in these states and therefore to the occurrence of conflict, it is impossible to strengthen overall governance without attention to the security sector. In fact, the agenda for strengthening security sector governance is very much a human and institutional capacity-building agenda, and by definition recognises that states seeking to implement the agenda do not have strong institutions or abundant human resources.

Herbert Wulf acknowledges that identifying where on the "scale of potentials" any given country lies "is somewhat based on subjective judgement." It is also fraught with dangers, as the examples in the "transformation countries" category indicate. According to Wulf, "Overall prospects in transformation countries are good" despite the "Soviet legacy" which can create obstacles for reform. The reality in the three Central Asian successor states to the Soviet Union suggests that the prospects are often considerably less than "good." In at least two of these states – Turkmenistan and Uzbekistan – "government" is no more than personalised rule by an authoritarian leader backed by the security bodies. In all three countries, the security bodies are instrumental in harassing and intimidating the leader's political opponents – real or imagined. Organisations such as Human Rights Watch and International Crisis Group have been documenting abuses by the state security system for some years now.[2] The following description of life in Uzbekistan is typical:

> There's … no sign of political liberalization. The new Liberal Democratic Party turns out to be just another pseudo-party set up by the government, neither liberal, nor democratic. Opposition parties remain unregistered, ensuring that parliamentary elections in December 2004 will be a government-controlled farce. Members of human rights groups and controversial NGOs continue to face harassment and arrest. Ordinary people who speak out against abuses by local officials can expect a visit from the police, advising them to

1 Nicole Ball, "Enhancing Security Sector Governance: A Conceptual Framework for UNDP," October 9, 2002, http://www.undp.org/bcpr/ruleoflaw/index.htm.
2 See Human Rights Watch, www.hrw.org, and International Crisis Group, www.crisisweb.org.

keep quiet. Push further and they can expect to find themselves charged with religious extremism, drug smuggling, or any other trumped-up charge that comes to mind.

On human rights, too, there's no evidence of improvement. Regular horror stories of beatings and torture emerge from trials. When a judge dared to throw out evidence on the basis that it had been obtained under torture, he was immediately placed under house arrest. A much wider range of abuses goes on that is rarely reported: people are often too afraid to complain to international organizations. The police have become a state within a state, and there is no real political will to do much about it.[3]

A good argument can be made that there is more political will to engage in SSR in Sierra Leone, an extremely weak state that is slowly emerging from over a decade of violent conflict, than in Kazakhstan, Turkmenistan and Uzbekistan combined.

By adopting a contextual approach, one avoids entirely the problems of determining which category holds the most promise and attempting to shoe-horn countries into rigid categories. A contextual approach is built on the understanding that every state has its share of obstacles to reform. It also facilitates identifying entry points for reform where they exist.[4] What is more, by adopting a contextual approach, the essentially political nature of security sector reform can be addressed. Because of its highly political nature, improving democratic security-sector governance cannot be addressed solely by technical measures. Rather, it is essential to understand critical political relationships among key actors, how and why decisions are made, and the incentives and disincentives for change. Strategies need to be developed for supporting reformers and minimizing the impact of spoilers. This is a particularly critical aspect of contextual analysis, and requires looking beyond formal legislation and organisational structure to develop a picture of how local institutions actually function.

At present, formal contextual analysis is not widely used by external actors seeking to support improvements in security-sector governance. However, the UK Defence Advisory Team (DAT) – whose activities have expanded beyond the defence sector to encompass the entire security sector – carry out assessments that seek to develop as comprehensive a picture as possible of the context in partner country security sectors. The DAT have not, however, produced a formal methodology. While care must be taken to prevent formal methodologies from becoming a straightjacket, it is also important that both external actors and local stakeholders in reforming countries have some form of concrete guidance to ensure that assessments are as comprehensive as possible. The decision of the Netherlands government to test its security-sector governance assessment framework during 2004 is a hopeful sign in this regard,[t] but clearly there is a long way to go before formal contextual analyses are widely employed.

3 David Lewis, "Uzbekistan: Halting the Money Train," Transitions Online, March 18, 2004, http://www.crisisweb.org/home/index.cfm?id=2546&l=1. Lewis is Central Asia Project Director for the International Crisis Group.
4 A more elaborated contextual analysis which focuses on five entry points is Nicole Ball, Tsjeard Bouta and Luc van de Goor, Enhancing Democratic Governance of the Security Sector: An Institutional Assessment Framework, The Hague: Clingendael Institute for the Netherlands Ministry of Foreign Affairs, 2003, http://www.clingendael.nl/cru/pdf/2003_occasional_papers/SSGAF_publicatie.pdf. The five entry points are: 1) rule of law; 2) policy development, planning and implementation; 3) professionalism of the security bodies; 4) oversight; 5) management of security expenditure.
5 Ball, N. Bouta, T and van de Goor, L, Enhancing Democratic Governance of the Security Sector. This assessment framework is intended to be used by governments of reforming countries, in collaboration with external partners.

Box 1: Tailoring Support to Country Context	
Contextual categories	Possible approaches
Political context 1) The capacity of the civil authorities to exercise oversight and control over one or more of the security bodies is weak.	▪ Assist legislature as a whole and relevant legislative committees to develop capacity to evaluate security sector policies and budgets. ▪ Assist finance ministry, ministry of defence, office of national security adviser and other relevant executive branch bodies to improve capacity to formulate, implement and monitor security policy and budgets. ▪ Help strengthen/create oversight bodies such as auditor general's office, police commission, human rights commission. ▪ Support national dialogues on issues relating to security sector governance. ▪ Encourage participatory national security assessments.
2) Democratic accountability of security bodies to civil authorities is inadequate or deteriorating.	▪ Provide professional training for security bodies consistent with norms and principles of democratic accountability, such as the role of the military in a democracy, democratic policing, human rights training. ▪ Encourage national dialogues on security sector governance, leading to development of national strategies for strengthening security sector governance. ▪ Support civil society in its efforts to, for example, train civilians in security affairs, defence economics, democratic policing; monitor security-related activities; offer constructive advice to policy makers.
3) Power is centralized; attempts to increase participation are opposed; public officials exhibit disregard for rule of law.	▪ Where feasible, support civil society in efforts to encourage dialogue within society and between civil society and government on rule of law, human rights protection, democratic governance. ▪ Assist civil society to build capacity on security-related issues. ▪ Work to develop an appreciation for democratic accountability of civil authorities to population. ▪ Identify and support potential reformers in government, security bodies
4) There is a tendency to resolve disputes domestically and with other countries through the use of force, but the country is not at war.	▪ Reduce access to weapons by all parties, for example through arms sale moratoria. ▪ Strengthen democratic accountability of civil authorities to population. ▪ Support the development of a capacity to defuse conflicts, thereby reducing the likelihood of a resort to violence.
5) The country is engaged in war.	▪ Encourage parties to conflict to discuss security sector governance in the course of peace negotiations. ▪ Support post-conflict demilitarisation efforts such as demobilization and reintegration of ex-combatants, disarming ex-combatants, irregular forces, population-at-large. ▪ To the extent possible, train civilians in areas relevant to capacity to manage and oversee the security sector.

Tailoring Support to Country Context	
Contextual categories	**Possible approaches**
Psychosocial context 1) Civilians experience difficulty in interacting with members of the security bodies.	▪ Promote confidence-building measures, such as facilitating dialogue between civilians and security body personnel in a neutral setting and arranging for local stakeholders to observe constructive civilian-security body interactions among international and regional stakeholders. ▪ Arrange for security body personnel to learn behaviour appropriate to democratic societies when interacting with civilians from other security bodies, either in the region or a trusted international partner. ▪ Train civilians in security-related issues in order to increase their confidence on substantive issues when dealing with members of the security body. ▪ Encourage greater accountability through, for example, requiring security body personnel to wear identification badges, requiring security body vehicles to be easily identified, supporting unofficial citizen monitoring activities where feasible.
2) Unaccountable security bodies create a sense of insecurity, within the country as a whole, among certain communities and groups	▪ Encourage human rights, gender sensitivity training. ▪ Encourage dialogue between civilians and security body personnel in a politically safe space if conditions permit, i.e. reprisals against civilian participants seem unlikely. ▪ Support the creation of police councils and other civilian bodies to monitor behaviour of the security bodies. ▪ Identify underlying causes of unaccountability and devise strategy to address these.
Normative context 1) The legal basis for democratic accountability of security bodies to civil authorities is not well developed.	▪ Support revisions of legal framework consistent with democratic principles and norms such as civil supremacy, appropriateness of means in the use of force, rule of law. ▪ Support regional efforts to codify democratic principles such as non-recognition to governments coming to power through coups d'états.
2) The legal basis for democratic accountability of security bodies to population is not well developed.	▪ Support reviews of national legal framework for consistency with international law and democratic norms, especially protection of human rights and laws of war; support for revisions as needed.
Economic context 1) One of more of the security bodies has privileged access to state resources.	▪ Support incorporation of security sector into government-wide fiscal accountability and transparency processes. ▪ Support anti-corruption activities. ▪ Assist civil society to develop the capacity to monitor security budgets.
2) The security bodies receive inadequate financial resources to fulfill their missions.	▪ Strengthen the capacity of legislators and economic managers to assess security budgets, carry out oversight functions. ▪ Encourage participatory national security assessment which would have as a major objective developing missions within a realistic resource framework.

Tailoring Support to Country Context	
Contextual categories	**Possible approaches**
Institutional context *Fundamental institutions are poorly developed or do not function adequately. For example:* 1) Criminal justice system	▪ Assist in development and implementation of criminal justice policy. ▪ Support democratic policing, judicial strengthening, legal training. ▪ Support efforts to demilitarise police, for example by separating them from armed forces and promoting democratic policing. ▪ Support efforts to depoliticise the judiciary. ▪ Support civil society's ability to monitor the activities of the criminal justice system and to provide training for members of the criminal justice system. ▪ Support the development of regional policing capacity to address cross-border problems and to strengthen commitment to democratic principles and practices.
2) Financial management system.	▪ Assist national stakeholders to develop mechanisms to: a) identify the needs and key objectives of the security sector as a whole and the specific missions that the different security bodies will be asked to undertake. b) determine what is affordable. c) allocate scarce resources according to priorities both within and between the different security sectors. d) ensure the efficient and effective use of resources.
Societal context 1) Civil society is prevented from monitoring the activities of the security sector and working to promote change.	▪ Work with the members of the security sector to enhance public transparency. ▪ Encourage regional confidence building measures aimed at enhancing transparency and accountability of the security bodies. ▪ Provide training in democratic policing principles and practices and human rights protection for the security bodies. ▪ Where feasible, seek ways of empowering civil society, for example, by encouraging changes in legislation that limit civil society activities, inviting Civil Society Organisations (CSOs) and local security experts to participate in meetings, or soliciting civil society opinion.
2) Civil society lacks substantive knowledge of security-related issues.	▪ Support efforts to develop indigenous training capacity. ▪ Provide scholarships in security studies, defence management, law and other relevant subjects.
Geopolitical context 1) Trans-border crime is a major problem.	▪ Support the development of regional policing capacity. ▪ Encourage development/strengthening of regional security mechanisms.
2) Regional tensions create arms races, provide justification for greater resource allocation to security bodies.	▪ Encourage regional dialogues on security issues.
3) Neighbouring countries seek to destabilize government, for example by arming dissidents.	▪ Encourage development/strengthening of regional security mechanisms. ▪ Encourage regional dialogues on security issues. ▪ Work to reduce access to arms.

Source: Nicole Ball, Enhancing Security Sector Governance: A Conceptual Framework for UNDP, October 9, 2002, http://www.undp.org/bcpr/ruleoflaw/index.htm

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Ball has edited a handbook on security sector governance for African practitioners written by African security and development specialists (forthcoming, Centre for Democracy and Development, Lagos, 2004) and has worked closely with Clingendael Institute (Netherlands) and the Netherlands Foreign Ministry to develop and test a security sector institutional assessment tool. Ball has also co-authored a background paper on accountability in the security sector (with Michael Brzoska, Kees Kingma and Herbert Wulf, BICC) for the UNDP Human Development Report 2002, as well as a background paper (with Dylan Hendrickson, King's College, London) that informed the policy statement and policy paper endorsed by OECD development ministers at the OECD Development Assistance Committee's April 2004 High Level Meeting.

Other publications include "Transforming Security Sectors: The IMF and World Bank Approaches," Conflict, Security, Development, Issue 1:1 (2001): 45-66, "The Challenge of Rebuilding War Torn Societies," in Turbulent Peace: The Challenges of Managing International Conflict, ed. Chester A. Crocker, Fen Osler Hampson and Pamela Aall, Washington, DC: US Institute of Peace Press, 2001, and Off-Budget Military Expenditure and Revenue: Issues and Policy Perspectives for Donors, CSDG Occasional Papers #1, King's College London, January 2002 (with Dylan Hendrickson).