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The US' Arrogance in Exporting American Policing Values to Developing Countries

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Abstract

This article aims at highlighting the role of police and the problems of policing in the third world and the involvement of the United States (US) in assisting police forces in these countries to enhance their professional capacities. The article argues that despite its noble goals the US assistance programmes for foreign police have resulted in nothing but human rights violations and militarization of police in the recipient states. Moreover, the US' lack of competent human resources for such trainings, the lack of internal and external coordination, and absence of clear objectives result in the failure of such programmes. With a clear history of failure of almost all such initiatives, the insistence of the US to train and equip foreign police do not contribute to the globalisation of police and is nothing but arrogance.

Key Words: American policing, Policing values, Third World, Police organizations, Police reforms.

Introduction

Different countries have different criminal justice systems, which are mainly based on their respective histories, cultures and customs (Shahid, 2014, p.45). At the onset of criminal justice systems lies police forces which also happen to be one of the most important points of contact between a government and its citizens (Balzer, 1996, para23). The police organization, structure, quality and functions vary from country to country, but in most countries police service is a mix of preventive, administrative and repressive functions (Zvekic, 1998, p.205) with the aim, in principle at least, to protect the fundamental liberty and rights of people (UNODC, 2012, p.9). Police, as an extension of the state, reflects its adherence to certain values (Nalla & Mamayek, 2013, p.117). Authoritarian police, for example, represents repressive regimes or undemocratic governments (Bayley, 2005, p.11), while communitarian police help to establish and uphold

conducive environment for the respect of human rights of the citizens (Sheptycki, 2007, p.55A). Well-trained and professional police which shows respect for human rights can have a significant influence on the legitimacy of a government, stability of the state and the security of its citizens, and vice versa (Friesendorf & Krempel, 2011, p.4).

In the well-established and developed Western democracies, the police work as community agents to serve and protect community members (Nalla, 2009, p. 520) and are responsible for securing state and society against internal crime and public order problems (Cornelius, 2013, p.324). There are various internal mechanisms for police accountability as well as external checks such as civilians' participation in handling complaints about police misconduct. Moreover, they are professional and well trained in the rule of law and the notions of human rights (Nalla & Mamayek, p.117). In contrast, police in many third world and developing countries are corrupt, unprofessional, ill-equipped, and sometimes have unfettered powers which they can easily misuse with impunity (Oluwaniyi, 2011, p.67). They reflect significant signs of the past colonial powers, powerful regimes or dictatorships (Nalla, p.520) and focus more on defending rulers or regimes rather than serving the communities (Wright, 1991, p.37). Similarly, in countries affected by armed conflicts, internal or international, government institutions including police force become weak and people with guns become stronger who often establish their own rules thus challenging the writ of the state (Kroeker, 2006, p.1). Weak and unprofessional police and law enforcement forces render states vulnerable to serious crimes, corruption, violence, organized crimes, terrorism, and trafficking in drugs and humans, which can pose serious threats not only to these states but also to the international order and security (Griffith, Dandurand & Chin, 2005, para7).

History of global policing

The involvement of powerful states in the crafting of police forces abroad, especially in the former colonies, third world or underdeveloped countries is an old phenomenon (Goldsmith & Sheptycki, 2007, p.2). Although the intentions of such past attempts to train and reform foreign police or international policing are contested, it cannot be denied that such endeavours resulted in the disappearance (or temporary disappearance) of the institution of slavery and considerable reduction in piracy, thanks to the British attempts at global policing abroad (Goldsmith & Sheptycki, p.6). Since the 1990s, the world has witnessed an unprecedented move towards reforms in police and criminal justice systems around the world, through bilateral or multilateral initiatives and often as peacekeeping operations of the United Nations, to strengthen democratic institutions in the newly emerging democracies in the third world and under developed countries (Bayley, 2005, p.7). Although efforts to reform police abroad pre-existed this sudden push of the 1990s, they were somehow marginalized during the cold war (Bayley, p.11). Many countries have taken initiatives, on their own or with support from some Western democracies or the US, for reforming their police in line with the standards of democratic policing (Ivković & Sauerma, 2015, p.25). However, building a police force which is professional and effective on the one hand and respectful of the citizens' human rights is a difficult task under the best of circumstances (RUSI, n.d., p.6). The focus of this essay is the on the US' involvement in assisting foreign police.

The US Aid Programme for Foreign Police

The strategic cultures, professional identities and organizational structures of the exporting countries influence their police assistance in the host countries. If the external armed forces are the

main drivers of the local police building, it will strengthen the military capacities of the police in the host countries. Good examples of such militarization of police are the US forces' training of local police forces in Iraq and Afghanistan (Friesendorf & Krempel, 2011, p.7). Assistance and reform of foreign police and security forces certainly promote the interests of the sponsoring states. It might help the recipient states in certain areas, such as bringing stability in post-conflict situations or enhance democratic accountability of recipient forces. However, it also comes along certain problems such as the prioritisation of short-term security gains through proxy forces over human security, a lack of coordination with other actors providing similar assistance which means duplication of work, and the export of norms and practices as well as techniques (investigation, forensics or controlling a rowdy crowd for example) and technologies (such as computers, GPS, arms) that better match the conditions of donor states than recipient states. (Friesendorf, 2013, p.324).

The US government has a long history of assisting foreign police. Historically, it can be traced back to the "international world order" vision of Theodore Roosevelt when he proposed in his Fourth Annual Message to Congress, in 1904, a duty on civilized states to help other countries in their efforts to ensure smooth and stable domestic affairs (Goldsmith & Sheptycki, p.7). However, despite this noble vision of Roosevelt, a track record of the US foreign police training programmes in many ways is a substitute history of human rights violations. Be it the training of *Gendarmerie d'Haiti*, the police in South Vietnam, Latin America, Afghanistan or Iraq, there is no much difference in what these forces have done in terms of human rights violations including tortures and extra-judicial killings (Chatterjee, 2010, para1).

The US started assisting foreign police in an organised way under Eisenhower administration in 1954, with the view to help prevent and contain communist subversive violence as well as to help police appear as visible manifestations of the regime's presence and its concern for its subjects (Rosenau, 2005, p.91). Ever since, the US government has been regularly training thousands of foreign police personnel home and abroad (Johnson, Forman & Bliss, 2012, p.15). The now defunct Office of Public Safety (OPS), set up by the Kennedy Administration in the 1960s, spent more than \$300 million in providing training, equipment, and technical assistance to police forces in 52 countries. Over 8,000 police officers from 77 different countries were trained at the International Police Academy, while tens of thousands of foreign police officers were trained in their home countries by OPS advisors (Ladwig III, 2007, p.285). The US was so badly burned by engagement in foreign police training during the Cold War, that section 660 of the Foreign Assistance Act of 1961 was amended in 1974 to prohibit training police, building prison facilities, or supporting surveillance and internal intelligence programmes (Bayley, 2001, p.3; Johnson, Forman & Bliss, 2012, p.15). Nevertheless, despite this congressional ban on support to foreign police, the US government spent over \$700 million annually on police training and assistance in over 100 countries until the first gulf war in Iraq through exemptions to section 660 of the Foreign Assistance Act (USAID, 2011, p.9). Even today, the US' assistance programmes for police reforms abroad are run through a series of such exemptions on case-by-case basis instead of any "positive institutional mandate" (Bayley, 2001, p.70). The US assistance programme for foreign policy aims at helping countries combat production and trafficking of narcotics, reduce international crime and terrorism, and strengthen international criminal justice institutions including police through bilateral, regional, and global assistance programs (Bureau for International Narcotics and Law Enforcement Affairs, 2007, p.7).

In the period immediately after the post- cold war era, the efforts of the US government to reform foreign police were spearheaded by the USAID which focused initially on Central America where the local police, who were previously trained by the US trainers, had earned notoriety for human rights violations, torture and political victimization (McLeod, 2008, p.67). After 9/11, a complete shift occurred in the US policy of foreign police assistance which now looks like a revival of the Cold War police aid - which had horrible consequences - and the USAID has been empowered like a quasi-security agency (Hills, 2006, p.629). The main reason for such a change in the foreign aid policy was well explained by the former US Secretary of State, Condoleeza Rice (US Department of State, January 18, 2006, para.6), that “in this world it is impossible to draw neat, clear lines between our security interests, our development efforts and our democratic ideals”. Subsequently, the world witnessed a paradigm shift from individual rights to national security with the launch of “Global war on Terror” by the US, (Hearn, 2010, p.815).

US Police Assistance Programmes in Latin America and Africa

Peeping into the history of the US’ police reforms initiatives abroad, it can be easily said that they have not yielded positive results (Drennan, 2014, para.7). According to Huggins (1998), the main objective of the American police assistance programme in Latin American was to prevent threats to the US security, which resulted in the killing and torture of thousands of people, and did not play any role in the advancement of democracy or human rights (In Weis, 2001, p.335). The repressive counter-narcotics policy in Latin America, supported by the US, ran counter to the national efforts to civilianise and professionalise the police forces and had aggravated violence in some regions thus necessitating military form of police building (Youngers, 2005, p.346). The US aid at times can add fuel to human rights violations. A good example, as reported by Amnesty International (n.d., para3) is "Plan Colombia" – an US aid package set up in 2000 to help Colombian military and police to combat drugs and contribute to peace. So far, over \$5 billion have been given to Colombia in aid with the vast chunk going to military and police. According to Amnesty International, the Plan has failed to reduce availability or use of cocaine in the US, and Colombia's human rights record remains deeply troubling. Since the 1980s, Police aid especially in Latin America has been a staple of the US democratic portfolios which gradually became common in other countries especially post-conflict contexts, such as Somalia, Iraq and Afghanistan. However, only a small portion of such aid goes to actual democracy-related programmes such as strengthening investigative capacities or restructuring police forces under civilian control. The rest, such as the ones sponsored by FBI or the Drugs Enforcement Agency, are mostly law-enforcement programmes which at times lack clear objectives and are often in stark contradiction with the democracy goals (Carothers, 1999, p.167).

African states in general do not have the capacities to deliver fair and effective policing that serves all. The US strategic interests in Africa have increased in the last two decades. The policy makers follow the developments in Africa and analyze its possible impacts on the social, economic and security situation in the US (Downie & Cook, 2011, p.1). Piracy off the coast of Somalia disrupts commercial shipping and has struck US citizens, “narco-states” of West African work in partnership with the drug cartels and human smugglers in Latin America, and kidnapping in the oil-rich Niger Delta has directly affected US companies operating in the region and triggered an increase in the price of energy at the global level (Downie & Cook, 2011, p.3). A number of US agencies currently are running development programmes for police in Africa that focus on counter-terrorism, detection of extremism, and anti-narcotics. The Department of State's Bureau for

International Narcotics and Law Enforcement Affairs, for example, provides financial support to the development of forensic laboratories in Tanzania and Uganda, and technical assistance and training to the anti-narcotics unit of the Kenyan National Police as well as anti-smuggling unit in Mombassa (Hills, 2006, p.629). A major problem with these programmes is their focus on specialised units of police and law enforcement agencies instead of embracing the entire police forces. Creating pockets of excellence in a sea of unprofessional, incompetent, corrupt and demoralised police forces serve no purpose in the long-term capacity building or reforms of police abroad (Spuy, 2000, p.343).

US Police Assistance in Post-Conflict Contexts

In the countries recovering from conflicts – such as Iraq or Afghanistan, the US assistance programmes focus on reforming police, correction and judicial systems that are essential prerequisites for stability and can bring along economic prosperity and strong democratic institutions (US Department of State, June 2008, para.20). However, during its decade-long interventions in Iraq and Afghanistan, the US has badly failed in developing competent local police forces to help in the stabilization of these fragile states. It is mainly due to the fact that the United States lacks, but does not admit it, the ability to effectively train and develop police forces (Ladwig III, 2013, para1).

In war-torn countries, many non-state armed actors challenge the writ of the state through targeting attacks against the state police and security forces as well civilians. A big challenge for the international police assistance programmes in such contexts is to enable host state police forces to bolster the authority of the state, to enforce the law and above all defend themselves, which may require militarised training of police and other law enforcement agencies. However, this can result in gross violation of human rights as in such situations democratic oversight of police becomes weak because of political fragmentation, lack of financial and human resources, legal uncertainty, weak civil society, and widespread corruption in the state institutions (Friesendorf, 2013, p.324). Therefore, once the security forces have accomplished their missions, it is important to demilitarise police forces of the host state and to encourage democratic control of the police to ensure its acceptance and gain the confidence of the local populace (Friesendorf & Krempel, 2011, p.4).

After overthrowing the Taliban government in Afghanistan, the international security forces under the leadership of the US focused on establishing completely new police force and structures with the support of some former police officers, who were trained in the ex-USSR, the Federal Republic of Germany or the German Democratic Republic, and had very basic understanding of civilian and community-oriented police work. (Friesendorf & Krempel, p.4). The newly established police force was supported mainly by the US, with little interjections by Germany and EU, through provision of training (which was mainly of military nature given by former military officers), equipment (such as AK-47, assault rifles, machine guns and grenade launchers) and information. However, this support was carried out in isolation from other international partners, NGOs and without any coordination with the Ministry of Interior Affairs in Kabul (Friesendorf & Krempel, p.12). Moreover, the basic police training modules of the training were taught by private security firms and were adapted to meet the requirements and strategic cultures of the US instead of addressing the local realities. The net result of such training was the militarisation of Afghan police training and a confusing proliferation of syllabi for the local police. It will be extremely difficult to reverse the militarisation of Afghan police and transform it into civilian style police once the

security situation improves. (Friesendorf & Krempel, P.29). Americans at some point in history were perhaps good at winning wars, but never successful at keeping the peace (In Johnson, 1992, para44).

General Perceptions about the US Police Assistance Programme

The US foreign police and armed forces assistance programme has been controversial from the very beginning for various reasons (Isacson & Ball, p.413). The US' concept of aiding foreign police is based on the wrong belief that with the power of reason and scientific progress they could socially engineer their own and other countries' societies and that by proper analysis and application of the right tools they would promptly resolve the challenges of the third world countries (Rosenau, 2005, p.96). The police assistance programmes thus are not tailored to the local contexts and do not address the local problems in the partnering states. This may be perceived as arrogance in the countries where science and reason have little role to play and where the US police values, technology and techniques mean nothing to the local police and population (Eijkman, 2006, p.411). The US foreign police assistance is also criticised for its double standard that it appears to be promoting the values of human rights and democracy, but it also supports foreign police, intelligence services and military in the abuses of civilian populations (Sheptycki, 2007, p.51). A major weakness in the US foreign police assistance programme is its lack of institutional capacity and lack of professional trainers to aid the development of foreign police forces, which seriously undercuts its ability to achieve important foreign policy goals (Ladwig III, 2007, p.285). Many of such programmes are outsourced to notorious private military and security companies such as Xe (formerly Blacwkater) or DynCorp, without assuming any responsibility for the professional ability or integrity of these companies and their staff members (Hagedorn, Aug.30, 2014, para1).

Conclusion

The US has a long history of assisting foreign police, but since the congressional ban of 1974, most of such assistance / training is carried out on ad-hoc basis and often done without coordination between different agencies. The focus of such programmes is mainly on capacity-building and providing equipment to the police forces in the partner countries for security engagements in the interest of the US instead of helping them in building institutions and promoting human rights or reforming the overall criminal justice systems. Moreover, such programmes focus on specialised units instead of addressing the whole body of police forces. Most of the US foreign police assistance programmes have militarised police who gained notoriety for their callousness and human rights violations and brought ill-repute to the US. The insistence of the US to continue with this style of foreign police assistance is nothing but arrogance, which is likely to fail again and again.

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