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POVERTY AND POLICY IN LIBERIA'S POST-CONFLICT POLICING

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ABSTRACT

The paper investigates to what extent the inadequacies of the Liberia police can be attributed to state poverty. It concludes that policing policies by the government and UNMIL have exacerbated the difficulties. The policies ignore a multi-layered approach that would utilise the resources of commercial, community-based and customary policing. Further, policing effectiveness has been undermined by duplication; inadequate vetting processes; an absence of robust disciplinary processes; and a culture that is reactive, secretive and reluctant to take initiative. Poverty should be allowed for, not as an excuse for bad policing, but as a reality that shapes appropriate policing policies.

Keywords: Policing, Liberia, multi-layered, UNMIL, post-conflict

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Author Biography

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Poverty and Policy in Liberia's Post-conflict Policing

INTRODUCTION

Insecurity has been the experience of an entire generation in Liberia. The 1980 military coup that brought Samuel Doe to power, brought with it the ethnicisation of governance and suppression of opposition. Despite winning the presidential election in 1985, Doe was challenged by street protests, organised opposition and coup attempts, provoking his regime to increasing violence. By 1989 the crisis had developed into civil war, with Charles Taylor's National Patriotic Front of Liberia (NPFL) one of several armed groups vying for power. It took the intervention of the Nigerian led ECOMOG (Economic Community of West African States Cease-fire Monitoring Group) to check the NPFL's advance on the capital Monrovia. Through ECOMOG's efforts, an Interim Government of National Unity held presidential elections in 1997, which Taylor won. Soon, however, hostilities broke out again and rebel groups such as Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL), financed by Guinea and Cote d'Ivoire respectively, closed in on Monrovia. Only the forced departure of Taylor to Nigeria in 2003 made peace possible under the terms of the Comprehensive Peace Agreement.

To support the implementation of the peace process, the UN organised the UN Mission to Liberia (UNMIL). With 15,000 troops, its objectives were to assist the transitional government in the re-establishment of national authority throughout the country; the development of a strategy to consolidate government institutions, including a national legal framework, courts and prisons; the restoration of a proper administration of natural resources; and preparation for national elections. Inevitably such a broad remit has been challenging. Though 100,000 ex-combatants have been

disarmed, it is widely believed that many weapons have been retained. Further, though UNMIL forces were there to protect civilians, intimidation by elements of military/rebel factions continued for a further two years, particularly in the west and south-east where UNMIL was slow to deploy. Nor was governance very effective during this immediate post-conflict period. To some it was ‘nothing more than a “sharing of spoils” between former belligerents’, whether government (the Armed Forces of Liberia and a number of Taylor-sponsored militias and paramilitary groups) or rebel (LURD and MODEL) (Bashua, 2005: 135). Hence senior government positions, including the security agencies, were distributed among the former rebel forces irrespective of merit. Further, despite the abuses committed by ex-combatants, many were absorbed by their factional patrons into the security agencies without any professional training. Many believe that the transitional government’s corruption, nepotism and continued neglect of the interests of the population would have led to serious break down in law and order again but for UNMIL’s presence. It was not until the time of the presidential and legislative elections of Oct/Nov 2005 that nationwide peace could be said to exist. Only then, after almost 25 years continuous conflict, did the three million inhabitants of Liberia have security from military/rebel violence.

One of the primary challenges of President Ellen Johnson-Sirleaf’s administration has been to create an environment secure not only from rebel violence but from crime. Without law and order political and civil rights are meaningless, citizens cannot resume their lives and investors shy away from rebuilding the economy. To establish an environment where crime is restrained involves, *inter alia*, reforming and reconstructing the state internal security sector. Yet this is no easy matter for a post-conflict fragile state. Even before the war, the sector’s efficiency had long been undermined by politicisation, the multiplication of agencies for political purposes and

an immunity that allowed widespread abuse. Now, after the war, the security infrastructure was largely destroyed, and many personnel had either departed or had been compromised in terms of human rights abuses. Shola Omotola described the situation in 2006 as:

The security sector has become dysfunctional, or totally collapsed, giving rise to the privatisation of violence and the use of the security sector as a coercive instrument of force, the phenomenon child soldiers, mercenaries, militarization, proliferation of small arms and light weapons, praetorianism and complete disillusionment of security actors and institutions in Liberia (Shola Omotola, 2006: 3).

In other words, there was ground to clear at the foundation level before new structures could be built. There were fighters to be demobilised, disarmed and reintegrated; there were weapons to be collected from former rebels; there were security personnel who had abused their office or who had been appointed without any qualification who had to be removed; there were security agencies that competed with one another that had to have their role defined or be disbanded.

This paper, based on two months research in early 2007,¹ aims to explore the current internal security situation. It begins with an overview of the patterns of crime and the failure of the current levels of policing resources available to respond adequately to that crime. State poverty appears to be the most obvious explanation for this failure of policing, but the paper asks whether this is the whole explanation. A second explanation and one that this paper investigates is that the failure of policing is also in part a product of policy. There are two key agents that shape policing policy: government and the international community, especially UNMIL. Their decisions are

examined to see what responsibility, if any, they have in the current failure of policing in Liberia.

THE PREVALENCE OF CRIME

By the start of Johnson-Sirleaf's administration in late 2005 there had been some success in demobilization and disarmament. Attention was therefore moving away from security from rebels, to security from crime and the question of the efficiency and effectiveness of the policing agencies had come to the fore. The Special Representative of the Secretary General in Liberia believes that now 'a brighter picture is taking shape ... Monrovia's Broad Street, once the scene of gun battles, now blossoms with flowers'.² Perhaps; but over large areas of Liberia state policing is struggling to protect citizens from crime, to investigate crime and to enforce the law. Large numbers of the population are fearful every night of burglary; large numbers regularly experience petty (though not petty to them) theft; large numbers live where the police are not able or willing to patrol; large numbers endure child abuse, domestic violence, rape and labour exploitation without redress; and large numbers ignore the emergency 911 phone service because of its unreliability.

Accurate statistics of crime rates are sparse. The UNPOL Crime Analysis Team is attempting to ensure that all Liberia National Police (LNP) officers record the details of reported crime and that the data is sent to the UNPOL statistics office.

Nevertheless, as one UNPOL officer regretted:

If you ask the LNP what is the crime rate you can't get an answer ... Though they do have reports on crime, they still can't be found, for there is a lack of systematic recording and different agencies are collecting their own data but not sharing it.³

In addition, the courts do not see the need of collecting statistical data and many police officers fail to grasp its importance. Inevitably, too, there are problems of under-reporting by the public of crime because of lack of access to the police, embarrassment, fear of the police, alternative resolution systems and desire for speedy justice. The under-reporting is particularly evident as regards sexual offences and domestic violence. Reports from NGOs suggest that the incidence of these is very high.

When asked what were the main crime problems they faced, there was widespread agreement among LNP commanders that they were theft, aggravated assault, armed robbery, rape, domestic violence and drug trafficking. Many noted the adverse effect of the war: ‘we have drugs since the war - youth drugged themselves up to fight’ (a Chief Superintendent, Monrovia); ‘in the war young men took drugs, they got them free; now they want them still’ (a CID officer, Margibi County); ‘armed robbery is on the rampage’ (a Chief Superintendent, Monrovia); ‘petty theft has taken a dramatic change; they now use a switchblade to take things from you’ (a Chief Superintendent, Monrovia); ‘since the war every burglar has a weapon – a screwdriver, knife. Most don’t have arms. Or they use pretend guns’ (a Chief Inspector, Monrovia); ‘ex-combatants are still involved in felonious crimes’ (a Chief Superintendent, Bomi County). On crime rates they, on the whole, took the view that rates were high but falling: ‘Theft, burglary – almost every day ...[but] things are improving’ (a CID officer, Bomi County); ‘domestic violence, violence against children and gender violence [is common], but violence has reduced’ (a CID, officer, Bomi County); ‘there have been much improvements’ (a Chief Superintendent, Bomi County); ‘crime is not too much higher than before. I’ve curtailed stealing. Rape was high but very less now’ (a Chief Superintendent, Margibi County).

From the public's point of view, there was a similar list. Asked what the main problems were that were brought to them, Foundation for International Dignity (FIND) replied:

In Monrovia it is labour disputes – no payment and unfair treatment: and the level of police brutality. In the counties the major issue is land. Then there is gender violence such as rape. Then there are family disputes over inheritance, which is always difficult in a polygamous environment.⁴

When local groups of concerned citizens who work with the Community Police Forums, were asked about the crimes they faced in their neighbourhoods, they answered: 'aggravated assaults with knives, though it is getting better. And on the increase is burglary' (West Point, Monrovia); 'robbery, rape, disorderly conduct, abuse' (Brewerville, Montserrado County); 'burglary, armed robbery, drug dens, disputes' (New Kru Town, Monrovia); 'theft and armed robbery' (Tubmanburg, Bomi County). People in Monrovia themselves concur with the police concerning the prevalence of theft, violent robbery, drugs, rape, domestic violence and add, intimidation of those who would report crime. For children, according to schoolteachers, it is abuse by parents, whether sending them out to sell at the expense of their education or violent beating. What escapes the statistics is the fear, particularly among women at night. 'We are frightened of armed robbers at night. We can't protect our homes. Gangs of 20 bust the doors. Our only protection is to put pots behind the door. We don't go out at night. We don't go on the road after 8 pm' (three women shopkeepers in their 20s, Red Light, Monrovia); 'we are frightened of thieves breaking into our homes and stealing and raping us. We put all the dishes behind the door so we can hear if any break as someone tries to enter. We are abandoned' (three women 20-30s, New Kru Town, Monrovia). It is not just the women of Monrovia that

feel vulnerable. 'We are not protected' (young man in his 20s, West Point); 'it is not a safe area' (two young men in their 20s, West Point, Monrovia); 'we have no protection' (man in his 40s, West Point); 'some areas round here are not safe at night' (a motorbike taxi driver, Red Light, Monrovia); 'we are not safe at night by ourselves' (seven male teenagers, New Kru Town, Monrovia); 'after war our security was dissolved. We don't have full security. There are arrests but no judging. Criminals arrive back again' (elderly man, New Kru Town); 'we have got to be careful at night' (man in his 20s, New Kru Town).

Outside Monrovia, especially in the more rural areas, other concerns arise in addition to the theft, fighting and rape. Elders speak of 'women-man business' (Pkala Town, Bomi County); 'fighting over women. Men not satisfied with women. Love fears and cheating' (Po River, Bomi County); and insulting language. For women there is the repeated mention of domestic violence: 'Husbands beat women. They say they are lazy and can do nothing ... [We cannot call the police] because the husband will have to give permission ... [and we cannot go to clan court because] we are afraid of the expenses ... [For protection there is] nobody' (five women, 20-30, Pkala Town, Bomi County); 'they can beat you for nothing. Some get beaten hard' (woman in her 40s, Gbaota Town, Bong County). And again the sleeplessness: 'I don't sleep properly. I am afraid to sleep. They can take everything. Things are stolen' (woman in her 20s, Kakata, Margibi County); 'I feel insecure at night. We're living by the grace of God. When they [armed robbers] decide to come they will come in' (elderly lady, Dolo Town, Margibi County). For residents of Bong County the widespread fear at night by men and women alike was the 'heart men' and their ritualistic killings, to the extent that in the villages of Kolietawolah Town and Gbaota Town few dared venture out after dark. And in other areas there is what one elder called, 'a hell of a problem

with land; a hell of a distress! People let others stay on their land when they are in need. They have children. Then they claim that the land was sold to them, though they have no documents' (elder, Lewisville Town, Bong County). Many of these rural concerns are not, of course, recorded by the police, since they are dealt with at the town chief or clan chief level.

This crime pattern demonstrates that policing is currently failing in Liberia. By and large its citizens are not being protected from crime or having crime successfully investigated and prosecuted by the state policing agencies.

POLICING RESOURCES

The prevailing explanation for the current failure of policing is that it is the product of under-resourced state policing agencies. The agencies do not have the resources to do the task asked of them by the government and the people of Liberia. The poverty of the post-conflict state means that sufficient numbers of police cannot be employed; they can only be paid an unattractive US\$90 per month; there are few handcuffs, batons, torches, radios, stationery supplies or vehicles for the officers; and the stations are often not provided with electricity, filing cabinets and toilets. The finances are not there to pay for these.

This section will simply let the security officers from most of the principal state policing agencies speak for themselves. LNP Chief Superintendents of zones in Monrovia reported: 'we have no logistics. We have no vehicles so we can't respond rapidly. So we are more vulnerable. [Radios are] not enough for one per patrol'. 'We have no vehicles. We have no electricity. When we patrol the beach at night we have no torchlights so we supply our own'. 'We have no batons; no torches for night. Just the commander has a car. We need vehicles. We have no uniforms – the uniform I am wearing I had to have made by a tailor and paid for it myself. We have no handcuffs

at all. No communications'. 'We have no vehicles. We have just one motorbike. I have this one radio for the entire zone; and there is one at the depot. There are a few handcuffs but they were not issued, so they must have been bought by the men themselves. No batons, no gas'. In the counties Chief Superintendents admitted that: 'we have one motorbike and one jeep. We have a generator but it is old. Officers have no radio; no baton; no handcuffs'. 'We have no vehicles; no communications. We provide our own uniforms. We have no batons, no handcuffs'. 'I have one vehicle – it can't cover the whole county. I have 12 districts and I want a motorbike. But there is not even a budgetary allotment for fuel. No radios. We have to borrow from the Nigerians [UNMIL]. We have to buy our own uniforms'. Heads of CIDs in the Counties spoke of: 'no equipment. We are armless. No gas, no handcuffs, no torchlight, no cars, no bikes'. 'We have no vehicles. Sometimes we have to walk two or three days to the crime scene. We don't even have a motorbike. We have to get a taxi or an organisation to help or UNMIL'. A head of a Women and Children's section reported: 'we have to use our own personal cell phones. There is no radio contact with HQ in Monrovia. Here [in this room] we have to deal with juveniles and women, but there are no juvenile cells or female cells. We keep them in this room unless someone goes security for them; or we put them in the cell corridor at night. There is no secrecy for sensitive issues in a small crowded space'.

There is only one forensic laboratory for the entire country. All its ten officers have been trained in rolling fingerprints, but there are few fingerprint kits.. Its chemistry laboratory is empty. The photographic section has one digital camera, but the computer is down. There is no crime scene van. There are no specialists – no pathologists, toxicologists, ballistics specialists, fingerprint specialists, forgery experts: only a pathologist temporarily supplied by the UN.

The Acting Director of the National Bureau of Investigation (NBI), the agency responsible for investigating serious crime reported:

We are handicapped by our lack of resources. We have three vehicles on the road. We have no functional forensic lab. Ever since the dissolution of the NBI in '74 we have never had a fully equipped lab.⁵

An NBI Assistant Special Agent in charge of a County claimed: 'we have no transport, no [filing] cabinets. Everything is done on my own. I am on my own. I can't get the police to get transport. I am paying the rent for this place [NBI county office] on my own'.

A senior Drugs Enforcement Agency (DEA) officer told: 'we have three vehicles. But we need radios and computers and need regular uniforms. It is tedious – the lack of resources ... we need lab equipment to identify drugs. Currently we use our eyes to identify which drug it is'. A Bureau of Immigration and Naturalization (BIN) commander of a post in Monrovia said: 'we have no transport or communications. We cannot penetrate all of [the district]'. A senior officer, Liberia Seaport Police, Monrovia, reported:

We have 25 radios. We have two cars. I need one to go to the other ports ... we have no handcuffs; no batons; no gas ... Criminal gangs are all around the port. They see us as a joke without guns. They are ex-fighters. We encounter them with knives ... we need patrol boats to combat crimes in our own harbour. We have one, but it is an old old boat and has been taken out of the water.⁶

The Director of the Monrovia City Police complained: 'we are left with no logistics, no training ... the police have no equipment. No baton, no whistle. Before the war, yes, but not now'.

State poverty, then, appears to be the most obvious explanation for the failure of policing. The current limited state revenue and the competing demands on resources of a post-war society mean that the state cannot provide the necessary resources for its policing agencies.

GOVERNMENT POLICING POLICY

Certainly the state is poor. But is this the whole explanation? There is a second explanation and one that this paper will explore, namely that the failure of policing is not just a product of poverty, but a product of policy. In other words, due account has to be made of whether the most is being made of Liberia's limited state resources.

There are two key agents that shape policing policy: government and the international community. Their decisions (or lack of them) will be examined to see what responsibility, if any, they have in the current failure of policing in Liberia.

Like most other African countries, Liberia is seeking to make policing a state monopoly. In its public pronouncements it suggests that it is constructing the highly complex institution of a nationwide policing service. In President Johnson-Sirleaf's 'Annual Message' (State of the nation address) 2007, she spoke of a comprehensive security sector reform having begun:

The goals are to create a well trained and properly equipped army of 2,000 and police and security forces of some 6,000 to protect the geographic integrity of our country and respond to any internal and external threat to our national security.⁷

Such promises make good politics but have little hope of fulfilment. With Western states themselves struggling to sustain the Western model of state primacy, if not monopoly, in policing and criminal justice, it is a strange sight to see one of the poorest countries in the world, whose infrastructure has been devastated by civil war,

imitating the Western model. Here is a police service with few radios, vehicles and skills; and yet the government assures the public that by achieving its recruitment target of 3,500 police officers it is going to be able to provide crime protection and investigation for a population of three million over a countryside that has few tarmac roads. As the government must know, the LNP is never going to be to be more than one of several players in internal security. And in rural areas it is always going to be a minor player where active police numbers are as low as 30 for Bomi County, 28 for upper Margibi County, 54 for Bong County. It is time for the government to be honest with its citizens that it will never be able to make policing a state monopoly. The numbers of personnel now and projected cannot alone do the task asked of them. The government has followed a policy that must ultimately fail. As all post-conflict and fragile states, it is incapable of delivering policing single-handed. Yet it is not true that 'there is no alternative'. Other African countries *have* admitted their inability to provide the policing required and in the case of Rwanda, for instance, have actively looked to volunteers in local communities to shoulder much of the burden of everyday policing (Baker, 2007). As I have argued elsewhere, a multi-layered approach to policing policy that takes into account the contribution of state, community-based and commercial policing is a much more viable option (Baker & Scheye, 2007). It is time for the Liberian state to abandon its attempts to secure the dominance of the state police and to work in varying unique partnerships with non-state actors. In such a multi-layered model, the emphasis rests not on the state's capacity, but on the quality and efficacy of the services received by the end user, regardless of who delivers that service.

A second government policing policy that raises cause for concern is the minimal role given to the public in the 'community policing' programme which was

introduced in 2004. This is precisely the sort of programme that a government with small police resources needs to encourage. Yet Liberia's model for the Community Police Forums (CPF) does little more than provide the police with some intelligence. And even this role is threatened. Chairmen of CPFs spoke of their membership being reduced owing to threats from criminals; the reluctance of many in the community to do things voluntarily, especially when they assumed, wrongly, that the committee was getting paid but not distributing it; the failure of police to attend CPF meetings; and frustration that criminals and 'drug dens' identified by the CPF are not dealt with by the police. Then there is the disappointment at the lack of assistance in resources, which is interpreted as lack of government/police appreciation. As one CPF deputy chairman put it:

We're doing the work of the police, but we have no office – I use my own house. We purchase our own stationery and pay for our typing. Why was the Forum founded if the government won't support it? The area is too large to cover on foot. I use a bike. We just sacrifice, but there is no appreciation.⁸

The current format has scarcely harnessed the full potential of the contribution that the public could make. Mozambique offers more innovative schemes of organised nightly patrols and local community service 'punishment' of minor offenders; and in Uganda's case, residents or employment groups are trained in crime prevention within their community, the laws concerning their community, and suitable ways of 'policing' their community (Baker, 2003; 2005). There is a strong case for trusting communities with a greater responsibility. Liberia cannot afford to ignore its biggest asset in crime prevention and law enforcement – its own people, who have availability, local knowledge and motivation.

A third area of concern is the persistence of the politicisation of the senior management of Liberia's policing agencies. During and immediately after the civil war, senior law enforcement positions were given to individuals on the basis of their membership of political factions, irrespective of training or experience. UNPOL estimates that in 2003 70 per cent of the police had not received police training.⁹ Surprisingly, under the new democratically elected government, senior positions have continued to be political appointments of the President. Such appointees may provide the President with loyalty, but do not assure the country the best skills and experience, nor of impartiality and freedom from political manipulation. The government should adopt an appointment policy for senior positions based on merit alone if it is to maximise the LNP's capability.

The Johnson-Sirleaf administration has made much of its anti-corruption credentials, and yet one has to record that within the policing agencies widespread corruption is tolerated. The UN administered vetting process of the security agencies may have removed 60 per cent of the personnel that survived the war, but to what purpose if the 'new' police are allowed to engage in acts of petty corruption, collude with criminals or use brutality (all of which were repeatedly reported to the author). Traffic police in Monrovia still openly ask for bribes from vehicle drivers; police officers move through the markets taking what they want or demanding money for its return. And in the provinces police still charge complainants fees for paper and pens before obtaining statements from them. Where is the LNP's Criminal Investigation Unit charged with eradicating this? Where are the supervisors of the new recruits? The creation of the Professional Standards Department was, according to them, 'To instil discipline in the police – to make sure they conform to the rules and regulations and manual'.¹⁰ Yet there is no other office except the one at police HQ in Monrovia

and few even know of its existence. They are unwilling to consider that corruption is openly taking place in central Monrovia. Their complacency and inactivity is alarming. It came as no surprise that only one officer had been dismissed since 2003. It should not be possible for the residents of a poor area of Monrovia, known as New Kru Town, to be able to name the 'drug dens' of their local area but see the police doing nothing to close them down. It should not be possible for containers to leave the port of Monrovia on Saturday morning without a signature on any document and indeed without a signatory present in the port! It should not be possible for Firestone Rubber company to name the sellers of rubber obtained illicitly but for no arrests to be made. Such indiscipline only undermines an already weak police service.

The striking thing about what makes the Rwandan police so relatively free of corruption is the political will; the determination of the president that no such behaviour will tarnish the nation's image (Baker, 2007). Liberia awaits an anti-corruption policy that relies not on institutions, but one that is driven by a political will and intolerance. It requires the government to insist on the removal of errant officers, and to demand that line managers shoulder responsibility for those under them rather than leaving it to the Professional Standards Department at HQ.

INTERNATIONAL PARTNER POLICING POLICY

Since the arrival of UNMIL in 2003 the Liberian government has not been short of external advice on policing policy. UN Security Council Resolution 1509 (2003) established UNMIL and provided it with a civil affairs component, to, *inter alia*, assist the government of Liberia in 'monitoring and restructuring the police force consistent with democratic policing'; and in developing 'a police training programme'.

From the beginning, UNMIL had an UNPOL section that has sought to drive forward policing agency restructuring, vetting, recruitment, training and deployment. Up until 2007 this has primarily focused on the LNP, leaving other policing agencies (such as the Ministry of Security, The National Bureau of Investigation, The Bureau of Immigration and Naturalization, the Drug Enforcement Agency, Bureau of Customs and Excise, the Liberia Seaport Police, Roberts International Airport Security, the Monrovia City Police and others) until the completion of the government review of restructuring and possible agency mergers or closure.

No one doubts the sincere and earnest effort of UNMIL. Not only have personnel and equipment been provided for the LNP on a large scale, but there has been vital training and advice on strategic and operational planning. There has been a concerted effort to make the LNP an effective, efficient and people-centred service. Chief Inspectors testify that: 'the police has been remoulded to international police standards. When the war came we were not doing the right things. I was not doing the right thing ... We now have to explain the rule of law - that everyone has rights'; 'in the old days there was brutality. Now it is democratic'.

Nevertheless, there have been mistakes in both the conception and implementation of policing policy driven by UNMIL. First, I would argue, the security sector reform, in as much as it has looked at policing agencies, has been too narrow in its focus. Why is the largest and best equipped agency left out, namely private security? In terms of numbers there are at least 3-4,000 security guards; guards protecting some of Liberia's most important assets e.g. banks, hotels, warehouses, rubber plantations, mines, embassies and even the UN premises. This is a considerable asset; on the other hand it is a potential source of insecurity if left unregulated. Yet this is precisely what is happening. UNMIL itself reports that Firestone's own private security, the Plant

Protection Division (PPD) act illegally at times: ‘There is a recurring problem on the plantations concerning illegal detention and arrest by private security officers without the knowledge of the LNP’.¹¹ It is therefore vital that private security as much as state security be incorporated into the national security policy and be regulated. Currently the Ministry of Justice requires all private security agencies to register and be certificated. Yet the ministry’s Public Safety Division, responsible for its supervision, has no clear idea of their number (45 are registered, but there are probably at least 100); does very little inspection; and does not enforce the Ministry of Justice ‘guidelines’.¹² No legislation exists to control them; no criminal records checks are made on those employed; and there is no association to enforce professional standards. Nor is there any co-operation between state and private security. Managers reported: ‘the police don’t really contact us. They haven’t done for some time – since [President] Taylor’; ‘the police never share information with us. They have no respect for guards’; ‘the police don’t give us information now. They used to tell us that, say, an area was crime infested’. Further, with the exception of the Firestone plantation, which is faced with serious illicit tapper violence, there are no joint operations between police and commercial security in the way practiced in countries such as Uganda. And even in the case of Firestone, co-operation does not extend beyond patrols. On the contrary, it concerns the company that the government has said publicly that whatever happens on the plantation was Firestone’s worry not the government’s (despite the fact that of the 90,000 that live on the plantations, only 7,000 are company employees). It is, however, understood that only very recently it was agreed that meetings will be held between the commercial security and the Ministry of justice officials to recommend industry standards.

The narrow focus of the SSR is also apparent in its strange neglect of the countryside. There appears to be no serious consideration as to how this will be policed after the policing reforms have been completed. The planned LNP strength of 3,500 will inevitably be an urban force that sticks almost exclusively to the tarmac roads. Who then will patrol the villages and protect them or who will investigate crime there? The answer is that the countryside will continue to be policed largely by the customary chiefs. Almost everywhere in the rural areas, anti-social behaviour and local disorder and their resolution are regulated by chiefs and headmen in the villages; and locally elected town chiefs and governors (representing ethnic groups) in the towns. Using customary law and local courts they resolve on a daily basis, domestic disputes; land issues; debts; fights; abusive language and the like. Yet despite this policing role, customary chiefs do not appear to have been considered in the SSR process.

The ‘invisibility’ of the police is repeatedly reported in the villages. A chief in a village just five minutes drive along the main road from a County town said:

We can have an accident on the road or fighting. We call the police but they don’t come; or come maybe a whole day after the accident. Maybe they don’t even pick up the phone. We have to take the person to hospital ourselves or break up the fights. Or take them to the police... The police are not active in coming near to our cause when there is a problem.¹³

Another village chief said: ‘the police are not coming regularly. We want the police to tour in this area. They don’t visit us’.

There have been complaints in Liberia that customary law is often discriminatory, particularly against women; that the local courts abuse their powers by illegally detaining persons, charging excessively high fines for minor offences, and

adjudicating criminal cases; and that trial by ordeal is still used. These are serious charges, but not beyond reform. Given the lack of viable alternatives, it is surely better to have a policing policy that seeks to reform them than to marginalize them. These local/customary structures are likely to continue anyway and it is evident that they are still a force for good. And the potential of local volunteers to do more is demonstrated in Rwanda and Uganda where they have chosen to use voluntary local government levels, following customary-like processes, to undertake a variety of policing roles.

Some fundamental errors of judgement by the international partners stand out concerning policing reform. First, the vetting process. An UN Expansion Unit sought at the beginning of the mission to locate LNP officers, but those they did find were often deemed unsuitable people and they were left with just 786 police at the beginning in 2004. Today, of a total of 7,331 security officers registered for vetting (that is, from LNP, The National Security Agency, National Bureau of Investigation, Drug Enforcement Agency, Ministry of Security and Bureau of Immigration and Naturalization), 6,281 have been vetted. Only 2079 of those vetted qualified (33 per cent). Clearly there was a case for excluding those who had abused their office or who were political appointees with no qualifications. What is much harder to understand was the removal of any who had served for more than 25 years or who were over 55 years old. At a stroke the most experienced officers were removed when they were most needed and before new officers could gain the experience necessary to replace them. It is a mystery why women who were found to be short of educational standards were offered an educational support programme, whilst men in similar circumstances were dismissed from the service. And what was presented as a thorough process of searching for human rights abuses was in fact a very inexact process. It did not seek

the evaluation of serving officers' home communities, rather it sent a list of names to NGOs and agencies, few of whom know much about those who moved around the country in the war and changed their names. The lame explanation given by an UNPOL vetting officer was: 'It is the best we can do'.

The vetting policy left a lot of disgruntled officers, as a violent demonstration of 1,000 of them in Monrovia in February 2007 showed. An officer of 26 years security experience said:

They assumed I was a rebel. I was offered retraining. But it felt like they were saying, 'don't respect this man, you [recruits and experienced officers] are all equal'. I was to be equal with the new recruits. But recently the Commissioner [local official] spoke to me and said, 'we need your help in the community'.¹⁴

The whole process has been poorly thought through in terms of conception and implementation and has undermined the recovery process.

The vetting and deactivation process has been complemented by a recruitment policy that set targets for certain agencies. For the police, this was defined as 3,500. According to a senior member of UNPOL, this 'should be a figure adequate to ensure police primacy in all the regions'. This, of course, is fantasy and confusing what is affordable in the donor's eyes, with what is necessary from an operational point of view. The difficulty of establishing the latter is that with no clear definition of agency roles, it is impossible to make an assessment of personnel needs.

Another error was the haste and narrowness of the security reform consultation process. Given its experience in previous missions, it was perhaps inevitable that UNMIL had clear ideas of what they wanted to achieve through UNPOL. It is acknowledged that they did undertake consultation, but too often the partnership has been unequal. What one side sees as 'consultation' another sees as 'sign here',

ignoring local input or even doubting that there is local experience to offer input.

Though this will be strongly denied, one only has to listen to senior officers in LNP:

‘they come with voluminous documents, call a big conference the next day and ask you to read it and sign it! We later discover what has been signed for in the small print’. Or again:

UNPOL came here intent on the quick fix; ‘we have done this before in Bosnia etc. so we know how to do it.’ They have the money and we have to go along with their ideas ... We go by their training. They didn’t see the need for local ownership. Much is still desired about security sector reform in Liberia, because Liberians don’t own the SSR process in Liberia; which is a costly mistake that has the potential to undermine genuine peace, security and development.¹⁵

And one could add that there was very little consultation with those who actually experience policing – the general public.

The internal partners and all the reports on security sector since 2003 have highlighted the overlapping nature of the diverse policing agencies (CCJRE, 2002; DECAF, 2005; The Rand Corporation, 2006; GRC, 2006). There is now before the President a recommendation concerning rationalisation. None would question this as a policy, but there are questions about how it has been offered as a panacea of many of the sector’s ills. The truth, rarely spelled out, is that the problem is more severe than one of duplication and confusion of role; and the solution is, therefore, not as simple as institutional merger. Currently the relationship between agencies is better described as rivalry, outright hostility and a refusal to co-operate. An LNP Commissioner commented: ‘historically the NBI and the [police] CID have not exchanged information or co-operated’. A Chief Superintendent in Monrovia, asked what the co-

operation was like with other security agencies, answered: 'the LNP has a different ideology to the rest. So certain intricacies we won't expose to them until they are on a par with the LNP training'. A senior NBI officer reported: 'there is no co-operation together. Some LNP say they are more superior'. An NBI officer stated: 'we are by ourselves ... There is no great co-operation from the police'. A Liberia Seaport Police senior officer claimed: 'the truth is there is not a cordial relationship between the security agencies at the port ... there is no proper co-ordination with the security agencies. Some agencies feel higher than others'.

It is naïve to think that these attitudes will evaporate within the new security architecture. We are dealing with different institutional cultures, processes, work patterns and data recording. It should not be assumed that these can be integrated into a coherent whole quickly. Indeed, given the slowness of the current agencies in producing policy and procedural handbooks, it is likely that a unified handbook will take even longer and that factionalism will continue after restructuring. In other words, it should be remembered that the restructuring process, for all its long-term benefits, will in the short term further delay the recovery of law enforcement. Indeed the planned mergers will almost certainly reopen the wounds of redundancy first created by the vetting process.

There have then, in the opinion of the author, been errors in the advice of Liberia's international partners and humility in admitting those publicly would be welcome and would allow lesson learning.

POLICY OR POVERTY

It has been argued that policy decisions by the government and its international advisors have exacerbated the problems of the Liberian government's poverty. In other words, not all the failure to provide a nationwide policing service that protects

citizens from crime and investigates its occurrence can be attributed to the inability to afford personnel and resources. At the same time it is surprising that the government does not make use of a legitimate argument based on its poverty, namely that it does not have the capacity to provide crime protection and investigation (and punishment) entirely through its own state agencies and nor will it in the foreseeable future.

Though policy does indeed need to be attended to, nothing will alter the fact that 3,500 LNP officers will only be able to provide a limited urban-based policing service.

Rather than use poverty as an excuse for poor policing, however, it is argued that more radical approaches to policing need to be considered. Certainly the current SSR process should include all those providing policing services, whether state, commercial, customary or community-based policing groups (for example NGO restorative justice groups; and work-based groups like the Liberian Market Association and the Federation of Road Transport Union etc). Put another way, the government needs to grasp the concept of multi-layered policing, that is, the support and empowerment of state, commercial and community-based layers of policing working in harmony to provide a policing system for all. There is a pressing need for recognition of the role that non-state policing does and can play. There is no other realistic alternative security policy to fragile post-conflict countries than multi-layered policing.

It is a policy paradigm that could incorporate far greater responsibility being given to CPFs. For instance, they could be encouraged to undertake patrols, investigation, reconciliation, restorative justice measures (as the Maputo community policing model) or to be trained in local crime prevention and resolution (as the Kampala model). The multi-layered policing paradigm also requires commercial security not

only to be adequately legislated for and supervised, but to enter into genuine partnership with state agencies through the sharing of criminal data and undertaking joint operations. Further, multi-layered policing necessitates an exploration of the possibilities of revitalising and reforming customary/local structures in their policing role. Chiefs have slowly been stripped of their powers over the years, but the state has not been able to fill the vacuum with its own system of policing and is not likely to in the future. It is time to undertake a thorough audit of customary/local authorities' current capacity and a review of their future role. As Malawi has shown, there can be value in upgrading them rather than presiding over their demise.

At the level of the state policing agencies there is also a pressing need to review policy. Government poverty is an issue, but at the same time there is little point budgeting money to an agency unless the minimum basic equipment required to fulfil the task is assigned to it. Better to choose a more limited role for state agencies and resource them to achieve that, than to attempt more and fail in all. Nor is there any point in establishing agencies that have little popular legitimacy because of their indiscipline. Robust disciplinary processes need to be introduced for all state policing agencies and processes that have the active support of the government driving them. Ideally a Complaints Authority should be independent of the police, but the key issue is not so much an institution but the political will.

It needs to be recognised that there are issues of policing culture that are not matters that need money to solve them. Nor can they easily be removed by short-term training. Such items include station-based policing, that is, reactive rather than proactive policing. Liberia's police stations are still very full of officers awaiting the public. Then there is secrecy and suspicion, especially among middle managers, to legitimate questions. Many seem to see policing as a state secret rather than as a

public service and require authorisation even to be asked a question. Also handicapping the agencies is the lack of willingness to take initiative without authorisation from above, leading to senior managers being overloaded with decisions that those below them should take (and shoulder responsibility for).

Let poverty be allowed for, not as an excuse for bad policing, but as a reality that shapes a suitable policing model that the state adopts to provide the protection from crime and the investigation of crime that the people of Liberia are still waiting for.

Notes

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2. Alan Doss, 14 February 2007.

3. Criminal Justice Statistics Evaluation Seminar, Monrovia, 25 January 2007.

4. Interview, National Program Officer, FIND, 15 February 2007.

5. Interview, Acting Director, 30 January 2007.

6. Interview, Deputy Head of Operations, 1 March 2007.

7. Annual Message to Legislature, President Johnson-Sirleaf, 29 January 2007.

8. Interview, Deputy chairman, Brewerville Community Police Forum, 20 February 2007.

9. Interview, Head of reform and reconstruction, UNPOL, 12 February 2007.

10. Interview, Deputy head, Professional Standards Department, 14 February 2007.

11. 11 May 2006, Integrated Regional Information Networks.

12. Guidelines to Organize and Operate Private Security Agency.

13. Interview, Town Chief, Coleman Hill, near Tubmanburg, 26 February 2007.

14. Interview, a former Lt. Col. in the Special Security Service, 19 February 2007.

15. Interview, Deputy Director of Police, 1 February 2007.

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