

THE PEDAGOGY OF SECURITY:
Police assistance and liberal governmentality
in American foreign policy

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*To my family, who opened all the doors.
And to Andrea, who walked through them with me.*

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Abbreviations

ANA	Afghan National Army
ANP	Afghan National Police
ANSF	Afghan National Security Forces
APP	Afghan Police Program
CSS	Critical security studies
CSTC-A	Combined Security Transition Command – Afghanistan
CTC	Central Training Centre
DART	District Assessment and Reform Team
DoD	United States Department of Defence
DoS	United States Department of State
DDR	Disarmament, Demobilisation and Reintegration
EUPOL	European Police Mission in Afghanistan
FDD	Focused District Development
GPPO	German Police Project Office
GWoT	Global War on Terror
ICITAP	International Criminal Investigative Training Assistance Program
INL	Bureau of International Narcotics and Law Enforcement Affairs
IPCB	International Police Co-ordination Board
ISAF	International Security Assistance Force
OSC-A	Office of Security Co-operation in Afghanistan
OSD	Office of the Secretary of Defence
OPS	Office of Public Safety
PART	Provincial Assessment and Reform Team
PDD	Presidential Decision Directive
PMT	Police Mentoring Team
RTC	Regional Training Centre

SSR	Security Sector Reform
SSTR	Stability, Security, Transition, and Reconstruction Operations
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNITAF	Unified Task Force (Somalia)
UNOSOM	United Nations Operation in Somalia
USAID	United States Agency for International Development

INTRODUCTION

1. *The empire strikes back? Liberal imperialism & imperial policing*

Since 2001, and the US response to international terrorism by launching an ill-defined and open-ended ‘Global War on Terror’, a striking debate (re)emerged within the discipline of International Relations (IR) about the global nature of American power, more specifically about the imperial character of the exercise of that power. In a discipline such as IR, forged on the heels of colonialism (cf. Schmidt 1998: 123-150, Long & Schmidt 2005), it is somewhat surprising that for several decades, little work had been produced within its mainstream on the topic of empires and imperialism¹. Whatever the causes of this, two events were to change that sad state of affairs. One was the publication and unexpected success of the book *Empire* by Michael Hardt and Antonio Negri (Hardt & Negri 2000), which received an unusually broad array of acclaim and critique, and became something of a global phenomenon in sales, slowly achieving that rare status of a ‘theory’ best-seller. The other trigger, barely a year apart, was September 11th and its aftermath. The response of the US government under George W. Bush helped re-launch the debate, and made empire a political buzzword once again (Eakin 2002, Ricks 2001). This was compounded by the influence of the so-called neo-conservatives within his administration – some of them vocal proponents of an imperial set of policies towards the rest of the world (Boot 2001, 2002, 2003a, 2003b, 2003c; Kagan 1998). To borrow Michael Cox's ironic and apt phrase, the empire was back in town (Cox 2003).

¹ Except in the sub-field of International Political Economy (IPE), where scholars of a broad Marxist persuasion have always discussed the relevance of empire/imperialism – from the work of Samir Amin (1977), or Barratt Brown (1963, 1970, 1972, 1974), to the overviews by Anthony Brewer (1980, 1990) or Ronald Chilcote (2000). For two early exceptions within more mainstream IR approaches, see Michael Doyle's theoretically informed contribution – from a socio-historical, comparative perspective – to the study of empires and imperialism in IR (Doyle 1986), and Jack Snyder's work on the impact of imperial expansion on international security (Snyder 1993). Of course there were many more authors who have for decades examined the interplay between imperial structures and processes of colonialism, and the international system, but they have tended to hail from other disciplines (history most notably, one tends to think of the seminal works of D. K. Fieldhouse, Norman Etherington, Peter Cain and Anthony G. Hopkins on British imperialism, or of key American historians such as William Williams or Charles Maier), and their contributions had until 2001 – unfortunately – made little mark on the core debates at the heart of mainstream IR. After 2001, one of the key moments in reviving the theorizing of empire in IR was the discussion which took place in the pages of the journal *Millennium*, around Tarak Barkawi and Mark Laffey's initial article “Retrieving the imperial: empire and international relations” (Barkawi & Laffey 2002, Callinicos 2002, Shaw 2002, Walker 2002)

The discipline of IR responded accordingly, and within months began churning out a host of books, chapters, articles, conferences and seminars on the matter. What was for so long the preserve of historians of US foreign relations and a few (neo-)Marxist scholars harking back to the polemics of the Cold War years was now at the centre stage of the discipline. However, as with so many other fads, this one, too, was short-lived. A mere 6 years later, while there is still the odd reference to US and empire in scholarly circles in IR², it is no longer as a part of a lively, ongoing debate. Nevertheless, some excellent work on the imperial nature of U.S. foreign policy has endured throughout, which breaks away from the ontological and ethical stalemates that have bedevilled discussions of American empire³, and pushes the study of U.S. and the dynamics of empire in new, productive directions. On the one hand there are a host of studies looking at the interplay between imperial politics and the structure of international society, promoting a historically informed, comparative, and theoretically rich approach (cf. Chua 2007; Colas 2007; Cooley 2005; Ferguson 2005; Ikenberry 2002, 2006; Khanna 2008; Layne and Thayer 2006; Maier 2006; Nexon & Wright 2007); on the other hand, contributions which are also historical and comparative, but move away from grand debates and promote instead an analysis of the micro-practices of imperial power and imperial administration, often teasing out important links between metropolis and (post-)colony (Cooper and Stoler 1997: 1-56), between liberal government and colonial tutelage.

Among the latter, several important clusters of research have emerged, concerned with the formation and deployment of technologies of imperial power – one thinks of post-colonial work on gender and sexuality (Briggs 2003; Levine 2004; Stoler 2002, 2006; Sneider 2008), the analysis of race in imperial practices (Kramer 2006; Love 2004), colonial science and medicine (Anderson 2003, 2006; Arnold 1989; Bashford 2004), the rise of a specific branch of political science devoted to “colonial administration” (Schmidt 1998: 123-150; Long & Schmidt 2005), or the links between the geography and empire (Driver 2001; Smith 2003), and the literary and museological expressions of imperial culture (e.g.

² For instance, ISA's International Studies Perspectives published a number in 2008 devoted to the analysis of empire and U.S. foreign policy, which contained some superb contributions (cf. Ferguson 2008, Lake 2008; Nexon 2008; Saull 2008; Spruyt 2008).

³ By ontological stalemates I mean the tendency of debates on American empire to bog down in increasingly retrenched discussions of what exactly is an empire, and whether the U.S. is one. By ethical stalemates I mean the tendency to debate the notion of American empire around the issue of its desirability, that is to say, the question of whether an empire is – without putting too fine a point on it - a 'good' or a 'bad thing'.

Conn 2004; Kaplan & Pease 1993; Rowe 2000), to name but a few⁴.

Through that lens, one of the most interesting such technologies is colonial or imperial policing but while considerable work exists on British imperial policing (Ahire 1991; Anderson and Killingray 1991; Arnold 1986; Clayton and Killingray 1989; Deflem 1994; Gupta 1979; Jeffries 1952; Killingray 1986, 1997; Sinclair 2006)⁵, there is surprisingly little scholarship on this topic regarding the U.S.⁶. By contrast, the historical scholarship on British practices of empire and colonial administration – especially concerning governance through security and justice/criminal law - is much more developed and has produced a significant body of literature. This scholarship raises important points, and helps illuminate crucial aspects of the rationalities driving British imperial ventures, the practices that underpinned them, and the mutually constitutive logic of both. Crucially, it also illuminates policing as a sort of imperial ‘dual-use technology’, where it is both an instrument of imperial social control – often resorting to the use of force to discipline subject populations in a variety of contexts -, and a productive technology of liberal government. Thus, imperial policing helped to implement, manage and expand in colonial territories such liberal logics of rule as the rule of law.

One of the key claims this dissertation seeks to underscore is precisely that a similar logic is at play in contemporary American strategies of post-intervention policebuilding. That is to say, American foreign policy similarly relies on policing as a tool for effecting liberal governance over distant populations. As shall be discussed in greater detail in the following chapters, American strategies of deploying policing as a tool of governance through security have historically shifted from actually enforcing public order via its expeditionary forces, to an *ethos* of technical assistance (policebuilding). The latter then

⁴ For an extremely useful and comprehensive overview of micro-practices and technologies of colonialism – albeit not focused on the historical case of the US - from an anthropological point of view, see the essay “The Anthropology of Colonialism” by Peter Pels (Pels 1997).

⁵ There is also historical/sociological work on colonial or imperial policing on other settings, although not as abundant as in the British case. One interesting and unusual example is about Papua New Guinea during Australian occupation and mandate (Kituai 1998). Another is on colonial policing in the context of the Japanese colonial empire (1895-1945) (Chen 1984). For a historical and comparative review of imperial policing by several colonial powers cf. (Cole 1999: 88-96).

⁶ This is all the more surprising given that the U.S. formed, trained, equipped and at times ran several colonial police forces, as shall be seen in greater detail in chapter 3. One early exception to this silence on colonial policing can be found in the work of Paul Reinsch – an early proponent and scholar of U.S. “colonial administration” at the beginning of the 20th century (Reinsch 2007 [1905]: 409-414)

seeks to mobilise local populations so that they actively participate in the creation of their security, albeit under American supervision. However, despite this move towards 'development' and 'empowerment' of local populations in American policebuilding, it too hinges upon a tension between the police as a prime tool of social control, and police training and assistance as a productive liberal technology that fosters new subjectivities.

The next section will briefly explore some of the key themes that emerge from this interesting literature on British colonial policing, highlighting its revealing insights into more contemporary practices of U.S. policebuilding in the wake of interventions.

1.1 Imperial policing, some key themes

Colonial empires exported models of statehood, along with associated models of what Saada calls “colonial public order” (Saada 2005: 45-6). Reviewing of the links between law and colonialism, legal anthropologist Sally Merry concisely lays out precisely how colonialism

(...) was a process in which one society endeavoured to rule and to transform another. The courts and police established by colonial power, arrayed beside the mission, the school, the store, and the local government office, enforced compliance to a new political order and at the same time sought to impose a new culture. (...) Thus, law, along with other institutions of the colonial state, transformed conceptions of time, space, property, work, marriage, and the state. The role law played in the colonizing process is an instance of its capacity to reshape culture and consciousness. (Merry 1991: 890-1)

As such, colonial or imperial government involves attempts to govern distant indigenous populations – both negatively, in the sense of imposing limits on their freedoms, but also in the more productive sense of seeking to shape their subjectivities and align their ways of life with the wishes of metropolitan governments for a particular version of the “good life”. The latter was achieved, *inter alia*, by deploying such technologies of power as “rule of law” programs, criminal justice reforms, and – crucially – imperial policing. Empires thus widely and productively used policing as a powerful technology of governance, and the British Empire was no different. In fact, as Mike Brogden clearly shows, not only were colonial police forces used for a variety of important governing functions in the colonies, but they also provided something of a testing ground, with important lessons flowing both ways (Brogden 1987). Imperial policing was thus an integral part of colonial government

panoply of technologies of rule. Moreover, if Foucault's historical sociologies of state and power have taught us anything, it is that government is an inherently problematising activity, that is to say, an activity premised in identifying/creating problems, and devising expedient solutions to them (Rose and Miller 1992: 181; Dean 1999: 27-8).

The regimes of knowledge and practices deployed by imperial police were instrumental to both these dimensions. Policing was at once instrumental in imposing a grid of legibility over the territory and population of the colonial dominion, in order to devise strategies of colonial government, and a versatile tool in addressing colonial problems such as urban disorder, social unrest, poverty and vagrancy, economic circulation, etc. In a very important sense, then, colonial police played a crucial political role (Cole 1999: 95-96).

Without a doubt, imperial police forces faced important challenges of legitimacy, especially when they clashed with indigenous (older and more socially embedded) systems of providing the police function and some form of rule of law. In the multi-vocal situation that followed from this clash – what legal theorists refer to as “legal pluralism”⁷ - older systems of justice delivery, conflict resolution and policing (and broad sense) would often be ignored, delegitimised and/or marginalised by the occupying power. However, it is also possible to see instances where traditional and informal regimes of indigenous security governance were co-opted by the colonisers, and/or instances in which there is a process of negotiation and accommodation between both regimes of practice (e.g. Benton 2002).

One telling example concerns British imperial control over what is today the border

⁷ In a recent treatment of legal regimes as forms of “cultural imperialism”, Russell Smandych – drawing heavily on the work of legal anthropologist Sally Merry - dedicates a few lines precisely to this idea of legal pluralism as central to colonial governmental technologies: “Until the 1990's, the study of law and colonialism was intimately tied to the historical and anthropological literature on legal pluralism. (...) [S]tudies that fell under the rubric of “classical legal pluralism” were typically concerned with describing and explaining how new (usually European) legal systems and laws brought by colonizers were superimposed on Indigenous customary laws and pre-existing methods of dispute settlement and social control.” (Smandych 2005: 268). Following Merry's framework (Merry 1991), he distinguishes this classical notion of “legal pluralism” from the “new legal pluralism” that emerged in the 1990's, and goes on to discuss some key issues and trends in the “classical” tradition to demonstrate the centrality of legal regimes in colonial government (Smandych 2005: 268-270). It is precisely in this vein that I use the concept of legal pluralism here, to introduce the (rule of) law (including criminal law and policing) as a governmental technology of security, integral to imperial regimes of power and rule. For an important discussion of legal regimes in colonial practice that emphasizes the centrality of legal pluralism, see Lauren Benton's monograph *Law and colonial cultures* (Benton 2002).

between Afghanistan and Pakistan⁸. Straddling a geopolitical fault line, this region was inhabited by one of the most celebrated, ferociously independent tribal groups in the world – the Pashtuns or Pathans, as they were known to the British. Because of their resistance to British imperial rule, the regions that are known today the Northwest Frontier Province (NWFP) and Federally Administrated Tribal Areas (FATA) were a headache for British colonial administrators. In trying to extend, maintain and deepen colonial control over the area, British authorities resorted to a mixed model when it came to security governance. On the one hand, they exported and sought to impose British-based law through the use of a formal judicial system and a Constabulary police – sometimes with brutal levels of surveillance and violence to quell rebellion, especially after the Indian Mutiny. However, upon the realisation that “the enforcement of a judicial system, ill-adapted in its requirements to so wild a country” was an extremely problematic notion (Lord Mayo, quoted in Beattie 2002: 96), the British also attempted to penetrate and reform Islamic and/or tribal legal structures (cf. e.g. Cohn 1996: 57-75). They increasingly did so by co-opting many of the *mullahs* that were local mediators of conflicts and law-givers, or by reshaping the social hierarchy of the Pashtun by favouring some local chiefs (*khans*) over others. Moreover, the British sought to regulate traditional *jirgas*, bringing them into line with colonial ordinances, thereby entirely altering the structure of justice and policing in the tribal belt (Banerjee 2000: 31-34).

Connected with the last trend, police forces in imperial settings, when facing such lack of legitimacy – ranging from mild resistance to all-out insurgencies – would often resort to higher levels of violence and repression. This also reflected in the policing model adopted, which usually veered more towards the constabulary, more militarised model (even in urban settings). Links with the military forces were also prevalent, as both became partners in the pressing tasks of counter-insurgency. As a result, imperial policing almost always ended up suffering from a wrenching tension between the negative and positive elements of policing. While the former is essentially concerned with establishing and maintaining social control through the deployment of coercive force, as a reserve of violence against

⁸ The choice of example is far from random. Given the pre-eminence of operations in Afghanistan on contemporary U.S. security policy – including one of the largest and most important policebuilding programs operated by the U.S. government, as we shall see in chapter 5, there has been renewed interest in British experiences in the Afgh.-Pak. border region, often taken by military planners and security policy wonks as lessons for contemporary American operations in the area. The literature is expanding fast, an illustrative example of this genre is for instance Matthew Williams monograph *The British colonial experience in Waziristan and its applicability to current operations* (Williams 2005)

those who are not the subjects of development (political or otherwise), the latter's aim is shaping the conducts and possible fields of action of colonial subjects. This happens in order to improve/develop these colonial subjects, to 'make them' into the kind of citizen which is capable of bearing a kind of well-ordered freedom. The fragile balance between both, which has been achieved during Western state-building processes that lasted hundreds of years under very specific contexts, is perhaps the greatest challenge an occupying power must face when deploying police abroad, or, more to the point, when seeking to rebuild, train and mentor local police forces in its image.

Finally, although imperial policing left wide-ranging and long-lasting legacies on the colonies, it should also be noted that this was not a one-way process. Indeed, there is a re-flux of influence, with colonial experiences with policing often informing or even decisively shaping policing rationalities and practices in the imperial centre. Some authors suggest that in fact the legacies of colonial policing were crucial in shaping the British model of policing which has endured until today (Brogden 1987; Sinclair 2006). If there are indeed important parallels between the experience of earlier colonial powers in exporting models of security governance and public order abroad, and the contemporary experience of U.S. security assistance in post-intervention scenarios, then what can this historical lesson of re-flux between imperial periphery and metropolis teach us?

Simply put, the ways these evolving regimes of policebuilding are deployed abroad have tremendous impact in the rationalities and institutions of U.S. policy at home. As we shall see in the following chapters, the evolution of U.S. policebuilding programmes and strategies has gradually fed into transformations on the role and self-image of the American armed forces, as they adapt to a new security agenda, and new and complex roles as technical advisors and nation-builders the world over. This has been particularly evident in the wake of American intervention in Iraq and Afghanistan, as chapter 5 details. In other words, if old models of policebuilding based on a constabulary logic are being dusted off and implemented, leading to a militarisation of U.S. police reform, the growing role of the Pentagon in policebuilding efforts within nation-building missions also signifies a growing involvement of the U.S. military instrument with policing and related public order tasks. How, then, can we sum up the insights that colonial policing presents for better grasping the nature and evolution of American policebuilding regimes?

First and foremost, one should keep in mind that the U.S. today, like previous imperial powers in their overseas exploits, seeks to export a modality of government. This implies exporting as well a mode of security governance, in an effort to structure the field of action of distant populations. The establishment of security governance structures – central among them the police - is thus a crucial move in opening up lines of visibility for governmental intervention. Concurrently, such security governance schemes seek to foster new forms of social action, and new subjectivities within these populations, starting with the police officers being trained themselves.

Moreover, efforts to establish or reform security governance institutions such as the police in such transitional countries will inevitably encounter and/or engender forms of resistance. Often this resistance will stem out of older forms of security governance already in place. While there are many ways of dealing with that challenge, from violent suppression to negotiated co-optation, ignorance of these alternative models does not bode well for policebuilding efforts. In addition to such resistance, policebuilding efforts will inevitably be plagued by tensions between governmental logics: on the one hand, the pedagogical matrix of security assistance, seeking to guarantee welfare and foster particular kinds of subjects, on the other hand, a disciplinary logic of social control. While the first rationality is connected to meliorist discourses of development (and, today, human security), the second is usually tied to the deployment of coercive, violent powers – and hence the militarisation of both police training and police deployment.

Finally, the present study suggests would suggest that the best way to understand such processes of policebuilding is neither to focus solely on their point of origin in the institutional dynamics of Washington D.C., nor exclusively in exhaustive ethnography of the many post-intervention settings in which police reform is implemented. Rather, one should pay close attention to the relational, mutually constitutive dynamics between both.

1.2. Contemporary policebuilding in the context of US intervention⁹

Why conjure up debates on empire and imperial technologies of rule to introduce a discussion on the (seemingly) prosaic topic of police assistance in U.S. foreign policy? Introducing the imperial moniker here actually opens up an interesting line of argument about contemporary rationalities and practices of U.S. international police assistance in the wake of interventions, which is the focus of the present project. Specifically, talking about liberal imperialism – and the associated technologies of security governance it deployed in ruling distant populations – provides a nice introduction to some of the problems I shall delve into later on, and allows us to understand some of the deeper tensions inherent in U.S. policebuilding efforts today.

Despite the rise and fall of the debates on the putatively imperial nature of contemporary U.S. power that shook IR at the turn of the millennium, two key elements are worth retaining for the purposes of the present work. One is that more often than not, proponents and critics of the label alike have cast and debated the issue of America's imperial power by careful qualifying it as a form of liberal imperialism (Bishai 2004; Boot 2003b; Cooper 2005; Cox 2001; Ferguson 2004; Purdy 2003; Rieff 2003; Stromseth et al. 2006: 1-7). Even when choosing historical parallels – to either support or attack the idea of U.S. contemporary power being imperial in nature or application – the case most often deployed is the British Empire. The second is that, for our present purposes, the most productive way of understanding this move not in terms of pure ethics (liberal imperialism as an ethically

⁹ Through the text, I will use intervention as the defining concept for the context in which U.S. security sector reform in general, and policebuilding in particular, takes place. When referring to the same context, the extant literature is polyphonic, but most authors seem to prefer the language of “peace operations”, “peace support operations”, “peacekeeping” and “peacebuilding”. Other still have defined the overarching concept as that of “post-conflict” or “complex emergency” scenarios, using monikers such as “stability operations”, or – as in the most recent DOD policy pronouncement on the matter - “Stability, Security, Transition, and Reconstruction (SSTR) Operations” (US DoD 2005). I find several problems with this terminology – for one, peacekeeping and peacebuilding take place in markedly multilateral contexts, which has not always been true of U.S. policebuilding efforts, as we shall see. Historically speaking, I prefer to use the more general term “interventions”, since speaking of peacebuilding retrospectively to analyse imperial intervention in the Caribbean is a stretch, and even to speak of post-World War II experiments as “stability operations” or “complex emergencies” is to read back and impute a discursive regime and associated knowledges, practices and programs to people who never thought of it that way. “Intervention” also has the advantage of highlighting the pro-active role played by the U.S., and of at least alerting the reader to the conscious, purposeful choice to intervene abroad – sometimes with more force, less legitimacy and less multilateral participation than would otherwise be implied through the use of peace-derivate words. Whenever the context warrants it, I endeavour to qualify and indicate what kind of “intervention” is being mentioned (it could indeed be in the context of a complex emergency, or a peacekeeping mission, such as in Somalia), which highlights precisely the core task of this dissertation – tracing the shifts and lines of continuity between the contextual regimes under which US policebuilding takes place, and which inform its practices.

superior option, or a benevolent power as it were), nor also in terms of liberal exceptionalism, as *per* Louis Hartz's famous thesis (Hartz 1955). Without wanting to discard the validity of the liberal exceptionalist argument, one does not have to treat the 'liberal' in liberal imperialism as an essentially ideological dimension, nor as a uniquely American one. On the contrary, one should understand the moniker to mean that imperialism – including putative American instantiations thereof – can and often did rely on what Foucault calls “the liberal arts of government”, that is to say, an amalgamation of ideas, discourses and practices that seek to rule populations through freedom – governing subjects, that is, by mobilising their desires and potential, and aligning them with governmental objectives. This has meant the continued relevance of governing these subjects through, among others, apparatuses of security, as we shall see in greater detail.

In other words, then, what is interesting about introducing the study of U.S. policebuilding through a discussion of liberal imperialism – and imperial policing practices therein – is less its imperial nature than its liberal *ethos*, understood here as an assemblage of political rationalities and governing practices.

It may be indeed that, as Stromseth, Wippman & Brooks intimate, even though there are clear parallels between previous imperial ventures and today's liberal internationalism, today's putative ‘imperialists are more benevolent – in both motivations and methods – than the old colonial administrators of yore, and that they operate in a multilateral environment, much more constrained by the precepts of human right and international law (2006: 1-8). The purpose of this dissertation, however is neither to demonstrate that current regimes of U.S. police assistance and policebuilding abroad are inherently and unmistakably imperial, nor to produce a moral critique of such practices by contrasting them to previous imperial exploits and their levels of violence or adherence to human rights. Instead, what the present study attempts is to explore how successive U.S. administrations have, over time, understood and deployed policebuilding programs as part of an evolving foreign policy, and how such practices - and the conceptual and discourse models that underpin them - have changed in order to adapt to shifting security environments, and particularly to the now-dominant scenario of post-conflict intervention.

Moreover, it is my contention that these regimes of security assistance have been

inextricably bound with liberal forms of government, which seek to foster a particular kind of liberal subjectivity abroad through the technical assistance of the local police, a kind of pedagogy of liberal security. Paul Wolfowitz, in trying to distance American foreign policy from accusations of imperialism, inadvertently made much the same point in a 2004 interview:

The premise of your question is that we're out to run an empire, but there is no American empire (...). We are not trying to control these countries so we can exploit their resources. We're trying to enable these countries to stand on their own feet and our experience says that when they do so, we're better off. It's back to the absurdity of saying we're trying to impose our ideas on other people when we want to help them become democracies. (...) *But it's a funny empire that relies on releasing basic human desires to be free and prosperous and live in peace.* (Wolfowitz, quoted in Sikorski 2004, emphasis added)

However, in trying to foster (or, if we are to believe Wolfowitz's formulation, simply liberate and/or empower) the self-regulating liberal subject, and the liberal governing apparatuses that go with the vision, liberal forms of rule must contend with a wide variety of sensibilities. As shall be discussed in detail in chapter two, liberalism has always had to contend with the dilemmas of ruling non-liberal subjects, and has therefore historically developed specific logics of rule adapted to specific populations. To recover the guiding, illustrative example of the previous pages, British liberal imperialism relied as much on patrols and penal punishment as it relied on pedagogical schemes to operationalise the “will to empower” (cf. Cruikshank 1999) and the “will to improve” (Li 2007) populations under colonial rule. In the words, regimes of policebuilding in the wake of intervention (colonial or otherwise) have been consistently underpinned by a governing rationality that joins – and is torn between - elements of what Foucault would call pastorate, as well as liberal government (Merlingen & Ostrauskaite 2005: 301-303).

Whereas the international deployment of police forces (or military forces in a constabulary capacity) in order to effect security governance abroad is nothing new in the history of US foreign relations, it has nonetheless taken on added impetus – and added significance – in response to the changing security agenda of the post-Cold war world. This agenda has brought to the fore a concern with crime and criminality and the global level, as security

threats are increasingly modulated as transnational criminal flows. One of the results of this trend, which I analyse further in chapter two, is a growth of international policing activities on a range of issues, and an attending growth in the literatures trying to make sense of it.

Within such a context, one particular field of growth has been the deployment of international policebuilding in the wake of conflict. This growth has been especially apparent in the context of what policy-makers and scholars alike have come to designate as “security sector reform”, often abbreviated to SSR (Ball 2004; Bellamy 2003; Bryden and Haenggi 2004; Chanaa 2002; Bryden and Fluri 2003; Rees 2006; Schnabel and Ehrhart 2005). Indeed, the 1990's have seen a dramatically increase in Western intervention (humanitarian or otherwise), mostly taking place in the developing world, and assistance to pacify, stabilise and reconstruct post-conflict societies has become a growth-industry, and a central theme of contemporary international relations. Having promoted and/or led much of the intervening, it is thus unsurprising that the U.S. has found itself at the forefront of international efforts is post-intervention security sector reform. Moreover, since the reform and/or (re)building of the police are absolutely key to the process of post-conflict security governance, it is also not surprising to find the US at the forefront of international policebuilding efforts in the wake of intervention.

Examining these American efforts to achieve security governance in the wake of intervention through the deployment of policebuilding programmes allows us to examine an important new field of political activity, and through its analysis to illuminate broader issues. At a more general level, what does this practice of international police assistance tell us about how successive United States administrations have thought about, and practised security? What can it tell us about security in the post-Cold war era, how it has been thought of and practised? On a more focused note, however, this thesis aims to demonstrate how US models, programmes and technologies of international police assistance are firmly grounded on liberal mentalities of government (or liberal governmentalities, to borrow a term from Michel Foucault), aiming to govern distant populations *through* security.

The thesis will thus trace a history of the various models employed by the U.S.

Government to deploy such technologies of security governance abroad, from its early colonial experiments in the wake of the Spanish-American war of 1898 to the present day occupation of Afghanistan (up to 2008). The purpose is not so much to present a fully worked historical account of all instances of U.S. intervention in which policebuilding technologies were deployed, but rather to establish that at different times the models that were used have a family resemblance. As chapter three shows, colonial interventions in Cuba, the Philippines or Nicaragua are as similar among themselves as they differ markedly from post-World War II policebuilding in West Germany or Japan. In other words, to demonstrate that American policebuilding strategies in the wake of (military) intervention are embedded in different regimes of thought and practice of security, and to problematise the lines of continuity but also the changes as these regimes evolve into one another. It will be shown that while the discursive regimes that underpin and legitimate U.S. experiences with the employment of police in post-conflict settings have changed dramatically over time, the attending practices show a remarkably similar pattern to that of past imperial nations, especially the British, both eventually suffering from the same tensions, plagued by the identical problems.

In general, studies of the historical evolution of U.S. police assistance have been predominantly written from a policy point of view, accompanied by little or no theoretical reflection. Such studies tend to fall into one of several categories. On the one hand, there are descriptive overviews of U.S. police assistance, essentially focused on its underlying institutional, legal and budgetary architectures (e.g. Marenin 1998, 2000). On the other hand, we have several single-study analyses of a particular police assistance program (Call 1997), or of a particular national case (Stanley 1999; Wakeman 1992; Wilson 2006). Additionally, one can find historical overviews analysing the evolution of a specific policy, often looking for lessons learned, or seeking to identify general, long-standing goals to achieve (Bayley 2006; Perito 2004). These are often a blend of rich description and policy-prescription, and style themselves as focused on the “practical issues of providing police assistance abroad” (Berkow 1999). By this, I do not mean that they are unsophisticated, but merely that in general they do not genuinely apply theory to illuminate a policy issue, nor use policy-issues or case studies to refine existing theories. Even when they do engage with more theoretical issues of democratisation of foreign policy-making (cf. Bayley 2005), they generally stay within the limits of what Robert Cox has termed “problem-

solving theory”, rather than engaging in “critical theory” (Cox 1981: 28).

Indeed, if theory is always “for someone and for some purpose” (28), the vast majority of existing studies that examine the practices of American policebuilding seem to be aimed at would-be American policy-makers, and for the purpose of improving existing practices and rationales for police assistance. Unfortunately, there has been no comparable effort to examine in critical fashion the rationalities that underpin U.S. policebuilding programs, or to question the nature of the power relations inherent in these same programs. This limitation of existing studies of American policebuilding to a form of “problem-solving theory” is unfortunate, for a theoretical and critical analysis of the lines of change and continuity in the practices of U.S. policebuilding allows one to highlight many important issues. Of particular relevance today is, for instance, the grounds for the seemingly insurmountable difficulties faced by U.S. police assistance programs in such places as Iraq and Afghanistan in the wake of 9-11. But quite apart from that, let us look at some of the key contributions that can be gleaned from a theoretically informed study of US policebuilding.

To the study of U.S. foreign policy, such a move is a step towards a better understanding of the gradual merging of security and development as key themes in American foreign relations. There is already some research on the gradual securitisation of development, and the complex merging of the two perspectives from a more global point of view (Duffield 2001, 2007), as well as some contributions analysing the impact of this trend on the foreign policies of Western liberal states – in particular British foreign policy towards Africa (Abrahamsen 2004, 2005; Abrahamsen and Williams 2001). However, similar arguments are sorely lacking in regards to American post-Cold War national security policy.

A second contribution, from a theoretical point of view, is to advance a Foucauldian contribution to foreign policy analysis literature. This would advance a new hypothesis for understanding the merging of security and development in American foreign policy. This working hypothesis is premised on Foucault's notion of the “governmentalisation of the state” (Foucault 2005: 109-110; Dean 1999: 102-112). By this, he meant that when analysing the relationship between governing and statehood, the analytically important move was not to see the state as the key agent of government (what he dismisses as the

“etatization of society”), but rather to see the state instead as a field which is traversed by, and part of, a broad network of governing practices. As Walters and Haar neatly summarise it:

The governmentalisation of the state implies something different: if the state has a central role in our lives, it is not to be explained in terms of a singular logic, or a will on the part of the state to control society. Rather, an explanation has to be sought in the genesis and spread of technologies of power in spaces and circumstances that are frequently situated beyond the state and which only later become linked to its formal apparatus. The governmentalisation of the state is the story of how social practices (...) that were invented under specific, historical circumstances came to provide mechanisms which allowed the state to function as a centre of governance. (Walters and Haar 2005: 140).

Thus, the state is but one locus (albeit an important, even focal one) where liberal power relations are played out as specific technologies of government. Accordingly, if we can observe the extension of similar techniques of government to the foreign policy of a state – as with the case of international policebuilding for the U.S., as shall be demonstrated in the following chapters, - one can perhaps speak of a governmentalisation of foreign policy. By this one should understand a foreign policy which, like domestic liberal government, is a “very specific, albeit complex form of power, which has as its target population, as its principal form of knowledge political economy, and as its technical means apparatuses of security” (Foucault 1991: 102). Such an analytical model would constitute one more contribution to the nascent analysis of international politics as a process dominated by the slow but sure expansion of global governmentality (Larner & Walters 2004).

Another contribution this dissertation aims to make is to the study of security governance. Firstly, I shall confront more orthodox views of security governance (understood as the governance of security) with novel approaches drawing heavily on social theory and critical criminology, in order to produce an alternative account of security governance as governance through security. As such, this dissertation will show the growing centrality of American programs of security assistance (especially police assistance) as a key tool of (global) liberal regimes of security governance. Therefore, when considering Foucault's words cited above about “apparatuses of security” being the essential technologies deployed by contemporary liberal strategies of government, one can perhaps speak of

security governmentality¹⁰ to denote the importance of such mechanisms – policebuilding especially - in the context of a governmentalised foreign policy. In order to do so, the following chapters will attempt to trace lines of continuity and change in U.S. security assistance throughout history, thereby exposing and examining the different logics underpinning the changing regimes of security assistance at critical junctures (1800's imperialism, pots-2nd World War, Cold War, post-9/11 world).

On a more pragmatic note, policebuilding has been part and parcel of post-intervention security assistance efforts by the U.S. – be it in 1990s Somalia or 2007 Afghanistan, be it in the framework of a UN CivPol contingent¹¹ or as security advisers deployed in counter-insurgency missions. It is thus next to impossible to avoid the question: if this is such an important mission, if it is so central to the discourses and practices of global security in the 21st century, and if the U.S. has been trying this sort of thing for decades (close to two centuries to be more exact), why isn't it going better? Regardless of the Bush administration's positive spin on the nation-building efforts of the U.S., alternatively defined as humanitarian intervention, transformational diplomacy, democracy promotion, or security assistance, a perusal of the day's media will reveal a less-than-bright picture. Indeed, the world has witnessed looting and lawlessness in much of Baghdad (Andrews and Sachs 2003; Branigin and Atkinson 2003), Taliban attacks in Kabul with the

¹⁰ Although there is ample work at the intersection of Foucauldian governmentality studies and analyses of security issues, as we shall see in chapter two in particular, the phrase 'security governmentality' has not made its presence felt in the literature so far. For exceptions to this (unfortunate) rule, cf. Tuncay Kardas use of security governmentality in his unpublished PhD thesis (Kardas 2005, *passim*), and Mariana Valverde's slightly different usage of 'security/governmentality' as a set of practices obeying a logic different from the sovereign/discipline mode of rule (Valverde 2008a: 11-12)

¹¹ CivPol stands for Civilian Police contingent. Such contingents have been deployed in the context of post-conflict stabilisation missions, or peacekeeping and peacebuilding missions, since at least the late 1960's (cf. Hansen 2002: 9). They are usually sponsored by the United Nations (in particular under the aegis of the UN's Department of Peacekeeping Operations), but may also be deployed by other regional security organizations such as the OSCE (Hesztera 1998). CivPol contingents are normally composed by police officers pooled from the national police forces of various individual states. Since their earliest deployments, the nature and role played by CivPol contingents has evolved and become more complex (Hansen 2002: 15-32). While initially their role was essentially as monitors and advisors to the host nation's local police forces, they have since become heavily involved in delivering police reform. Since the 1990's missions in the Balkans and East Timor, CivPol contingents have also been involved in actually delivering public security and ensuring a modicum of law and order in countries transitioning from conflict, a mission known as 'executive policing' (cf. Dwan 2002). The deployment of such CivPol components in the context of post-conflict interventions has spawned a large body of literature since the mid-1990's, reflecting their growing visibility and importance (Azimi 1996; Call and Barnett 1999; Gregory 1996; Hartz 1999; Hills 1998; Holm 1999; Perito 2004: 83-112; Smith 2003). American contributions to multilateral police assistance through the CivPol framework are managed by the State Department (through the Office of Civilian Police and Rule of Law, within the larger Bureau for International Narcotics and Law Enforcement Affairs, or INL) and have been steadily growing. For overviews of U.S. participation in CivPol, see (Hayden 2001; Perito 2004)

connivance or at least dejected passivity of the local police (cf. Gall 2004), or ethnic tensions still plaguing police work in the Balkans. America's long experience with policebuilding in post-intervention contexts, has provided ample opportunity for "lessons learned", and has spawned a considerable amount of scholarship and policy-analysis. However, despite this and despite the fact that enormous budgets and dedicated institutions have been set up for this purpose in Washington D.C., there are important, structural tensions that dog contemporary American efforts of policebuilding & SSR in these post-conflict scenarios. Attempting to answer why is one of the key drivers of the present study.

2. Theoretical framework and methodology

2.1. Theoretical framework, some considerations

As the previous pages have argued, a major shortcoming of the existing literature on this topic is the paucity of theoretical insight when analysing U.S. regimes of security assistance in general, and U.S. policebuilding in particular. This dissertation aims to contribute to developing such a theoretical analysis, drawing from two main sources. In the first instance, I borrow from the scholarly literature in criminology. Indeed, while theoretical and historical criminology have produced numerous and important critiques of the practices of security governance by liberal states (including the U.S.), its insights have remained an underused resource for critically minded IR scholars interested in similar issues. Secondly, the work of Michel Foucault and a host of social theorists working in his tradition – what could be broadly construed as governmentality studies - provide further inspiration to this project. Let us then briefly consider the nature and advantages of using such a theoretical framework for the project at hand, looking at each strand in turn.

To begin with, how useful is it to draw on of theoretical and historical criminology? Criminology as a discipline has developed important, theoretically sophisticated insights, all of which provide linkages to the key theme of this dissertation, namely the role of the police as a liberal technology of government. One major contribution from this quadrant is the historical examination of practices of policing, and the evolution of both 'police power', and 'the police' as a social institution (Axtmann 1992; Brogden 1987; Dubber 2004; Emsley 2003; L'Heuillet 2002; Liang 1992; Newburn 2003; Raeff 1975; Rawlings 2002, 2003; Robinson and Scaglione 1987; Zedner 2006). The study of this evolution perforce

includes its varied processes of internationalisation (cf. e.g. Deflem 2002; 2005a; 2005b; Fijnaut 1993; Koenig and Das 2001). Intimately related to this, is criminology's crucial highlighting of the inherently political nature of policing practices by foregrounding the use of both crime and crime-fighting technologies as instruments of social control, and of government, broadly speaking (Cohen 1985; Dunnage 2004; Emsley 2004; Fernandez 2008; Garland 1996, 2001; Garland and Sparks 2000; Lawrence 2004; Neocleous 2000; Newburn and Hayman 2001).

Similarly, criminological theory has been instrumental to the development and refinement of the notion of security governance in recent years (Dupont, Grabosky and Shearing 2003; Johnston and Shearing 2003; Shearing 2000; Wood and Dupont 2006). Additionally, critical criminologists have provided insight into the complex evolution of policing technologies in response to changes in the security field, thereby illuminating important aspects of the re-articulation of both statehood and security provision regimes that is taking place through re-negotiations of the public/private divide, the domestic/foreign divide, and the war/crime divide. Critical criminologists have thus been instrumental in flagging up issues which are today at the centre of security studies in IR, such as the privatisation of security (Johnston 1992a, 1992b, 2006; Loader 1997, 1999; Shearing and Kempa 2000, South 1988; Stenning and Shearing 1979, 1989; Wakefield 2003) and the emergence of risk technologies (Hope and Sparks 2000; O'Malley 1992, 1998, 1999, 2008; Stenson and Sullivan 2001).

The broad Foucauldian framework employed in this project borrows from the work of Michel Foucault and a host of other social scientists who have taken up his provocative legacy and moved it forward into new, productive grounds. In particular, I borrow from those authors who have elaborated upon the concept of governmentality over the past two decades (Barry, Osborne and Rose 1996; Burchell, Gordon and Miller 1991; Dean 1999; Gordon 1991; Larner and Walters 2004a, 2004b; Lemke 2001; Rose 1996, 1999; Rose and Miller 1992). Foucauldian contributions have greatly enriched several disciplines within the social sciences, and IR is no exception. Security studies in particular has benefited greatly from the work of scholars engaged with Foucauldian concepts and insights. This is particularly true with relation to what has become known as “critical security studies” or CSS for short, where Foucauldian contributions have pushed core debates in fruitful

directions (Bigo 2005, 2006; Bigo and Tsoukala 2006; Bonditti 2004; CASE collective 2006; Dillon 2001, 2004, 2005; Dillon and Reid 2001, 2007; Elbe 2005; Huysmans 2004, 2006; Leander and van Munster 2007; Lobo-Guerrero 2007; Neal 2006, Salter 2006, 2007; see also chapter two for further discussion). As will be apparent from the opening chapter below, critical security studies is precisely where I locate my work and my research interests, and part of my stated objectives in the present study is to contribute to the growing use of Foucauldian perspectives in pushing CSS forward, especially by examining liberal technologies of government through apparatuses of security such as the police.

Using such a framework as one of the main theoretical underpinnings of this study is particularly useful for a number of reasons. On a ground level, Michel Foucault's work is analytically helpful for a fairly straightforward reason: the author himself covered much of the same ground, and devoted extensive efforts to studying several of the key themes of this thesis. For instance, central to these Foucauldian analyses is the notion that in contemporary societies, since at least the end of the nineteenth century, liberal forms of government have relied on security apparatuses, among them the police (Foucault 2007). As such, Foucault convincingly posits a link between the evolution of the modern state, liberal rationalities of governing, and the deployment of security apparatuses. In his famous "Governmentality" lecture of February 1st 1978, now re-translated and revised, Foucault's offers a formulation of this central problematic:

(...) by "governmentality" I understand the ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, *power that has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument*. Second, by "governmentality" I understand the tendency, the line of force, that for a long time, and throughout the West, has constantly led towards the pre-eminence over all other types of power – sovereignty, discipline, and so on – of the type of power that we can call "government" and which has led to the development of a series of specific governmental apparatuses (*appareils*) on the one hand, [and, on the other] to the development of a series of knowledges (*savoirs*). Finally, by "governmentality" I think we should understand the process, or rather, the result of the process by which the state of justice of the Middle Ages became the administrative state in the fifteenth and sixteenth centuries and was gradually "governmentalized." (Foucault 2007: 108-9, emphasis added)

Moreover, Foucault incessantly experimented with novel, better ways of analysing power

relations and subjectivity in the modern world, thereby developing an extensive toolkit of concepts and analytical devices, which offer potentially productive ways of looking at social realities – one can think of his notions of governmentality itself (short for governmental rationality), biopower, or apparatus (*dispositif*). Additionally, unlike more systemic theorists such as Marx, Weber or even Bourdieu – to name a few – one needn't necessarily engage with the entire edifice of his theory in order to analyse social relations through it. Quite the contrary, instead of a “take it all or leave it” attitude, Foucault himself was quite adamant about the nature of his work *as a* toolkit, from which one could and should borrow quite shamelessly, experiment with, discard the less useful analytical devices, and push to take the most useful ones into more fertile ground for one's own research. In his own words, “I would like my books to be a kind of tool-box which others can rummage through to find a tool which they can use however they wish in their own area... (...) I don't write for an audience, I write for users, not readers.” (Foucault 1994 (1974): 523-4).

Such an approach provides incisive new tools for analysing the issues central to this thesis. As shall be highlighted in the following chapters, IR has – generally speaking – paid little or no attention to issues of policing in global politics, and the same could largely be said of the sub-field of security studies. However, Foucault has extensively treated the subject of police as a pivotal technology of power in governing populations (e.g. Foucault 2007: 407-455). For him, police – understood both as social relation of governance (what today we would call policing) and as an institution (what we refer to as the police) - is a biopolitical concept, that is to say, a technology of rule focused on governing populations. Given that ‘police’ as an innovative technology of government is inextricably linked in its historical evolution to such cornerstone concerns of international politics as policy-making and political economy¹², it is ironic that not only has IR paid little attention to the concept, it has so far mildly ignored Foucault’s path breaking work on this subject.

This is indeed unfortunate since both police (the institution) and policing (the social

¹² As we shall see in greater detail in chapter two, in its inception police was spelled *policey*, and before becoming institutionalised as ‘the police’ we know today (roughly between 1750-1850) it was in turn understood and applied as a set of administrative regulations for the good order of society (policy), or as a basis for ensuring the proper production, circulation and security of both people and goods in the State’s territory – the attending notions of a *Polizeiwissenschaft* (police-science) being inextricably linked to the development of modern political economy (cf. Knemeyer 1990, Lidenfeld 1997: 11-45; Raeff 1975; Reiner 2007: 345-355).

function) stand as a key analytical juncture within technologies of liberal government. As a consummate example of a governmental technology of security, policing is riddled with significant tensions, which - I will argue throughout this thesis – are central tensions to characterise contemporary American foreign policy. Police as a technology of rule is both coercive and productive, aimed as it is at ‘proper’ liberal subjects, but also at liberalism’s others (both internal and global). Liberalism’s others thus comprise the populations, groups and individuals deemed as the subjects of improvement or development, those in need of pastoral care, and those others who stand beyond the pale of liberal government and are as such the subject of what has been termed liberal ‘despotism’ (Valverde 1998). Thus, an analysis of police as a political technology of rule highlights the positive aspects of government through freedom – through the constitution of free subjects who regulate themselves – but also highlights that at the core of liberal government is a kernel of sovereign discipline, force, violence and exception (Dean 2002a, 2002b, 2007: 107-203; Duffield 2005; Helliwell & Hindess 2002; Hindess 2001; Valverde 1996).

There are other advantages to take a Foucauldian stance in analysing the deployment of policing technologies – namely police assistance programs – in American foreign policy, besides an emphasis on the ambiguous nature of liberal power once it encounters non-liberal subjects. In particular, such a Foucauldian stance highlights the inherently political nature of the pedagogy of security. That is to say, the historical expansion of liberal governmentality beyond discrete States, or what could simply be termed global governmentality (Larner & Walters 2004) has often been predicated upon two central pillars. On the one hand, claims about the superiority and desirability of (political) development along the lines of a liberal *telos*, while on the other hand this process has often taken place through recourse to the rhetoric of technical assistance, as a kind of an a-political pedagogy of freedom (cf. Prozorov 2004). As the following chapter shall explore, this language of technical assistance and the concurrent mobilisation of expert knowledges, though purportedly neutral and a-political, it is anything but.

Additionally, the use of the ‘governmentality school’ offers an alternative way of thinking ethically about complicated issues of security, opening up thinking space, and doing so with an appeal to remain curious and open rather than to pronounce things as good or bad, true or false:

I was telling you earlier about the three elements in my morals. They are (1) the refusal to accept as self-evident the things that are proposed to us; (2) the need to analyze and to know, since we can accomplish nothing without reflection and understanding—thus, the principle of curiosity; and (3) the principle of innovation: to seek out in our reflection those things that have never been thought or imagined. Thus: refusal, curiosity, innovation. (Foucault quoted in Bess 1988: 1)

Older generations of scholars have used Foucault – both as a guide and as a straw man – essentially as a proponent of social control theory, preoccupied chiefly with questions of discipline and violence, and thereby offering a critique of the progressive undertones inherited from Enlightenment philosophy (cf. Cohen and Scull 1986; Kelly 1998; Habermas 2004: 238-293). By contrast, much of the newest work within the Foucauldian frame has focused on varying forms of identity, of subjectivity, and of ethics – in short, a Foucault worried not about punishment and the dark side of rationality, but with the regimes of formation and maintenance of subjectivity in contemporary societies (e.g. Heyes 2007; O'Leary 2006, Strozier 2002). The work undertaken on this thesis follows a somewhat different avenue, however, deploying Foucault's work instead as a toolbox particularly suited for looking at the historical sociology of government and state formation, and practices of security central to liberal government. The aim is a kind of anthropology of security policy, which seeks to describe – through the analysis of American policebuilding in the wake of armed intervention - the way U.S. foreign policy as a field has oscillated between different regimes of discourse and practice, understood as long chains or networks (*dispositifs*), obeying to competing logics. Ultimately, this thesis tries to understand different regimes of security practice, through an analysis of security apparatuses (*dispositifs*).

Michel Foucault seems to have developed the notion of apparatus in the mid-70s. Although he did not devote any major monograph to the subject, references to this analytical concept are peppered throughout his lectures and interviews since that date (e.g. Foucault 2007: 46-49, 59-60, 107; 2001a: 421-422; 2001b: 1059-1062), and the concept itself has generated a certain amount of interest by other scholars within the Foucauldian tradition (e.g. Deleuze 1992). At any rate, this Foucauldian concept seems still very useful indeed for the purposes of the present dissertation. A *dispositif* or apparatus differs from previous

analytical tools such as episteme “because it encompasses the non-discursive practices as well as the discursive” (Dreyfus & Rabinow 1983: 121), a feature useful for my project. In other words, instead of focusing solely or even principally on the politics of knowledge inherent in contemporary, liberal security practice, using Foucault’s notion of *dispositif* allows one to move beyond discursive and linguistic regimes, and draw upon the mutual and constant (re)constitution of such discourses and attending practices by security agents. In terms of American policebuilding, the result of this move is to constantly alternate between the regimes of knowledge that make such an activity intelligible as a tool of foreign policy (for instance, defining transitional security vacuums as a problem, or identifying ungoverned spaces as dangerous), and the regimes of practice that translate governmental police programs into effects on the ground.

Secondly, an apparatus is a “resolutely heterogeneous” ensemble, which may contain a number of disparate elements. Foucault exemplifies, saying that an apparatus may contain a bewildering array of “institutions, architectural solutions; regulatory decisions; laws; administrative measures; scientific pronouncements; philosophical, moral and philanthropic propositions (...). The *dispositif* itself is the network which one can establish connecting these elements.” (Foucault 2001c: 299).

Third, this analytical construct is not over-determined, that is to say, it may apply to a number of problematics of government, and in so doing it can highlight not only lines of continuity and evolution, but also points of rupture or at least tension. Foucault himself exemplifies this when he deploys the concept of *dispositif* or apparatus of security in relation to the history of sexuality, as well as to security practices such as town planning (Foucault 2007: 12-23). The notion of an apparatus does not presuppose or push a particularly neat direction in the relations of the disparate elements – they may in fact be in contradiction as well as in harmony, they may be pulling in different directions, creating tensions of government – and this is not a drawback but precisely a productive site for one’s analysis of government. Finally and fourthly, Foucault postulated that despite this relative heterogeneity and indeterminacy, an apparatus emerges as a “formation which, on a given historical moment, has had as its central function to respond to an emergency. The apparatus thus has a dominant strategic function; (...) it has a strategic imperative which plays the role of something like its matrix.” (Foucault 2001c: 299)

Obviously, in studying these apparatuses, one cannot focus on all aspects, at all levels, especially given the obvious constraints inherent in a doctoral project. The aim of this dissertation is therefore to introduce this way of thinking, and concentrate on its points of origin. In other words, this dissertation interrogates how policy is formulated and adapted in U.S. government so as to put in place apparatuses of security that strategically tackle government problems. It further questions how the understanding of such problems and corresponding governative solutions change over time, leading to evolving regimes of practice. Finally, it suggests ways in which current American regimes and apparatuses of policebuilding are suffused with the logic of a globalising liberal *ethos*. However, this dissertation will trace the flow of power in this dispositif from the institutional points of origin down to the level of the localised micro-practices of security experts, the actual techniques used to govern through security at a multiplicity of sites, and their effects on populations at the point of impact, especially in chapters four and five.

2.2. Methodological remarks

Given that my stated goal is to analyse an apparatus of security within the realm of U.S. foreign policy – that is, a heterogeneous ensemble of disparate elements such as discourses, regulations, laws, policy programs, institutions and experts – it seems only fitting that I would opt for methodological pluralism as a starting point. That said, however, this project stays firmly anchored on qualitative moorings.

I had initially projected it as an archive-driven effort, focused on the materials produced by two key institutions in contemporary U.S. policebuilding efforts, but several factors conspired against this. The first obstacle was that the subject matter – essentially, police aspects of security assistance – is a relatively delicate one, especially when it concerns highly politicised scenarios of ongoing intervention, as in the case of Afghanistan (the case I chose to illustrate my points in chapter five). Therefore, access to archival materials turned out to be extremely difficult. Nonetheless, I could make good use of some online sources. For the earliest period of U.S. policebuilding analysed in the first half of chapter three (roughly 1880-1930), the online version of some of the earliest volumes in the Foreign Relations of the United States series, made available by the University of

Wisconsin-Madison¹³ turned out an invaluable resource, including many primary sources on the establishment of constabulary forces by the U.S.. Another online archival source of great assistance have been the various State Department collections/materials – ranging from historical documents about the creation and evolution of specific offices (through the Office of the Historian), to the home pages and fact sheets pertaining to specific programs and bureaux within the Department of State.¹⁴

That meant that while I could find useful open-source material online, extensive archival research *in situ* soon stumbled upon governmental and bureaucratic stonewalling. ICITAP, a branch of the U.S. Department of Justice I had elected as a key 'institutional node' for my research, never got around the long and incomprehensibly difficult process of vetting me for access – or so I was periodically told. Moreover, apart from mission statements and press releases available online, the State Department's INL (another key institutional node) could also not grant me access to their internal documents.

To add to this, the contemporary regime of U.S. policebuilding is in a constant state of flux. Between 2006 and 2008, the Bush administration created new institutions, passed new legislation, and increased its security assistance budgets massively. Concurrently, standard procedures changed, and different police curricula were developed. This constant flux, and the quantity and variety of agents and structures involved in the process of shaping and delivering U.S. police assistance, made me rethink my methodological approach. Specifically, they made me realise that the focus of the project should not so much be the detailed working of particular institutions, or the institutional architecture of specific policebuilding programs *per se*, but rather the relationship between them¹⁵.

¹³ The materials form an important part of the University of Wisconsin Digital Collections (<http://uwdc.library.wisc.edu/index.shtml>), and they're fully-searchable and partly downloadable. They can be accessed via the website: <http://digicoll.library.wisc.edu/FRUS/>

¹⁴ The Office the Historian (<http://www.state.gov/r/pa/ho/>) is part of the State Department's Bureau of Public Affairs. It houses several important online archival resources (including the most recent materials of the FRUS series), and the History of the Department of State during the Clinton Presidency (<http://www.state.gov/r/pa/ho/pubs/c6059.htm#>) which was particularly pertinent to the issues discussed in chapter 4.

¹⁵ A full methodological discussion of the relational dimensions in Foucault's notion of the apparatus, and especially its similarities to other relational, processual approaches to the study of political processes – one can think of Elias's figurational sociology, or Bourdieu's field theory – is clearly beyond the scope of this introductory chapter, but for a good primer on relational methodology and its potential contributions to the study of IR, see Jackson and Nexon (1999)

In order to achieve this, I thus decided to rely on Michel Foucault's useful notion of the apparatus of power, or *dispositif*, an analytical construct detailed in the previous section. In short, my focus had to shift to understanding the interplay of institutions, discourses and agents in the apparatus of U.S. police assistance, and to chart the modifications in their functioning, as well as answering the questions of what urgent need did the U.S. police assistance apparatus respond to at various points in time. Therefore, in order to grasp this multivariate nature of sources adequately, my methodology grew to encompass a combination of techniques. Thus, while I did conduct archival research online for most of the primary sources (especially relating to the historical cases between 1898-1934, and for background legislative and budgetary information on more contemporary programs), I also supplemented this with fieldwork – consisting primarily of interviews. I conducted three stints of fieldwork: a longer stint in Washington, D.C. during the fall semester of 2006, and two shorter trips in the spring of 2007 and 2008 to Afghanistan. In total, I conducted 81 interviews in a sample that comprised 74 individuals.

The interviews were typically one on one, although in a few occasions (such as at the Kabul Police Academy in the spring of 2007) I had the opportunity to conduct group interviews¹⁶. Their duration also varied, but on average, each interview lasted from 45 minutes to an hour. I did not develop a fixed questionnaire, because my emphasis was not on generating comparable data on the same topics; the interviews therefore were typically semi-structured, with very open-ended questions varying according to the cluster-group of subjects (high- or mid-level policy-makers in Washington, private contractors or other policy-implementers on the ground in Kabul, police recruits, academics, etc.). My purpose was to conduct at least two interviews per cluster and at least two interviews per institution or type of expert involved in current U.S. policebuilding programs – an objective was, largely, accomplished. However, almost without exception, all interviewees preferred not to be quoted, nor recorded directly during the interview. Therefore, in strict accordance to

¹⁶ Unlike the remaining interviews, the informants who spoke to me on this occasion are not listed in Appendix 1, as I was given access to one of their tactical training sessions, and to them for short interviews (5-15 mns. each), on the express condition of total anonymity. This was reinforced by the respondents themselves refusing point blank to provide any personal information whatsoever. However, I can add that the group comprised 10 individuals (9 male, and 1 female), not counting the interpreter provided to me, or the European instructors. Their ranks ranged between medium and high (including a Col.), but they were all officers. I was also told by the instructors that they mirrored a representative cross-section of the ethnic composition of the trainees at the Police Academy, including at least one informant of each major ethnic group (Pashtuns, Tajiks and Hazaras) – although I could not verify this independently.

research ethics parameters, I have respected their wishes, and so in the few occasions where I refer directly to an interview as a source for information that cannot be supported by literature, I do so by providing a reference number that can be crosschecked with the identity of the informant in a separate list. However, I have refrained as much as possible from providing either detailed information about the subjects or quoting them *verbatim* in the text.

3. Chapter outline

The first chapter introduces the changes which have shaped the field of security studies and security policy-making since the end of the Cold War. It reviews the extant literature and traces how the field of security studies moved into more critical directions by widening its concepts of threat and of protection, and focusing historically on the regimes of security provision, and specially how these have been affected by globalisation. Some of these effects transforming the field of security are: the erosion of the inside/outside divide both in the theory and practice of international relations and security provision in particular; the rise of new forms of agency – including the growing importance of private agency in security provision and governance – and the attending theoretical turn to the study of security practices as exemplified by the Paris School of critical security studies. These developments find their corollary in the conceptualisation by Western liberal states, the U.S. most prominently, of the global security field through the lens of criminalisation. The chapter then notes that one of the main strategies to tackle this 'new' security field was the emergence of *security governance* as both crucial concept and complex ensemble of practices.

At the theoretical level, the chapter discusses more orthodox contributions to the conceptualisation of security governance (chiefly the work of Elke Krahmman) as the governance *of* security networks. The chapter then goes on to discuss as well more critical approaches from criminologists who, taking cue from the work of Foucault, conceptualise security governance as government through security apparatuses, producing what Shearing and Johnston call “nodal security” (Shearing and Johnston 2003).

The second chapter has a twofold task: on the one hand to lay out an account of what is

meant, throughout this dissertation, by liberal government, and the important questions this form of governance raises; on the other hand, to detail the crucial role of policing in the liberal arts of government, including the progressive internationalisation of both. The chapter starts by introducing some of the key themes of Foucault's treatment of liberal government, as a distinctly modern form of rule which evolved from the 16th century onwards in Europe. It then focuses on how liberal government, despite its universalist self-representation as a form of rule premised on equal individuals, in fact depends on identifying/creating population categories which are governed through different logics. The following section then proceeds to analyse the two central logics that underlie the liberal government of non-liberal subjects: first, pedagogy/development, which seeks to (re)produce adequately responsible, free, self-regulating subjects, and on the other hand discipline. From there, the chapter moves to analyse policing as a key juncture between these logics, and as a key technology of security in liberal forms of government, since liberal police has, since its inception, retained this Janus-faced character of fostering welfare and constraining freedoms. Finally, the chapter ends with an overview of the internationalisation of these processes – specifically how, in the realm of US foreign policy, these themes play out as both discourses and practices of security assistance and police reform.

Part two of the dissertation seeks to illustrate and clarify some of the key theoretical moves of chapters one and two through an application on U.S. foreign policy – more specifically, to U.S. efforts in the field of policebuilding, i.e. the establishment and/or reform of police forces in post-intervention scenarios. In order to do so, the dissertation presents a historical overview of different regimes of U.S. policebuilding over time, seeking to illuminate lines of continuity and major shifts as they evolve into one another. Moreover, in chapters four and five my analysis will move from the historical and discursive regimes that underpin American policebuilding, towards a focus on situated practices. That is to say, I will focus on an analysis of how such shifts in the broader regimes that inform American policebuilding translate into a multiplicity of specific knowledges and micro-practices that seek to act upon populations and individuals, constituted as targets of liberal governance through security.

Chapter three broadly covers three such historical 'regimes' of police assistance: U.S.

policebuilding in the context of imperial occupations (1898 – 1934), U.S. policebuilding in post-World War II occupied countries (1945-1952); and finally U.S. police assistance efforts in the context of the Cold War, where policebuilding (under the heading “foreign internal security assistance”) was heavily intertwined with the ideological fight against Communism (1950s -1990s). Overall, the chapter seeks to foreground two key trends: on the one hand, although U.S. policebuilding efforts up until the 1990s were always framed in a discourse of state-building (that is, assisting foreign nations in improving their institutional state capacity in the field of internal security and public order), they shifted from more or less temporary efforts of occupation in the wake of armed intervention to more structural, long-term commitments translated into long-standing bilateral programs. On the other hand, and in tandem with the previous trend, there was a gradual shift from delivering assistance through paramilitary means – typically configured in either executive policing by an American constabulary, or police training and supervision of local constabulary forces – to civilian programs of technical assistance focused on developing local, self-sustaining capabilities. The chapter illustrates these trends by analysing at length the birth and evolution of the International Criminal Investigative Training Assistance Program, the first civilian institution within the U.S government specifically dedicated to assist police forces abroad.

Chapter four turns to the years Bill Clinton's presidency, and argues that his Administration was crucial in gradually but steadily adapting the institutional machinery of the U.S. government – particularly the foreign policy and national security sectors – to the momentous structural changes in the post-Cold War security agenda described in chapter one. The chapter focuses on three key components of Clinton's legacy in the field of U.S. police assistance. In the first place, we shall see how Clinton's policy team began to conceptualise America's national security agenda in terms of “crimefighting” more than “warfighting” (Andreas and Price 2003). Secondly, the chapter examines how the Clinton administration learned the lessons of the decade's interventionism (Somalia, Haiti, and the Balkans) and sought to enhance the policebuilding component of U.S. interventions in the wake of complex emergencies. Finally, how he translated the new security thinking and the lessons of intervention into institutional and strategic commitments to further internationalising U.S. policing – the retooling of the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) and the issuing of Presidential

Directive 71 being the most prominent among a plethora of measures analysed in the chapter. The chapter then proceeds to analyse the transition between the Clinton and George W. Bush administrations, and what this pivotal moment brought to the landscape of U.S. police assistance. This shows that the Bush administration inherited a rich policy and institutional portfolio, but deliberately sought to ignore or minimise the Clinton legacy and insisted on “rediscovering the wheel”. Moreover, the chapter shows Bush's foreign policy increasingly framing U.S. policebuilding policy in terms of responding to fragile statehood and ungoverned spaces in the context of the Global War on Terror. Additionally, it highlights how the Bush administration has sought to mobilise expert knowledge claims about security governance techniques and their effectiveness, in order to justify policebuilding in post-intervention settings.

Chapter five picks up from there, and seeks to illustrate how U.S. policebuilding efforts have become inextricably bound with American armed intervention in, and occupation of, both Iraq and Afghanistan. Focusing on Afghanistan in particular, the chapter seeks to illustrate the tensions that result from a revival of the constabulary ethic in U.S. policebuilding efforts. The result, this chapter argues, is a field of police assistance in which well-established civilian programs of technical assistance and capacity-building (ICITAP, INL) struggle to accommodate the renewed eagerness of the Pentagon in delivering police assistance. The resulting militarisation of U.S. policebuilding – with its disciplinary logic and short-term focus on illiberal subjects and technologies of rule – is contrasted with the still ongoing pedagogical/ developmentalist efforts of civilian agencies. The latter are also examined, by foregrounding a set of techniques (co-location, professionalisation, screening, mentoring) that seek to work upon and transform the subjectivities and practice of Afghani police personnel, thereby deploying a very effective form of liberal government through security.

CHAPTER 1

THE SHIFTING WOR(L)DS OF SECURITY

1. Rethinking the security field

Recent years have seen ever-increasing debate on the shifting nature of security. Approaches within both security studies and policy-making circles which were traditionally focused on securing the survival of the state, and on protecting its borders and territorial integrity in (almost exclusively) military terms, have increasingly come under attack since the end of the Cold War. The decline – or at least loss of hegemonic position - of this orthodox view, often dubbed “strategic studies” or “national security studies”, has been evident and widely acknowledged in the debates of at least the last decade, leading to what Steve Smith has dubbed “the increasing insecurity of security studies” (Smith 2000).

This growing dissatisfaction with traditional approaches to security and the resulting changes in the security agenda, however, has not been the sole product of much soul-searching and greater theoretical innovation in the academic sub-field of security studies throughout the 1990’s. As Michael Sheehan puts it, “[i]nternational organizations such as the United Nations and NATO now also operate with a definition of security that is multisectoral and embraces the broader agenda, and not just the military dimension” (Sheehan 2005: 3). The very introduction by the United Nations of the concept of “human security” in its 1993 and 1994 UNDP reports shows precisely this trend (UNDP 1993, 1994). Similarly, a review of U.S. national security policy debates and documents will reveal that American security practices themselves have been undergoing severe transformations, as is evidenced by the latest National Security Strategy papers issued by the US executive (White House 2002, 2006).

One way of scrutinising the shifts of the 80’s and 90’s that brought about this new security agenda, both in theoretical and empirical terms, is to identify and survey several strands of

literature or “debates” between alternative “schools” of thought. In a sense, however, all these debates have circled around the notion of “widening” the security agenda, be it in terms of widening what is meant by security, what counts as a threat, or what institutions and agents are implicated in the practice of security.

1.1. Deepening the meaning of security

Despite W. B. Gallie’s early suggestion about the nature of some central concepts in the social sciences (Gallie 1956), the realisation that security is “an essentially contested concept” has taken a few decades to sink in (Buzan 1991: 7)¹⁷, so that only from the late 1980s onwards did scholars begin to seriously question themselves: “what does security *mean*?” or “*whose* security are we talking about/ensuring?”. It may well be, as is suggested profusely in the literature, that it was the end of the stable certitudes of the Cold War period which brought about not only these questions but also answers to them that escaped the implicit and taken for granted statist replies (Baldwin 1995; Bilgin 1998: 90; Mutimer 1997: 187; Masco 1999: 203; Terriff 1999: 3-4). In any case, and despite grudging complaints from more orthodox authors, it was this kind of interrogations about the changing nature of security which effectively brought about a broadening of the security agenda by contesting the place of the State as the sole referent of security. The meaning of security, it was suggested, was not simply a function of classical state concerns: primarily in terms of “ontological security” – that is, ensuring the continued existence of a state – and secondarily about acquiring and managing the (military) means to achieve this – that is, strategic studies.

A reading of security, which takes seriously its inherently political nature, thus began to take shape, and began suggesting that the proper referent of security should be beyond the state (but not necessarily without it). On the one hand, authors affiliated with this broad church of critical security studies (CSS) have sought to make individuals the central referent of security discourses and practices, in a move that clearly undermines classical understandings of the link between security and sovereignty. On the other hand, more attention has also been paid to the closely intertwined questions of identity and community,

¹⁷ Although Arnold Wolfers, as early as 1952, had suggested the 'ambiguous' nature of national security in a seminal article (Wolfers 1952). However, Wolfers seemed more concerned with the ambiguity derived from the word 'national' than the concept of 'security' itself, questioning the links between national security and national interest, and the relevance of both for a clear conduct of American foreign policy.

a trend that equally challenges statist assumptions and questions, in particular, narrow strategic considerations about material capabilities in security provision by highlighting important ideational factors of belonging and behaviour (cf. Krause and Williams 1997: 47-49). Both of these moves can be described as part of a broader perspective that sees security, and the role of the state therein, in the context of historical and reflexive practices that are in a state of flux.

1.2. Widening the concept of threat

While some CSS authors were busy widening conceptions of what security meant, and of what or who should be secured, a closely related strand of literature has borne witness to those wishing to reconsider and expand what counts as a security threat, and therefore what is within the legitimate purview of security studies and practices. This other strand of the “widening debates” was pioneered by the work of Barry Buzan (Buzan 1983). In *People, States, and Fear*, Buzan voiced an added criticism of the realist orthodoxy in security studies, arguing that security should not solely be conceived of as “national security”, limited to military treatment of offence and defence, but should instead include a broader array of dangers and threats, which should be considered and answered. Buzan then proceeded to slot these into his “five sectors” of security: military, political, economic, societal and environmental, an approach which was further developed and refined by the contributions of the (then) emergent Copenhagen School, most notably in the influential *Security: a new framework for analysis* (Buzan, Waever and De Wilde 1997).

This growing awareness of both “new threats” and new referent objects – or at least shifts in the way these are conceived of and problematised – mirrors important historical changes. Indeed, as the end of the Cold War brought about not only the demise of bipolarity and the end of the arms races, but also the steady decline (both in frequency and intensity) of inter-state conflict, a host of other “security concerns” has come to the fore in policy-making circles as well as academic treatments of security. This second “widening” move has important implications not only for understanding that socially constructed notions of dangers are subject to conspicuous change over time, but also – and more to the point – that current threat assessments and threat responses are inscribed in particular regimes of knowledge and practice. Moreover, this widening move shows that these liberal regimes of knowledge and practice, by re-articulating the role of the state in security

provision and governance, are currently also moving away from the defence of territories and boundaries, and towards the management of populations. This gradual move, which is taking place under the umbrella of “globalisation” has generated important changes in the practices of security and has also re-arranged in significant ways the institutional complexes through which security is provided and managed, as shall be analysed in the following section.

1.3. The rise of human security

In tandem with the shifts in security discourse and in security policy described above, the 1990's saw the emergence of the concept of 'human security', which would soon become highly influential in policy circles worldwide, and highly debated by academics. From its origins in UN circles (UNDP 1994; MacFarlane and Khong 2006), it has expanded in both meaning and application, and today has achieved that rare status of being an almost commonsensical, organising principle of international relations. To gauge just how far the concept has permeated contemporary security policy, and contemporary political discourse around the planet, one has only to look at the profusion of publications that either deal specifically with it, or use it implicitly as a key concept. A rather straightforward search for “human security” turns up close to a million results in Google, of which over 18.000 are in Google Scholar, thus denoting the impact of the concept in academic publications. Additionally, human security has been translated into institutional commitments, through the creation and maintenance of – amongst others – the Human Security Network or the International Commission on Human Security. Finally, and perhaps most impressively, some countries have placed the idea of human security at the core of their foreign policies (cf. e.g. Debiel and Werthes 2006) – Canada, Norway and Japan being the most prominent

cases which spring to mind¹⁸.

But what does human security mean? Clearly, the concept as it used today stands at the confluence of several trends analysed in the previous sections of this chapter. Primarily, human security denotes a shift in focus, away from states as the sole or primary referents of security, and towards individuals, communities, and societies instead. Accordingly, it has alternatively been described since as “security with a human face” (e.g. Neufeld 2004, UNDP 2004), or “people-centred security” (e.g. Makinda 1997, 1998). On the other hand, the rise of the human security discourse reflects a growing preoccupation by both academic and policy circles alike with a broader gamut of threats to security, including poverty, environmental degradation, forced displacement of populations, disease, etc. This core characteristic of human security illustrates not only the shifts in the social construction of threats referred to above, but also the merging of the discourse (and practice) of security with the broad agenda of 'development' – which is why, interestingly, human security is sometimes conceptualised as both “freedom from fear” and “freedom from want”.¹⁹

For the purposes of this dissertation, it is useful to think of the emergence and deployment of the human security in terms of biopower, that is to say, to think of human security as a biopolitical category (Bell 2005, 2006; Dillon 2004; Duffield 2005, 2006, 2007; Duffield and Waddell 2004; Grayson 2008; Larrinaga and Doucet 2007). In this formulation, human

¹⁸ Canada's government introduced the 'human security agenda' as the backbone of its foreign policy in the mid-1990's (cf. McRae and Hubert 2001: 267-274), largely under the direction of Lloyd Axworthy, foreign minister from 1996-2000 (cf. Axworthy 1997; Donaghy 2003). There is by now an immense body of literature discussing the relationship between human security and Canadian foreign policy, often from a critical perspective (e.g. Owens and Arneil 1999; Bain 1999; Hay 1999; MacLean 2000; Bosold and Werthes 2006). In most genealogies of human security, Norway is pointed out as an early partner of Canada in adopting a “human security” focus to its foreign policy, notably through the concerted efforts of Lloyd Axworthy and his Norwegian counterpart, Knut Vollebaek. Under the auspices of both, a host of countries met in Lysoen, in Norway, to sign the Lysoen Declaration for a Human Security Partnership, which would become the basis for the Human Security Network (HSN) (Hataley and Nossal 2004: 8). In Japan, the explicit adoption of human security appears to have happened later, roughly after the Asian crisis of 1997/98 (Shinoda 2004: 16). Additionally, Japan seems to have emphasized the economic/developmental side of human security, according to the Japanese Ministry of Foreign Affairs “Japan's Official Development Assistance Charter was revised in August 2003 specifies “human security” as one of the basic policies on ODA.” (MOFA 2007). For overviews of Japan's foreign policy dealing with human security see (Akiyama 2004; Edstrom 2003; Ho 2008; Soeya 2005).

¹⁹ Several authors include both these elements as key the the definition of human security (Annan 2005: 9-44; Haq, quoted in Gasper 2005: 224, MacFarlane and Khong 2006: passim; Faber 2008:151). Caroline Thomas summarizes this neatly when she states that both are “core strands” of human security, and that “on its own, each aspect represents a necessary but insufficient ingredient for human security” (Thomas 2007:110, cf. 111-114). However, Pauline Kerr suggests that either element (freedom from fear, or freedom from want) can be treated from a human security point of view, but that freedom from fear is the core focus of a narrow human security agenda, while the additional inclusion of freedom from want represents a commitment to a “broad school” of human security. (Kerr 2007: 94-95)

security both codifies and illustrates a relation of governance between an array of governmental authorities (states, NGO's, IGO's, etc.) and populations. These populations are thus inscribed in networks of power as the subjects of development and security, simultaneously. As Duffield puts it, “while development and security have always been interconnected, human security reflects the contemporary reworking of this relationship. In particular, it unites these terms on an international terrain of non-insured groups, communities and peoples.” (Duffield 2007a: 114). In other words, the discourse of human security reveals a shift in Western liberal governmental rationalities (and, to an extent, practices) towards governing populations both *through* and *for* security.

As a result, this shift operated through the introduction of human security effectively decouples security from its traditional regimes of provision, regulated through the notion of sovereignty. In other words, the rise of the human security agenda – and the attending discourse of the 'responsibility to protect' (cf. *inter alia* Bellamy 2009) – did much to globalise security provision. In such a framework three important moves take place. In the first instance, the erosion of the sovereign divide between inside/outside opens up distant populations for security interventions. Secondly, this re-articulation of the state's role in security provision to populations beyond its borders is accompanied by a growth of transnational networks of security experts and practitioners, a move best understood by focusing on the shifting practices and agency of contemporary security. Finally, these processes result in the rise of agenda for security governance. The following sections will thus explore these interrelated themes in greater detail.

2. Globalisation and shifting practices of security

The strands of literature briefly discussed above have effectively moved the field of security studies into more fertile ground. However, as Krause and Williams perceptively pointed as far back as 1997,

[a] result of this disciplinary turmoil is that reconceptualizing security has often come to resemble a grab bag of different issue areas (...). Simply articulating a broad range of newly emerging or newly recognized threats to human survival or well-being will not in itself move security studies away from its traditional concerns. (Krause and Williams 1997: 35)

Apparently missing was a coherent framework for understanding historical shifts in the definition of threats and the provision of security (Mabee 2003), as well as an awareness of the changes taking place at the very mundane but absolutely germane level of practices, and the associated institutions of social life involved in the field of security. In other words, rather than just focusing on concepts and how one should study them, the key point in moving the security studies agenda forward is to focus on the relationship between shifting concepts and shifting practices – what Foucault would call regimes of power/knowledge (Foucault 1977: 27-8; 1994: 11-15, 83-87). It is important, therefore, to think through the impact of globalisation upon the power/knowledge regimes that underpin contemporary security. Indeed, regardless of how one maps the emergent issues and debates that have been transforming the face of security studies as a disciplinary field, the defining feature that seems common to all strands of literature is a growing awareness, a growing recognition, that what is commonly referred to as “globalisation” has been changing the way security is instantiated (and thought about). Globalisation has steadily unhinged security, in word and in deed, from the State - classically understood in Weberian terms as holding the monopoly of legitimate violence within its borders, and facing an anarchical international scene dominated by inter-state security dilemma of markedly Hobbesian features²⁰.

As can be gleaned from the brief survey of the security literature presented above, there are two main ways in which one can perhaps best make sense of this process: (i) by seeing it as the erosion of the inside/outside debate that has been so constitutive of both International Relations and Security Studies as disciplines (Walker 1993), and (ii) by following Huysmans in his perceptive suggestion that “the widening of the security agenda to non-military threats and the growing interest in including non-state referents *opened up the issue of political agency*” (Huysmans 2006b: 5, emphasis added).

2.1. The erosion of the inside/outside divide

Regarding this apparent erosion of the classical dichotomy “foreign/domestic” or “internal/

²⁰ This streamlined characterisation is a staple in traditional analyses of security – cf. e.g. Edward Kolodziej’s formulaic representation of this view (Kolodziej 2005: 53-71). For a neat overview of this “orthodox” view of security provision, complete with a critique of its origins in liberal theories of the political subject and political agency, cf. (Williams 2007: 19-20)

international”, it is important to highlight two crucial points. On the one hand, the emergence of “new threats” is paralleled by the emergence of new forms of agency in providing security beyond the state. It is within this context that this project seeks to analyse the shifting roles of police institutions, as they increasingly transnationalise and globalise their efforts and powers.

On the other hand, the context of a globalised world has brought about the specific linking of security to liberal problematics of governing populations. On this specific point, it is perhaps useful to elaborate further. Globalisation has been conceived of in a bewildering variety of ways, but for the purposes of this chapter it is especially useful to see it as a form of spatio-temporal compression, which in turn has gradually led to a 'closure' of social space world-wide²¹. In other words, processes such as the rise of complex interdependence (cf. Keohane & Nye 1977), new regionalism (Hettne, Inotai & Sunkel 1999, 2000a, 2000b, 2001; Soderbaum & Shaw 2003; Farrell, Hettne & Langenhove 2005) and the growing empowerment of non-state actors have helped bring about a picture of world politics as a single, integrated, global social space in need of management – to borrow the felicitous expression coined by Manfred Steger, the rise of a “global imaginary” (Steger 2008). This global imaginary operates largely in analogy with the provision of rule of law and welfare for populations at the domestic level, but writ large in a networked world of much greater complexity, unevenness and novel actors – themes which are prevalent in the now vast literature on global governance (e.g. Hewson & Sinclair 1999; Wilkinson & Hughes 2002; Sinclair 2004, Barnett & Duval 2005; Diehl 2005). Furthermore, this analogy has been complemented, since the early 1990's, by a growing body of work on “global civil society” (cf. Keane 2003, esp. 1-39; Kaldor 2003;

²¹ Robertson defines the process of globalisation precisely in these terms: “Globalization as a concept refers both to the compression of the world and the intensification of consciousness of the world as a whole.” (Robertson 1992: 8) He attributes the roots of this conceptualisation to Marshall McLuhan in his 1960 book, *Explorations in Communication* (Carpenter and McLuhan 1960), where the author had spoken of the related idea of the 'global village'. David Harvey is also widely credited with having coined the term, speaking alternatively of 'space-time convergence' and 'space-time compression' in his seminal *The Condition of Postmodernity* (Harvey 1989: 260-323, 350-52). More recently, this conceptualisation crops up again in a highly influential report by the Commission on Global Governance (Haas & Haas 1995: 297-8). For an excellent, in-depth genealogy of the concept, cf. Barney Warf's recent book on the matter (Warf 2008). Finally, to see this operationalised in the context of shifting understandings of security, see the recent article by Beeson and Bellamy (2003: 344)

Baker & Chandler 2006; Germain & Kenny 2006).

These changes have been accompanied by several important shifts in both the conceptualisation and practice of security worldwide. Security, in this 'globalised' or 'transnationalised' sense, is thus seen less and less as the task of dealing through military means with international anarchy and its consequences – namely the classical security dilemma – in a Hobbesian way, and more and more as the task of dealing in novel ways with a host of increasingly transnational/stateless threats to global populations and their well-being. The provision and governance of security, within this framework, has been increasingly conceived of in terms of criminalisation of threats, and along the logic of risk, a process which seems to be a 'spill-over' effect from the domestic level to the global of the logics which have already gained primacy (for decades and in some cases for centuries) at the internal level of states, at least those of the western liberal matrix. In a topical essay, Peter Andreas and Richard Price have posited that within such a context of a growing shift in the conceptions and practices of security, most western liberal states are “(...) increasingly defining their security interests more in terms of crimefighting than in terms of warfighting, and more in terms of deterring law evasions than in terms of deterring military invasions.” (Andreas and Price 2001: 31)

This trend can be best be understood as resulting in the increasing extension of “police power” – understood not as what police officers do, but rather more broadly as the power of states to effect government over the health and wealth of populations (cf. Dubber and Valverde 2006). Thus, given the parameters of this emerging paradigm of security, an examination of contemporary practices of security provision and governance that inform U.S. foreign policy is called for, and an analysis of policing rationalities and practices therein is absolutely central. However, accounts as those of Andreas and Price (cf. also Hippler 2006) focus essentially on the “spill over” of policing logics and technologies that characterises the contemporary practices of the *military* apparatuses of western states, the U.S. most prominently. Conversely, little or no attention is paid to how the police *itself* are being employed in this changing paradigm, a gap that this dissertation aims to fill.

2.2. *New forms of agency, new practices*

One of the best ways of understanding this change is precisely to trace the shifts in the

nature and uses of policing. While this move has traditionally been conspicuously absent in mainstream IR literature on the subject of security, the efforts of Didier Bigo and the Paris school that sprung around him, or recent work by authors on both sides of the Atlantic, show that gradually the discipline is becoming more aware of the potential in reading issues of international security through the lens of policing and surveillance— be it about border, population and migration controls (Bigo and Guild 2005; Huysmans 1995, 2006; Salter 2004a, 2004b, 2006, 2007), networks of security co-operation (Bigo 1996, 2000a; Nadelmann 1993) or policebuilding (Merlingen and Ostrauskaite 2006). Indeed, the nature and uses of the police as an institution, and the practices of policing undertaken by a multiplicity of security agents, have been undergoing significant changes in the direction of greater 'globalisation'. In fact, any survey of contemporary security practices will show that the police are no longer strictly bound by the classical logic of the “inside/outside” dichotomy, and are therefore doing a lot more these days than simply enforcing criminal law at the purely domestic level – whether this is really an emergent reality or simply a growing recognition of something as old as the word police itself is something we will explore to some depth in chapter two. Grasping this move of internationalisation, transnationalisation, or multilateralisation of policing (Aas 2007; Andreas and Nadelmann 2006; Bowling 2009; Shetptycki 1998) and its implications bring up a number of challenges. It also brings us squarely and neatly to our second issue, that of agency within security practices and attending institutions within a context in which the fields of internal and external “become one” (Bigo 2000b) or rather are re-articulated as a “Möbius’ ribbon” (Bigo 2001).

Perhaps the most compelling and useful work on the subject has been done within the academic framework of what is sometimes referred to as the “Paris school” of critical security studies, and especially the work of Didier Bigo. Using a conceptual framework heavily informed by a blend of Bourdieusian and Foucauldian concepts, Bigo investigates how, through the crucially important practices of security experts or professionals - what he calls “professional managers of unease” (Bigo 2002) – we are gradually witnessing a de-differentiation of the fields of internal and external security, thus re-inscribing security practices in a continuum which defies orthodox assumptions about the strict separation between military and police functions. His suggestion for a better understanding of these changes in the security agenda, what he has recently termed the “globalisation of

(in)security” (Bigo 2006b), is to pay close attention to workings of myriads of these security professionals, as it is they who, by and large, (re-)define the fields of security. The networking of security professionals beyond borders, their inter- and intra-institutional politics of competition and collaboration, and their innovative deployment of specific techniques for understanding and managing security are, for the Paris School, the central focus of analysis. Bigo’s framework is compelling because it allows us to understand in a sociologically cogent way, both the blurring of the inside/outside divide that has characterised the new security agenda and the (crucial) role of police therein.

3. Security governance

The shifts in the security field described in the previous sections would seem to suggest the need for novel concepts that better grasp the globalised nature of security, or rather, how regimes of security provision and security practices beyond the state have become increasingly important. One of the most interesting concepts to emerge in this context is that of ‘security governance’. Security governance is a relatively new, and also relatively underdeveloped, concept in IR, and it seems to reflect the growing dissatisfaction with traditional statist frameworks of analysis when it comes to analysing contemporary shifts in security practices and institutions.

Generally speaking, security governance is a concept that has so far been employed by two quite distinct bundles of authors, and has therefore been conceptualised differently by them, with differing implications for an analysis of security practices in the post-Cold War world. On the one hand we have those people working within the broadly defined field of international relations, most prominently Elke Krahmman (Krahmann 2001, 2003, 2004, 2005a, 2005b, 2005c, 2005d). On the other hand, we have the work of several authors who work in the Foucauldian tradition, such as Les Johnston and Clifford Shearing, contributions by Mariana Valverde, and the work of Mitchell Dean, all of which comfortably straddle criminology and social theory. These authors propose a framework for conceptualising security governance that is informed by much recent governmentality scholarship (Johnston and Shearing 2003, Valverde 2001, 2008b; Valverde and Mopas 2004). Apart from the fact that both shift attention away from the state as the sole or central referent (and indeed agent) of security practices, a move coherent with our early

characterisation of the changes taking place in security studies over the past two decades, these bodies of literature do not have much else in common, for which reason they will be discussed separately in the following pages.

To foreground the core argument presented in this section, while the first and more orthodox approach to security governance focuses on the emergence of new multilateral networks for governing emergent security problems (i.e. the governance of security), the critical approach conceptualises security as a technology of governance targeting populations, individuals and communities (i.e. governance through security apparatuses). The former takes as its starting point the dichotomy between government (state-centric and “public”) and governance (multi-level and blurring the private/public divide); the latter already sees liberal government as an heterogeneous ensemble of agents, technologies and strategies of power “beyond the state”, as it were (cf. Rose and Miller 1992).

3.1. Orthodox approaches – the governance of security

For Krahmman, security governance needs to be understood in terms of a movement in the provision of security “from government to governance” (Krahmann 2003: 9-13), in which government represents the centralised provision and management of security - understood in orthodox terms - by the state, whereas governance

(...) denotes the structures and processes which enable a set of public and private actors to coordinate their interdependent needs and interests through the making and implementation of binding policy decisions in the absence of a central political authority. (2003: 11)

This is apparently a response to the emergence of both new security threats and new security actors, which creates a new security environment, a characterisation that broadly resonates with the suggestions of most of the literature reviewed at the beginning of this chapter. This, in turn, has caused an increasing “fragmentation” of the sovereign *status quo* which can be observed along seven distinct dimensions (Krahmann 2005a).²² The result has been the rise of new security governance networks, which are seen seemingly as inherently positive things, as they are more effective in countering transnational threats

²² The seven dimensions are: geography, function, distribution of resources, interests, norms decision making, and policy implementation (ibid.: 12-14, cf. Krahmann 2003: 14-19).

(given their own transnational character) and also promote subsidiarity and tailored solutions to local political needs – unless, of course, one refers to the “dark networks” that develop in the fields “transnational crime, terrorism and the proliferation of small arms” (2005a: 14-15).

While Krahmman must surely be commended for seeking to introduce the concept of security governance into the IR and security studies literatures²³, thus offering a new and potentially sophisticated way to deal with recent and important shifts in the nature of security, her approach suffers from important drawbacks – apparent at least in terms of its ready usability in a study such as the present one. A critique of Krahmman’s conception of security governance is all the more important, and useful, given how extensively her initial work has impacted the ‘security governance’ literature.

Firstly, it rests on a fairly artificial and, this analysis contends, largely needless dichotomy between government and governance, almost as if it portraying “government” in unrealistically centralised and statist terms – ignoring important developments on the subject in fields such as political science, but especially sociology – only to set up the appearance of governance as panacea. One would not need to look any further than to Foucault’s conception of government to find a much more sophisticated notion which easily does away with the shaky dichotomy (cf. chapter two, below). In this view, government, or rather governing, is a set of dispositional practices, which seek to “structure the possible fields of action of others” (Foucault 2001b: 1058). Governance is thus an activity preoccupied with the conduct of conduct, of oneself and others (cf. Dean

²³ While Elke Krahmman is certainly the most prolific author writing about security governance within IR, and perhaps the one with the biggest impact in setting the conceptual tone, she was not alone in first applying it. Rather, the work of several authors (of which Krahmman is only one) working on security governance in Europe – as part of a European funded project that ran from 1998-2001 – must be credited. In an early version of a paper delivered in this context, Mark Webber clarifies: “Although for the purposes of delivery this paper bears my name it is a collaborative effort, the other authors being Terry Terriff, Jolyon Howorth, Stuart Croft and Elke Krahmman. The paper is the product of a project entitled ‘Security Governance in the New Europe’ funded by the British Economic and Social Research Council under the ‘One Europe or Several?’ Programme” (Webber 2003, the paper would appear later under collective authorship, cf. Webber et al. 2004). What is most ironic is that while Webber also pioneered the introduction of ‘security governance’ as a heuristic tool, and while his own work has maintained a higher degree of critical reflexivity (Webber 2003; Webber 2004) – about the origins of ‘security governance’ in the very specific literature on European multilevel governance, or the shortcomings of available definitions of security governance – it is hardly given a passing reference by the bulk of the contemporary literature deploying the concept of security governance (an excellent exception is Kirchner & Sperling 2004: 10-11). Rather, most authors in this nascent body of writing explicitly acknowledge Krahmman as their conceptual inspiration (e.g. Bryden & Hänggi 2005), and Krahmman herself rarely acknowledges this genealogy in print, which is rather unfortunate.

1999: 10-15). This alternative conception of government thus highlights the relationship between security practices, the mobilisation of expert claims and technologies of the self that is woefully absent from Krahmman theorisation.

The central arguments inherent to Foucauldian conceptions of government will be more fully fleshed out in the next chapter, but for the purposes of this chapter it is worth noticing two points. First, not only does this Foucauldian definition straddle both government and governance in Krahmman's definition, effectively going beyond the state without doing away with it²⁴, it also shows *how* this mode of rule has been developing and expanding since at least the 18th century. Secondly, and – more to the point – draws out important links between shifts in regimes of government rationality and practice and liberalisation, marketisation, and the role of police. The absence of such concerns from Krahmman's work thus make it a much less appealing tool for analysing American policebuilding strategies as instances of security governance.

Perhaps one of the most crucial problems with Krahmman's conceptualisation stems from its origins in the orthodox conception of security governance in the field of public policy analysis, especially pertaining to European governance, in the 1990's. In other words, Krahmman seems to be borrowing heavily from multi-level governance theories, and then applying them to security issues. However, such multi-level governance theories themselves are not without problems. Paul Stubbs, in a sympathetic critique of such an approach, points out for instance that a “shifting configuration of actors, agencies, themes and initiatives (...) tests to its limits the Western Eurocentrism of the “normal” multi-level governance literature and highlights the need for a much more complex approach to the multi-level, multi-actor, multi-sited political, policy and practice arena” (2005: 80).

Moreover, as Sergei Prozorov succinctly puts it, governmentality authors – chief among them Mitchell Dean – have argued persuasively against conflating ‘governance studies’ and ‘governmentality studies’, or subsuming the latter as an approach within the former (Prozorov 2004: 264). For Dean, governance studies suffer from several drawbacks, chief among them their essentially descriptive nature and their lack of reflexivity, which

²⁴ This is particularly apparent in Foucault's discussion of the 'governmentalisation of the state' (Foucault 2007: 109-110). For a good overview of Foucault's engagement with theories of the state through his work on governmentality, cf. (Lemke 2007)

precludes many of its authors from realising their complicity in evolving discourses about the nature, functions and capacity of states to effect government (Dean 2007: 50-51). In Prozorov's apt summary, such an approach often "uncritically celebrates the innovations in liberal governmental technologies rather than disentangle their conditions of possibility" (Prozorov 2004: 264). In other words, governance theory often takes several key features of liberal forms of governing (decentralisation, networked government, civil society, policy regimes, etc.) and treats them as departure points, rather than investigating their genealogy, and the relations of power inherent in them.

Additionally, multi-level governance theorists seldom trace policy impacts to the level of subjectivity. Krahmman's conceptualisation of security governance, for instance, includes functionalist themes about security provision, includes new policy actors, and seeks to move beyond the state in examining global practices of security provision at their origin. However, one is left with no idea how to trace the impacts of security governance on the populations and individuals who it seeks to govern. To put it simply, where are the subjects of security governance? How can we understand their relationship with the mechanisms for provision of security that Krahmman details? Finally, such a theorisation of "security governance" fails to problematise in an adequate way the heavily normative dimension of governance: governance can be "good" or "bad", and often discussions of security governance tend to conceptualise it as a move toward some form of "good governance" in the security field.²⁵ This is, of course, a valid understanding of security governance, but one that hampers, more than helps, a deeper and more sociological understanding of the relationship between governance and security, and begs the questions: "whose criteria of good governance?" and "what about governance which does not meet such criteria but nonetheless effects government, and security?"

3.2. A new approach – governance through security

This section moves to examine an alternatively conception of security governance, as proposed for instance by Les Johnston and Clifford Shearing in their hugely useful

²⁵ For a related discussion of the differences between analyses of governance and governmentality as monikers of governing, and how they differ in sociological and normative dimensions *cf.* Rose (1999: 15-20) and Mitchell Dean (2007: 48-51, 83-4). The latter raises an especially important point regarding the implicit normative dimension of governance studies: "There is a deeper question here of whether an explanation or description can be entirely divorced from normative values. Indeed, one might ask whether the emphasis on governance implies a set of prescriptions in favour of a narrative of the rise of network forms of organization and around the decline of state capacities." (50)

Governing Security (Johnston and Shearing 2003). For these authors, hailing from the field of criminology, security governance comes in as a useful phrase to substitute policing, understood in its broadest sense. The arguments introduced in this work by Jonhston & Shearing are therefore quite useful for the theoretical framework this thesis seeks to develop and apply. That is, first and foremost, because their work re-introduces an explicit concern with policing and the police into discussions of security governance, and, in fact, make it a central feature. Given the focus of this dissertation on police as a social technology imbued with power, that is a welcome difference from the more abstract multi-level governance conceptualisation of Krahmman, with its roots in the study of EU policy-making.

Secondly, Johnston and Shearing conceptualise historical shifts in security governance and their context, including the discursive and practical conditions that structure such shifts (cf. Johnston and Shearing 2003: 56-74). That is to say, their conception of security governance is much more sensitive to historical context, and resonates with the idea - touched upon in the chapters below - that an important dimension of looking at security governance, and particularly policebuilding, is to examine the evolution in regimes of security provision. This in turn resonates with Foucauldian notions of regimes of discourse and practice, and allows for an analysis of subtle shifts in such regimes, a move which will be attempted in chapters three and four. As such, Johnston and Shearing's framework provides a clear "translation" of some key Foucauldian concepts, and integrates them into a very useful model of dimensions of governance to be applied to the study of security governance , and policing more specifically.

The sophistication of their understanding of security governance further shows through their conceptualisation of "nodal security" - a idea which has since sparked some interesting discussions (Johnston and Shearing 2003: 138-160; Shearing 2005; Shearing and Wood 2003; Dupont 2004; Loader and Walker 2007: 131-139). This notion of nodal security – which has important roots in, and parallels with, the Foucauldian idea of a *dispositif* of security, adopted in the present study – makes this alternative conception of security governance particularly strong and sophisticated in their treatment of the State and its relation to government, drawing on Foucauldian themes. Additionally, the parallels between nodal security and the *dispositif* allow these authors to examine not only policies,

programs and discourses at a macro-level, but also to focus their analysis on how specific programs and strategies target, and act upon, specific individuals and populations at the micro-level (cf. Shearing and Johnston 2003: 117-137). In other words, this sophisticated conceptualisation of security governance allows us to examine policing practices in rich detail, as a form of targeted governance (Valverde and Mopas 2004) that runs the gamut from epistemic regimes of thinking about security, to capillary relations of power through policing, in a manner similar to the present study.

Despite having proposed a much more sophisticated and minute understanding of security governance than most of what is being produced in IR, and despite having generated an growing and fascinating body of literature in criminology thus far, this more critical security governance school is not without blind spots of its own, therefore presenting us with room for improvement. For one, their roots in critical criminology have so far meant a certain reluctance to engage with the international, transnational, and global dimensions of security governance in any sustained way²⁶. Moreover, despite their concept of nodal security explicitly not awarding conceptual primacy to any one level/actor/set of practices, the authors working in this tradition have *de facto* ignored the foreign policy practices of states. The theoretical attempt to build upon such concerns about security governance – as a nodal modality of liberal rule – and link it to an analysis the foreign policy of the U.S., through an examination of the apparatus of policebuilding deployed in post-intervention scenarios, constitutes my own small contribution to this ongoing debate.

To summarise, then, security governance can have two, closely interrelated, meanings. On the one hand, it can refer to the governance *of* security – that is, all the agents, institutions, processes and networks that are involved in the provision and management of security. This conceptualisation draws heavily on (multi-level) governance theories emanating from the study of European politics, and as such exhibits a certain disregard for important issues such as the relationship between security governance and subjectivity, or the expert practices and knowledge claims which are mobilised to modulate an issue as a security

²⁶ But for an important exception, so far without much following, see Wood and Shearing's recent treatment of the relationship between human security and nodal forms of governance (Wood and Shearing 2007: 63-96). Within IR and security studies, there have been sporadic openings to deploying 'security governance' in this more critical way (Bell 2006; Bubandt 2005; Leander and van Munster 2007; Lippert and O'Connor 2003).

issue, and thus open it up to governmental intervention. On the other hand, one can partake in a notion of security governance that focuses on the practice of effecting government *through* security, that is to say, structuring the possible field of actions of others by bringing to bear upon their conduct a multiplicity of security technologies and, at a deeper level, by constituting their subjectivities as agent, subjects of objects of security.

Drawing essentially upon the latter, the next chapter examines the theoretical underpinnings of security governance in the work of Michel Foucault, thus foregrounding the idea of liberal arts of government, their reliance on technologies of security, and the role of policing therein. This sets the stage for an examination of policebuilding as a liberal technology of rule in the following chapters.

CHAPTER 2
SECURITY, GOVERNANCE, POLICE

The aim of the previous chapter was to survey the main lines of change in the study and practice of security since the end of the Cold War, thereby foregrounding the novel concept of security governance as a potentially useful lens with which to approach the key topic of this dissertation – U.S. policebuilding efforts in the wake of intervention abroad. In identifying the rising doctrine of 'human security' as a liberal relation of power/technology of government, and in offering a critique of the dominant narrative of security governance, the previous chapter points to a more productive way of defining and understanding the practices of security governance central to U.S. foreign policy. Indeed, to speak of studying U.S. efforts in policebuilding as an assemblage or *dispositif*, to examine the idea of human security as a relation of governance, or to present security governance as a liberal technique of governing populations through security mechanisms – all are unmistakable intimations of the work of Michel Foucault, and the broader governmentality literature that takes his investigations as a point of departure.

Foucault's work has had a wide impact across the various social sciences, and this is also true for IR in general, and security studies in particular. However, as noted by Michael Dillon and Luis Lobo-Guerrero in a recent overview of the theme, while invocations of Foucault's work on biopower are not uncommon, "the powerful *analytic of security* offered by the biopolitics of 'power over life' is nonetheless also a somewhat neglected analytic especially in international relations and security studies." (Dillon & Lobo-Guerrero 2008: 265, emphasis added). However, 'somewhat neglected' does not mean absent, and the impact of this literature on international politics, and (critical) security studies in particular, should not be underestimated. Since the translation of his lectures into English, in

particular, there has been a resurgence of interest in Foucault's work²⁷. This resurgence of interest and the application of Foucauldian insights and research methodologies to the issue of security since the mid- to late-nineties have produced a flurry of innovative and sophisticated work on a variety of topics. These contributions have ranged from the development of actuarial understandings and practices of security including insurance and risk analysis (Amoore & de Goede 2005; Aradau & van Munster 2007; Bell 2006; de Goede 2004; Hutchinson 2004; Lobo-Guerrero 2007; Moore & Valverde 2000; O'Malley 1992, 1998, 2004), through the securitisation of migrants (Huysmans 2000, 2006), to the changing modalities of Western warfare & peacemaking (Debrix 1999a; Dillon 2002, 2003; Dillon & Reid 2000, 2001, 2007; Reid 2004). They have deepened our understanding of the privatisation of security (Leander & van Munster 2007), and of regimes of population surveillance and control (Salter 2004a, 2004b, 2006, 2007, 2008), not to mention the securitization of piracy (Lobo-Guerrero 2008). Also, there is by now a well-established literature which offers more or less comprehensive maps to applying Foucauldian insights to security studies (cf. Dillon 2004; Dillon and Neal 2008).

Additionally, authors of the critical persuasion working in development studies have for years developed their own critiques of liberal technologies of rule through technical assistance, predicated upon improving distant (and not so distant) populations (Abrahamsen 2000; Biccum 2005; Cowen & Shenton 1996; Crush 1995; Escobar 1994;

²⁷ Foucault's work and thought on an astonishing variety of topics had become known, especially in the English-speaking world, mainly through his published monographs such as *The History of Madness* (1965, 2006), *Discipline and Punish* (1977), or *The History of Sexuality* (3 vols., 1979a, 1986a, 1986b). However, one would be hard pressed to find in these monographs any sustained definition of several of the key concepts to governmentality studies. Be it governmentality itself, security as a technology of governance, or police, such concepts were tried out and developed through a host of other public engagements by Foucault – most notably his many interviews and his famous lectures at the *College de France*, where he held a chair in 'The history of systems of thought'. While these other statements were for a long time available in French – namely through the exhaustive collection *Dits et Ecrits*, which covered most of what Foucault had written or said between 1954-197 (Foucault 2001), it was only after Foucault's death in 1984 that these other pieces began the process of translation, publication and reception in the English-speaking world (with the exception of *Power/Knowledge: Selected Interviews and Other Writings, 1972–1977* (1980)). One of the earliest such efforts was the translation of his seminal lecture on governmentality, which first appeared published in English in the volume entitled *The Foucault Effect* (1991). In time, a selection of the materials contained in *Dits et Ecrits* was translated and published as a 3-volume series, *Essential Works of Foucault* (2000-2001). Nevertheless, even these materials contained mostly only summaries of his courses, lectures and seminars at the *College de France*, and it was not until 2003 – with the publication in English of *Abnormal* and *Society Must be Defended* – that the full contents of his lectures became available to the general public, and began having a real, widespread impact in English-speaking academia. Since then, a team of editors and translators (including Michel Senellart, François Ewald, Alessandro Fontana, Arnold Davidson and Graham Burchell, all well-known scholars of Foucault's work) has published a new series of lectures, including *Hermeneutics of the Subject* (2005), *Psychiatric Power* (2008), and *Security, Territory, Population* (2007). The last one in particular has been absolutely instrumental to the renewed interest in, and impact of, Foucault's analytics of security as a technology of liberal government.

Ferguson 1994; Li 2007; Ludden 1992; Watts 1993). The very notion of 'development' itself, these authors argue, has implicit in it some of the key tenets of the liberal arts of government – the dividing practices between mature subjects of liberal political rule, and the subjects of improvement; assistential regimes of power which work by rendering hierarchical power relations into technical matters to be supervised by experts – which I tackle in the sections below.

Within this context of critique, of particular interest is the work developed by Mark Duffield over the last decade on the increasing nexus between development and security (Duffield 2002, 2007a, 2007b). Drawing explicitly from Foucault and other authors within governmentality studies, Duffield has persuasively argued that development is a biopolitical category, a relation of liberal government. Moreover, he argues, since the end of the Cold War development has been seen and practised by Western states in tandem with security policy. As he puts it summarily, “in fostering ‘their’ development, we improve ‘our’ security” (Duffield 2007b: 225). And, in line with the discussion of the previous chapter about the widening of the security agenda, the rise of human security focusing liberal security agendas on 'population', and the rise of regimes of security governance beyond the state, Duffield elaborates: “Since the risks to human security are largely associated with underdevelopment, broadening the scope of security to include the protection and betterment of the world’s poor and marginalised peoples establishes its complementarity with development” (Duffield 2007a: 3). He goes on to offer an overview of the discursive and programmatic mechanisms at play in this merging of security and development, noting their continuity with liberal imperialist schemes, their inherent racism, and the way fragile states are discursively opened up for liberal interventionism, all the while focusing the ensuing development schemes in terms of local ownership – a hallmark of advanced liberal government.

Interestingly enough, neither the authors within the first cluster of research on the biopolitics of security, nor critical development scholars, including Duffield himself, have paid much attention to the issue of policing. This neglect of policing as an absolutely crucial liberal technology of security governance extends not only to the increasingly internationalised/transnationalised deployment of policing beyond the state, but also – and perhaps more surprisingly – to American programs of policebuilding, which stand

precisely at the confluence of regimes of technical assistance so typical of development schemes, and the logics of biopolitical security as described by Foucault. It is precisely from this theoretical background that this dissertation emerges, seeking to make a modest contribution to both these clusters of research.

However, in order to better understand this alternative framework for thinking about security governance – and consequently about policebuilding – in post-Cold War US foreign policy, it becomes necessary to delve a little deeper into the concept of liberal government. Throughout the previous chapters, the words government, governance and governmentality have often made their presence felt, especially in conjunction with the adjective 'liberal'. Indeed, liberal governmentality has been identified since the outset as a structuring concept in seeking to better understand U.S. foreign policy. Additionally, this study is specifically focused on police assistance and reform being used as a technology of government by the U.S. when it intervenes abroad, especially in countries emerging from conflict. Therefore, an analysis of what exactly is meant by 'police', and precisely how it relates to liberal government becomes a crucial step before moving our attention to the empirical analysis of U.S. policebuilding regimes evolving over time.

The first part of the chapter, then, analyses the birth and development of what Michel Foucault called “the arts of government” (Foucault 2007: 127, 132; Ivison 1997: 24-52), in particular the emergence of distinctly liberal forms of governing societies which accompanied the formation of the modern state in Europe from the 17th century onward – what Foucault and others in his wake have termed (liberal) governmentality. This section further identifies police as a key technological assemblage in the modern arts of government, and sheds some light into the evolution of the concept in relation to governing populations through apparatuses of security. A second section examines how liberal governmentality relies on a set of dividing practices which identify/constitute specific populations, to be governed by differentiated processes, obeying to different logics.

Departing from these differentiated categories of subjects, the third section of this chapter discusses the existence of a developmentalist ethos in liberal governmentality, whereby those individuals and populations identified as not yet ready for liberal autonomy, but who demonstrate potential for it, bring about the rise a pedagogical approach to governing,

complete with assistential regimes. Alternatively, liberalism holds in reserve more negative forms of power aimed to contain and or eliminate those subjects beyond the pale of both self-rule and pedagogical improvement. This section will argue that it is against this very background – evident from colonial modes of governing subject populations, to contemporary practices of foreign aid through technical assistance – that one must understand the changing regimes of U.S. policebuilding in the wake of intervention. The remainder of the section, then, examines how such liberal understanding of populations, and attending practices of rule aimed at forging the kinds of liberal subjects capable of bearing a well-ordered freedom, became internationalised. As such, it foregrounds the difficult tensions between forms pastoral power and the pedagogy of security which pervade American policebuilding efforts.

1. Thinking about liberal governmentality

1.1. The arts of government

Before delving any closer on the meanings and uses of ‘governmentality’, it may be obvious but useful to start by stating that governmentality shorthand coined by Foucault for referring to governmental rationality - is concerned with the operations of government. This much is clear by a simple glance at both words, but what exactly is meant by ‘government’ within this theoretical context? What is it about Foucault’s writings on ‘government’ – or, more accurately, ‘the art of government’ – that gives it its distinctiveness, and allows us to speak of governmentality?

Government, or the arts thereof, is a specific political rationality, the origins of which Foucault situates in the late 16th century as a heterogeneous body of literature in political philosophy in reaction to Machiavelli’s seminal work, *The Prince* (Foucault 2007: 87-114). This is important because, as will be shown, government as an idea begins as a critique of sovereign power, or rather, of the narrowness and circularity of the conceptions of rule and power which some authors perceived (right or wrongly) in Machiavelli’s book. Machiavelli is preoccupied with giving advice to princes on the exercise of sovereign power, a deductive exercise of authority (the power to “make live and let die” (Foucault 2003: 241)), so that rulers can maintain control of their principality. This control, this relationship between the prince/sovereign and his territory, is seen as external and therefore

fragile, and the exercise of power will accordingly centre on identifying enemies (external and internal) who would break this princely hold on his domain, and devising strategies for manipulating the relations of force in order to foil such attempts and allow the Prince to maintain his principality. In other words, both power and government are narrowly conceived as a *raison d'état* that is self-referential or circular, as well as negative or purely extractive.

In opposition to such conceptions (real or imagined, as Foucault underlines), a tentative body of literature begins to emerge in 16th century Europe that conceives of government more broadly, and is no longer exclusively preoccupied with advising a prince/sovereign on how to maintain a hold on his territorial domains. In fact, as shall be discussed below, the momentous but gradual changes from a medieval, feudal society of estates to something else (Pasquino 1991: 111), to forms of centralised authority within modern states, and the attending discoveries of the mechanisms of 'population' and of the 'economy' marks a shift in how government is understood and enacted. This shift in governance from territory to population as the ultimate referent of rule cannot be underestimated, and Foucault is emphatic on the centrality of population for modern forms of rule:

‘. . . population comes to appear above all else as the ultimate end of government. In contrast to sovereignty, government has as its purpose not the act of government itself, but the welfare of the population, the improvement of its condition, the increase of its wealth, longevity, health, and so on; and the means the government uses to attain these ends are themselves all, in some sense, immanent to the population; it is the population itself on which government will act either directly, through large-scale campaigns, or indirectly, through techniques that will make possible, without the full awareness of the people, the stimulation of birth rates, the directing of the flow of population into certain regions or activities, and so on.’(Foucault, quoted in Legg 2005: 137)

Guillaume de la Perrière’s definition of government as “the right disposition of things, arranged so as to lead to a convenient end” (quoted in Foucault 2007: 96) exemplifies precisely such a way of looking at the *productive* and *constitutive* aspects of power, conceived as a social relation rather than a quantifiable good that can be held and accumulated. This is what Foucault means when he characterises the art of government as

“the conduct of conduct” or as “aiming to structure the possible field of action of others” (Foucault 2000b: 341). Government understood this way is different from commonsensical usage of the word, usually seen as emanating from a small, bureaucratic, decisionary State. Government in the sense meant by Foucault - and in this dissertation - is a much more encompassing and complex activity, one that does not “refer only to political structures or the management of states; rather it designated the way in which the conduct of individuals or of groups might be directed (...)” (Foucault 2000b: 341) . Government, therefore, is an activity that operates at a multiplicity of sites: there can be government of the self, and there are myriad instances of governing families, sexualities, factories, schools, transnational policy areas, etc. (Allen 1991; Dean 1992, 2007; Nadesan 2008; Peter and Rose 1990; Rose 2000; Stenson 2005; Walters 1994, 2000).

It is important to retain this conceptualisation of government as an ensemble of productive and structuring techniques of rule over a population, because – for the purposes of the present dissertation – it means that one can extend this notion to policy of all sorts, both domestic and foreign. Therefore, to look at (American) foreign policy as governmental activity is to foreground its preoccupation with structuring the possible fields of action of distant populations, and to do so through productive techniques that aim to foster particular arrangements of power and particular subjectivities.

Government is thus a practice that presupposes two key features. Firstly, it is a rational, intentional, calculating activity. An economic understanding of governing brings with it a preoccupation with the sustainability of certain logics of government. Therefore, a government starts to be directed not at singular individuals in particular instances, but at a social body, the mechanisms of which are to be discovered and improved. In this sense, government becomes a problematising activity, and governmental tasks and programmes become increasingly articulated around problem-posing and problem-solving (Rose and Miller 1992). Foucault’s discussion of the birth of the prison, the factory, and schools are certainly couched in this logic (Foucault 1977). To use Rose and Miller’s seminal formulation - in one of the earliest pieces in the burgeoning governmentality literature explicitly trying to set out a Foucauldian framework for an analytics of government “beyond the State” - such an calculating, economic analytics of government can be exemplified by looking at how it crystallises into “political rationalities”, their translation

into “programmes of government”, and, finally, their instantiation as “technologies or techniques of government” (Rose and Miller 1992: 178-184). The first would allow an exploration of the rise and transformation of discursive fields that articulate, constrain and enable the possibilities of social reality and of power relations within it. The second would permit a much more focused analysis of how broad ideas (freedom, rights, economy, civil society, power, wealth) become articulated and crystallise into very specific (and heterogeneous) programmatic schemata.

Government is therefore an inherently calculating activity, which makes itself intelligible through means of problematising – government as a sort of strategy of power (cf. Foucault 2000b: 346-348). But the second characteristic of governing which I wish to highlight here is its *technical* nature. In fact, government engenders, and is dependent upon, a series of technical, expert knowledges for translating its will to improve into actual programs and technologies of social and political intervention. Rendering governmental problems and governmental practices technical achieves several things. First and foremost, “rendering technical confirms expertise and [thus] constitutes the boundaries between those who are positioned as trustees, with the capacity to diagnose the deficiencies in other, and those who are subject to expert direction” (Li 2007: 7). This plays into, and legitimates, the dividing practices inherent to liberalism & attending hierarchical/supervisory practices that will be discussed at some length below. Secondly, rendering governmental issues as technical matters achieves a certain de-politicisation of them. Liberal logics of rule achieve this by casting such matters as non-political, and/or designing technical assistance programs as “a deliberate measure to contain a challenge to the status quo”(7-8). Studying such expert knowledge practices in deploying government thus becomes crucial in critiquing liberal forms of government, by foregrounding their inherently political nature in establishing very structured relationships of power and hierarchy, and often containing illiberal elements of coercion and authoritarianism.²⁸

²⁸ To anticipate one of the arguments I wish to advance in chapter five, in relation to the liberal *ethos* of governance inherent in U.S. policebuilding programs, one needs only to think of current American police assistance efforts in Afghanistan to realise the validity of the points raised above. Rendering such police assistance as a technical issue is aimed precisely at producing the effects diagnosed by Tania Li: one the one hand, constituting a hierarchical power relationship between those who possess the right kind of training and expertise (American mentors), and those who lack the specific knowledges and habits and therefore need mentoring and supervision (Afghans). On the other hand, this move of presenting U.S. policebuilding as a neutral form of technical aid is designed to contain challenges to the *status quo*.

Thirdly, liberal government is an activity which both presupposes and utilises the freedom of the governed, and seeks to structure that freedom so as to align it with the ends of government itself (cf. Rose 1999: 15-97). Governmentality therefore also allows one to see processes of world-ordering and world-governing not only – or even primarily - as a coercive activity of imposition and intervention, but also as a more subtle, and often immensely more effective, process of mobilising the desires and strategies of subjects toward “definite but shifting goals”, to use Mitchell Dean’s apt phrasing (Dean 1999: 209). As we shall see further on, the case study of U.S. policebuilding in Afghanistan in chapter five foregrounds exactly this logic. American police assistance, understood as security governance, seeks to align the desires and needs of Afghans for security (however defined) with the very specific means and ends of American liberal government.

In this sense, the deployment of discourses (and technologies) of ‘freedom’ and ‘security’ are not merely ruses, under which guise the supposed “real processes” of (neo-)liberal power and rule operate (as one often reads in more materialist accounts of world order, be they realist or Marxist). In a very real sense, ‘freedom’ and ‘security’ play a key governmental role in constituting the thoughts and actions of those who govern (by framing governmental problems and proposed solutions in specific ways), but also those who are governed (who mobilise their desires for, and manage themselves towards, such objectives). In other words, it is not that the language of freedom *masks* the operations of power – the language of freedom *is* power operating (cf. *passim* Rose 1999, Cruikshank 1999), or, as Foucault would phrase it, liberty must be understood as both “ideology and technique of government” (Foucault 2007: 51, 71) In light of this, it important to operationalise government in its intersection with freedom, and nowhere is this more evident than in the governmental rationality commonly known as liberalism. Therefore, below we discuss briefly the connections between liberalism and governing, and how that relationship birthed the very peculiar idea of ‘police’.

2. Welfare, security, population – thinking about the police

When one hears the word ‘police’, it usually conjures up a relatively straightforward image of uniformed individuals whose main task is to fight crime and uphold the law of the land. From the traffic cop to the detective, by way of the bobby on his/her neighbourhood beat,

speak of the police to most people, and they almost inevitably associate the term with officered individuals working within the criminal justice system of modern states. But clearly, the way in which the governmentality studies literature deploys and investigates the concept of police allows for a much broader understanding of policing as a liberal relation of power, and as a modality of rule.

It is not merely an etymological coincidence that the words politics, polity, policy and police all resemble one another. But, looking at the ensemble, and pressed to find the odd man out, one would almost certainly single out ‘police’. This happens, however, only because the word police have suffered in the course of the last two hundred years or so, a drastic evolution in meaning and application. When using the word today, one almost certainly refers to an institutionalised body of officers, sometimes in uniform, whose task it is to prevent and solve crime (as well as ‘keep the peace’) within the territorial jurisdiction of a modern state²⁹. However, this now dominant usage obscures important tensions between police and its cognates: politics, in the sense of government; polity, as in a political community and its social arrangements; and policy, as a set of governmental prescriptions designed to administer and regulate community life. In its earliest sense, police was, simply put, a synonym for the well-ordered community - and, as time went on, it came progressively to mean the set of practices aiming to achieve precisely this (Knemeyer 1980: 172-173). Soon, however, the word came to assume a central tension that – contemporary conceptual and practical restrictions nonetheless – has characterised the theory and practice of policing to this day: the tension, that is, between the more commonly accepted, more restricted and more ‘negative’ meaning of police (police = safety, as in the prevention of crime), and the more interesting, broader and more ‘positive’ sense (police = welfare or happiness of the citizenry) (Knemeyer 1980: 185-191).

This section aims, precisely, to explore the tensions inherent in this triangle of government – police – security, and to show how, when properly understood and excavated, it illuminates important aspects of contemporary social life and political practice, aspects

²⁹ Pasquale Pasquino’s important study of the origins of ‘police’ discusses, more briefly and concisely than the bewilderingly detailed article by Knemeyer (1980), the origins of this rather restricted and ‘negative’ sense of police (Pasquino 1991: 109)

which also become salient when analysing, further ahead in chapters 3, 4 and 5, the international uses to which police has been put in U.S. foreign and security policy programs.

The origins of police as we understand it today, both etymologically and historically, lay in the momentous but slow changes taking place at the end of the Middle Ages in Europe, whereby traditional social hierarchies based on orders, each customarily subjected to a panoply of secular and religious overlapping fields of authority, begin to crumble (cf. Rawlings 2002: 8-30, 2003: 41-43). As myriads of instantiations of localised custom began to gradually give way to centralised, secular authorities, and as orders/estates began to mutate into something like a social body or a civil society, and individuals and populations become the central subjects of governmental activity, a number of fields of regulation opened up for these new authorities, thus giving birth to the police (Rawlings 2002: 31-60, 2003: 41-61). New categories of people (the urban poor, indigents, wanderers, criminals, professional craftsmen, the mentally insane, salaried labourers) came under the gaze of the nascent modern state and its officials – or perhaps more accurately, are created by this gaze. Pasquino talks about the beginnings of police thus:

I would say that police regulations regulate, or try to regulate, or purport to regulate, is everything which in the life of this society of three orders goes unregulated, everything which can be said, in ‘the waning of the Middle Ages’, to lack order or form. This is what the science of police is about: a great effort of formation of the social body, or more precisely an undertaking whose principal result will be something which we today call society or the social body, and which the eighteenth century called “the good order of the population (Pasquino 1991:111)

Such a description of the roots of ‘police’ presents us with three important points. Firstly, the startling inclusiveness of the concept, dealing with “things” - something which we find ridiculous today, and give little thought to, precisely because they have been so deeply institutionalised and ingrained in their constitution as sites of government. The sheer amount of things such a notion of police covers is bewildering to our contemporary eyes – from populations (‘the police of servants, domestics and nurses’; ‘the police of Jews’; ‘the police of the poor’), through economic activities (commerce, trades, weights and measures), to places (marketplaces, forests) and “things” (the police of foodstuffs, or the police of garbage) (cf. Pasquino 1991: 110, Knemeyer 1980: 177, 184). Secondly, it signals

an overarching concern with the establishment and maintenance of order, and, hence, police demonstrates its usefulness for understanding the activity of governing as an ordering activity, aiming to produce what has been variously called “good order” (Luedtke and Reinke 1996), “public order” (Argenson, quoted in Foucault 2007: 324), or the maintenance of a “well-regulated society” (Novak 1989, 1996: 9).

For the specific purposes of this dissertation, police begins to show its usefulness as an analytical tool by allowing us to understand American foreign relations as governmental practices which are essentially world-ordering practices: one need only think about the myriad tasks assumed by American state officials and a plethora of civil society actors when engaged in recent efforts in ‘nation-building’ in Iraq or Afghanistan.

If these are the traits that characterise the application of police as a technology of government, what are the overarching ends of government which are sought which such an effort?

The towering concern most easily identifiable is of course with something like a state of well ordered prosperity – its attachment to political economy and the aggrandisement of the wealth of the state on the one hand, and the need to secure the health and happiness of its population, on the other (cf. Foucault 2007: 322-328). Writing in 1808, police theorist Guenther Heinrich von Berg writes up a definition of police which shows precisely this totalising spirit which sought to embrace under the heading of police the administration of (potentially) each and every single aspect of social and political life:

Policey is like a well-intentioned genius who carefully levels the way for those committed to his care; cleans the air that they breathe; secures the villages and holdings in which they dwell, and the streets along which they walk; protects the fields that they cultivate, secures their homes against fire and flood, and they themselves against illness, poverty, ignorance, superstition and immorality; who, even if he cannot prevent all accidents, seeks however to diminish and ease their consequences, and offers refuge in time of need to every pauper, casualty or person in need. Its watchful eye is ubiquitous; its helping hand is ever-ready, and we are invisibly surrounded by its unceasing care. (von Berg 1808, quoted in Tribe 1984: 274)

With such a grand objective in sight, early police (from the 16th through the early 19th

centuries) was closely linked to the doctrines of reason of state and cameralism³⁰, as all authors working on the genealogy of police stress (Dean 1999, Knemeyer 1980, Tribe 1984). The apex of this logic of police was the creation in early modern Germany of a very specific police science (*Polizeiwissenschaft*), as a system of specific knowledges of government, and its political correlate, the ‘police state’.

In this sense, the work of police - understood as all those tasks that needed regulating for the establishment or maintenance of good order in a community – may seem fairly linked to sovereign and disciplinary practices, and thus somewhat strange to liberal logics of self-rule. The work of James C. Scott in particular shows that this early-modern obsession with absolute knowledge of everything within a State, even if it bore the best intentions, ended up being highly counterproductive (Scott 1998). Both its attachment to a single, political-economic, focus on revenue and population control, and its normalisation mania produced many a disaster. This notion of police as a more or less totalising technology for the proper administration of society seems to assume a kind of natural transparency and malleability of the objects of government. Increasingly, however, European states acting through police under this assumption increasingly realise two key problems in this. First, there is a growing realisation that the objects of government – populations, individuals, roads, forests – are both more opaque to the governmental gaze and its forms of knowledge, and less malleable than projected, engendering a host of practices of resistance and producing unforeseen results.

Second, the definitional indeterminacy of police – as a technology of rule under which potentially every single aspect could fall – would come to produce a sense of its limits, and the high costs of its maintenance. It is precisely this realisation of the limits of

³⁰ Cameralism can be defined as “a theory of governmental expediency, primarily with reference to revenues, later covering much wider areas” (Small 1923: 158), including security. As a doctrine of government relied on two key, interlinked notions of *Oeconomie* and *Polizei*, or (political) economy – worried about the proper circulation of goods and people, and the State’s intervening role in the production and accumulation of wealth – and police, or the ensemble of administrative measures a State could apply to the promotion of ‘good order’. Cameralism as a science of administration of government, having gained notoriety especially in 18th century Germany, became an institutionalised discipline at university, with several chairs in ‘Cameralism’ and ‘Police science’ being established. Ultimately, this more or less unified theory of government would give rise to the separate disciplines of the social sciences we have come to know as public administration/public policy, political science, (political) economy, and to an extent criminology, as a series of expert knowledges instrumental to government (cf. Small 1923). Albion Small’s studies of cameralism remain to this day extremely thought-provoking (Small 1909; 1923). Keith Tribe’s article on “Cameralism and the science of government” is an obligatory reference (Tribe 1984). Foucault discusses precisely the relationship between cameralism, government and police(-science) in *Security, Territory, Population* at various points (Foucault 2007: 25-26, 68-70).

governmental forms of knowledge, and governmental intervention, that brought about the rise of liberal ideas about governing and the limited role of the State therein. As Tribe summarises, “[w]hereas Polizei encountered its limit in the apparent inexhaustibility of the objects that could be regulated, the new liberalism encountered its limit in the perpetual invasion of that which it had expelled, the State” (Tribe 1984: 284).

But, as Valverde stresses, this is not where the story of policing – understood broadly in its productive sense – ends (Valverde 2003: 235-37). One gets the feeling from most of the literature that the steady decline of ‘reason of state’ and ‘police state’ as synonyms for too much government, and the consequent rise of liberal logics of rule, are made to coincide with the beginning of the institutionalisation of the police as we understand it today, and the decline of earlier notions of police, seen as too encompassing or totalising. Moreover, there is a tendency to believe that this “New Police” was now more concerned with the negative tasks of ensuring security through the application of the law and the ethos of crime-fighting (cf. Emsley 2003; Taylor: 1997). This is, however, not the case, for the liberal understanding of security had never been simply negative but, as Tom Osborne puts it, inherently productive and constitutive of liberal subjectivities within populations:

The concern with technologies of security – as opposed to centering upon discipline or the sovereignty of a territory – is a distinctive feature of liberal political rationalities. The focus of liberal security is not the territory or the body, but the ‘ensemble of a population’; and the function of such mechanisms of security will be to assure the integrity of ‘natural phenomena, economic processes of population’ while affirming the vulnerability of such natural processes and the need for a well-modulated intervention in relation to them. (Osborne 1996: 101-102)

Police (and, more broadly, the associated notions of the welfare of the population – *salus populi*³¹ – and of its security) in the power regimes that have taken shape since the nineteenth century, has evolved so as to respond to reconceptualisations of the tasks of government. As such police evolved in response to the discovery of “new” problematics requiring governing, and to the invention of new forms of government. In this sense, police as a technology of rule concerned with the exercise of power over individuals and population as a whole - in order to achieve the security and welfare of each and all (*omnes et singulatim*, in Foucault’s famous phrase (Foucault 1979)) - has been relocated within

³¹ For a discussion of the centrality of the notion of *salus populi* to the theory and practice of police power, especially in America, see the genealogies of police power by Markus Dirk Dubber (Dubber 2005: 112-113) and William J. Nowak (1996: *passim*)

novel forms of (liberal) governmentality. In fact, as Mitchell Dean convincingly argues, one should not overplay the distinction between policing and liberal modalities of rule. Liberal forms of rule do not displace or do away with the earlier notion of police, but rather propose a new format of policing, and “[t]his new form is a no less comprehensive police than the old one” but rather it deploys “techniques and agencies located within civil society rather than merely issuing regulations, and thus must rely on knowledge of economic, social and other processes outside the formal sphere of the state” (Dean 2007: 113).

For instance, police as it was understood and deployed in nineteenth century America – as localist, common-law based practice – has suffered enormous transformation through centralisation, constitutionalisation and increasing institutionalisation, thereby losing some of its fields of application and some of its mechanisms of implementation (Novak 1996). However, new forms of policing have emerged, tied with the transformation of liberal to advanced liberal rationalities of government. Mariana Valverde, for instance, has shown how intricate this process of change is because of its simultaneous novelty (for instance, the increased use of actuarial technologies based on risk and probability, and on demand-side economics, such as ‘targeted’ policing) and striking patterns of continuity (Valverde: 2004, Valverde & Mopas: 2004).

3. Making People Up

As we have seen in the sections above, one of the key features of modern, liberal forms of government is their focus on population. This ‘discovery’ of population³² as the key referent of the arts of government is what allows us to speak of the biopolitical nature of modern liberalism, i.e. as a rationality of government which takes the life of the population as its key concern (cf. Foucault 2008; Nadesan 2008: 8-9, 20-23, 93-94). Nevertheless, the fact that liberalism – as both a theory of politics and a governmental practice – is usually based on universalist claims about the nature of individuals, and their ultimate desire for freedom, should not blind us to the most subtle ways in which liberalism deals with a plurality of subjects. In other words, at the core of liberalism is a conception, if one can use

³² In his key lectures gathered in *Security, Territory, Population*, Foucault explicitly says: “Population is undoubtedly an idea and a reality that is absolutely modern in relation to the functioning of political power, but also in relation to knowledge and political theory, prior to the eighteenth century.” (Foucault 2007: 25)

the expression, of the ideal-type of liberal subject: the responsible, self-helping individual who acts upon himself (classical liberal theorists would regularly evoke the theme of self-control over the passions (cf. Holmes 1997)) and is thus capable of bearing a kind of well-regulated freedom, and indeed contributing to it. However, ‘really existing liberalism’ has always had to contend with the fact that such a subject is more an end-goal than a starting point, and therefore liberal regimes of government have always to deal with non-liberal subjects.

This is what Barry Hindess has suggestively named the liberal “government of unfreedom” (Hindess 2001). How, then, has liberal thought dealt with such subjects? The following section suggests that a key move has been to categorise individuals on a scale, essentially isolating and delimiting various subjectivities, which open up individuals and populations to governmental action of various types, obeying to specific logics according to each category. Following work by several authors working in the Foucauldian tradition (Cruikshank 1999; Dean 2007; Hindess 2001; Valverde 1996), I want to flesh out these categories, suggest how liberal mentalities and technologies of rule have been applied to each of them, and isolate their underlying logics. Further, I want to suggest that on the one hand, these categorisations have been globalised since at least the days of liberal imperialism; and, on the other hand, that police is a technology of governance particularly suited for dealing with them, since it stands at a confluence of pedagogy, welfare, and coercion – which may well be the reason why police power has remained such a fluid, and such a core constitutive technology of modern rule, as indicated in the previous section.

3.1. Liberalism and its Others

As briefly delineated in the previous sections, then, evolving liberal forms of government are predicated upon governing through the freedom of the governed. As such, liberal theory and liberal political practice have always worried about what kinds of interventions and technologies are needed to foster such a mature liberal subjectivity that the governed become capable of performing their freedom adequately, acting upon themselves. Part of becoming mature liberal subjects – or responsible, participating citizens – is therefore a kind of moral education that teaches the control of impulses and passions, and the self-regulation of behaviour to conform to liberal modes of knowing and living the political (cf. Dean 1994; Glover 2005; Kumar 1989; Rose 1990; Seth 2007). Liberal subjects must be

inculcated the *habits* necessary to empower themselves, improve and regulate themselves, perform their freedom adequately (cf. Cruikshank 1993, 1994, 1999). As pointed out by a variety of authors working in or about the liberal political tradition, such subjects do not appear ready-made (Valverde 1996: 359-361), but necessitate instead a more or long period of education and trusteeship, until eventually they reach their full capacity for (self)government.

This theme of the need for a specific liberal pedagogy is present at both the domestic and international levels. Domestically – quite literally – even the earliest liberal theory, and certainly liberal politicians too, have always posited that certain categories of people – children up to a certain age, women, indigents, migrants, etc. – are not (fully) capable (yet) of governing themselves. Internationally, the same logic applies, and has its clearest antecedents in the colonial practices of liberal states during the 19th and early 20th centuries (cf. Duffield 2007b: 228-231; Mehta 1999; Pitts 2005). As Mariana Valverde – among others – points out, it is precisely this logic of division underpinned by a liberal pedagogical stance which allows John Stuart Mill, champion of individual rights, isonomy and the empowerment of (Western) women to say: “those who are still in a state to require being taken care of by others, must be protected against their actions as against external injury. (...) Despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement” (Mill 1859, quoted in Valverde 1996: 360, cf. Sullivan 1983). This notion of the need for a form of ethical despotism in the colonies was by no means unique to Mill, rather being vocally proposed by other well-known liberal authors such as Tocqueville (cf. Tocqueville and Pitts 2003, Boyd 2001) and Lord Macaulay (Mehta 1999: 15-16). That liberalism has thus to govern different populations – or populations made intelligible precisely because of their difference – presupposes that not all of them will be judged to have mature enough subjectivities to be amenable to, and partake in, liberal (self-)government. Liberalism, therefore, has always had at its core a judgement to make about its potential subjects, resulting in differentiated population, each judged to have specific characteristics and require particular forms of government.

This set of dividing practices operating at the heart of liberalism (both classical and advanced or contemporary) was apparent in liberal imperialism – returning us to the history of British imperial logics of rule over distant population with which the

introductory chapter opens – and it results in a certain form of paternalism, a hierarchy in relations of power. Previous scholarship, when looking at this apparent paradox at the core of liberalism, has spoken of despotism, recovering precisely what was a preferred language of classical British liberals when engaging with imperial/colonial subjects (patent in the quotation by Mill presented above).³³

Mitchell Dean, when considering the issue, suggests we should conceptualise liberalism's dividing practices along a scale or matrix, which pigeonholes subjects into more or less fluid categories, or groups, according to their maturity and autonomy in relation to government (Dean 2007: 118-122). In the first group are those subjects who have attained liberal status, demonstrating both their autonomy and their ability to act upon themselves in self-regulation. In the second group are those who need some form of assistance or supervision (Dean speaks of the subjects of welfare) in order to provide them with the incentives (not always positive) and skills to improve themselves (cf. Cruickshank 1999). In the third group – and perhaps the more relevant one for the purposes of my argument about American policebuilding regimes as a form of development through security – are the individuals and groups that, albeit potentially capable of performing the liberal ideal of a well-regulated freedom, nonetheless lack the tools and skills to do so, and therefore need external improvement/development – let us call them precisely the subjects of development.

Finally, Dean mentions the two categories of subject more problematic for liberal government, given the kind of intervention required. The first are those subjects who are not yet/no longer capable of autonomy, and as such are by necessity under the care/authority of others – in a relationship of hierarchy that bears striking resemblance to what Foucault has called pastoral forms of government. In a particularly relevant discussion of

³³ While the realisation that such dividing practices lay at the core of liberal government, and while conscious that their inherent hierarchical notion and their sense of conditioned freedom opens them up for productive critique, different authors – even those working under the general heading of governmentality studies – have developed different categorisations and labels. As already mentioned, in conceptualising the supervisory relationship established between such differently constituted subjects, Mariana Valverde uses the Millian notion of 'despotism' (Valverde 1996: 360-364). Barry Hindess, in turn, prefers to speak of the 'liberal government of unfreedom', while Tani Li veers towards the idea of trusteeship (2007: 4-10). Mitchell Dean has written of it as authoritarian liberalism (2002a, 2002b), and both he and a host of others have moved the debate about it towards the work of Carl Schmitt and notions of exception (Dean 2007: 158-195). Even regarding the categories of subjects there is a polyphony of terms of art: Mark Duffield has moved from a conceptualisation of 'barbarians' and 'savages' at the borderlands of liberal modernity (2005), to a frame of analysis that relies on the notions of 'insured and non-insured life', as well as 'surplus life' (2007: 1-31).

the pastoral nature of particular policebuilding techniques employed by the EU, Michael Merlingen summarises the nature of pastoral power thus:

At the core of the pastorate is a paternalistic order of difference. Its figures are, metaphorically speaking, the shepherd, a distinct and superior kind of being, and the flock to be cultivated and protected. The members of the flock are imagined to lack the habit of or aptitude for making responsible choices. Hence, they are in need of constant surveillance and hierarchically administered benevolence. The effect, albeit not necessarily the intention of the political pastorship, is to constitute subjects as inferior and dependent things (...) (Merlingen and Ostrauskaite 2006: 30)

The authors then go on to describe how contemporary police reform efforts within the framework of post-conflict peacebuilding are “underpinned by a rationality that joins, albeit uneasily, elements of both the pastorate and liberalism”, a process which works under the powerful liberal assumption that a more or less prolonged “period of pastoral discipline and administration is needed to inculcate habits of responsible choice into natives and install institutional capacities for liberal peace in violently divided societies” (31). Noting that such a pastoral logic results in severe restrictions in the freedom of subjects in exchange for the eventual improvement, Merlingen and Ostrauskaite presciently note the stark implications of this logic of rule for policebuilding, given that “the free persons posited by peacebuilding are always already situated in subject-moulding networks of power/knowledge” (31).

Today, similar logics can be seen at work in regimes of development, foreign aid programs, and various instances of technical assistance. Local agency, having been identified as a legitimate and even urgent site of improvement or development, is nonetheless subalternised (Li 2007: 14-17, Prozorov 2004: 70-115, 254-262, 283-298). This inescapable tension between freedom and tutelage at the heart of liberal programs of policebuilding is the context that informs much of the analysis in the following chapters.

Finally, there is a group of subjects – or perhaps better said, given their characterisation and the governmental technologies deployed to deal with them – objects of government which are deemed as ‘beyond the pale’ of freedom. That is to say, they are perceived as wholly incapable – or, significantly – unwilling to perform freedom. Dean quotes, tellingly,

U.S. Secretary of State Condoleeza Rice, who identifies these subjects as existing on the ‘wrong side of the freedom divide’. It is for these subjects that liberalism holds in reserve technologies of authoritarianism, surveillance, discipline and – ultimately – death.³⁴

These liberal logics of government through security – and specifically through evolving regimes of conceptualising and deploying police – have thus far been analysed in more or less abstract terms, referring essentially to issues of governance within relatively bounded territories. However, and as already suggested, the constant expansion of liberalism as a rationality of governing throughout time, and its diffusion through international society, allows us to speak of global (liberal) governmentality. From the paragraphs sketched above, outlining some of the key characteristics of liberal modalities of rule over differently constituted populations, one can extrapolate important aspects to the study of (American) policebuilding programs as tools of a developmental foreign policy, the core concern of this project.

4. Globalising logics

4.1. Globalising crime, criminalising the global

When examining the transformations which the security field – as both a field of practices and a discursive field – have undergone since the end of the Cold War, one cannot but help to notice the increasing dominance of narratives about the dangers posed by international/transnational crime. In other words, a veritable cottage industry of scholarly and policy literature has emerged since the 1990's which forcefully foregrounds globalised crime – often referred to as transnational organised crime - as a dominant threat (e.g. Edwards & Gill 2002, 2006).

Mainstream scholarly narratives on this topic tend to focus on the existence of such crime, and the threats it poses to the security of Western liberal states (e.g. Berdal and Serrano 2002; Allum and Seibert 2003; Farer 1999; Beare 2003; Raine & Cilluffo 1994, Shelley

³⁴ Giorgio Agamben, referring to these logics, would say that they represent a form of bare life, at the camp (Agamben 1998). His empirically unconvincing analysis notwithstanding, scholars working in the Foucauldian tradition have seized upon the issue, and have provided cogent critiques of these modalities of government in such sites as Guantanamo (Neal 2006)

1995)³⁵. These accounts point out that transnational crime has increased. Moreover, transnational crime has become adept at spawning bridges between criminal activities - for instance focusing on the terrorism-organised crime nexus (Makarenko 2004; Thachuk 2001). These authors also warn that this crime-continuum (including transnational terrorist activities) represents one of the most egregious and urgent security threats facing Western liberal states, and that this requires these states, and particularly the U.S., to actively pursue a policy of “international crime control” (Finckenauer 2000; Williams 2006). However, as Andreas and Nadelmann shrewdly observe, “the globalisation of crime control (...) cannot be explained entirely or even primarily in terms of the functional need to respond to the globalisation of crime.” (Andreas and Nadelmann 2006: 224). Instead, their analysis foregrounds the practices of security agents – especially those in the employ of states – as key to what they term the “criminalisation” of international society, that is, the process by which “certain transnational activities came to be prohibited and targeted by international crime control efforts in the first place.” (17). The authors further argue that the three main dimensions of this move, those that account for most of the globalisation of policing technologies as tools of state power and foreign policy, are (i) the rise of global prohibition regimes, (ii) the intensification of trans-border institutional co-operation between States, a trend initiated by Western European countries almost a century ago, and (iii) the policies espoused by successive US administrations, which have caused it to “emerge as a hegemonic policing power and leading global crusader against transnational crime”. (223).

An important added dimensions of such policies is the practices of security experts (who Didier Bigo drolly names “professional managers of unease”, Bigo 2002) as they compete by offering advice, echoing themes of domestic criminal policy so familiar to Western citizens, to policy-makers that they should be “tough on crime, tough on the causes of crime”. That is to say, Western states should pursue strategies to interdict criminal flows, but they should also identify the origins of such criminal flows and seek to address that. More often than not, recent analyses have framed the issue in terms of lack of governance, and have thus modulated the lack of governance (both at domestic level and at the international level) as a security issue (Andreas and Nadelmann 2006: 198; Giraldo and

³⁵ While I am focused here on literature that narrates such threats from transnational organised crime in relation to Western states’ security agenda, I do not mean to imply this concern with transnational organised crime has not become a key concern of states elsewhere (cf. e.g. Emmers 2003)

Trikunas 2007: 355). In other words, in the same way that states have learned to govern through crime domestically, their task is now to expand parallel regimes globally (Aas 2007; Findlay 2008; Inda 2006: 125-174; Lea 2002; Simon 2007; Walters and Haar 2005: 99-101).

The insight that the criminalisation of certain forms of behaviour is a particularly expedient and especially effective form of governing individuals and populations is nothing new in the social sciences. Thus emerges the theme of security governance as *leitmotif* of contemporary discourses and practices of Western liberal states, the US most notably.

4.2. Globalising police? Early dimensions

If one way to approach the globalisation of these logics of liberal government is to look at the modulation of 'global crime' as an emerging security field, one other route is to look at the globalisation of policing. As discussed above, the police power, and manifestations thereof, developed in an intrastate context, or rather, developed as part of the long, complex processes of state formation that took place in post-medieval Western Europe. But since almost its early days in the 16th and 17th centuries, notions and practices of police have become increasingly globalised. First as wave upon wave of Western imperialism exported the police power and police institutions, as part and parcel of the elements of "state export" (Badie 2000) that were so central to colonial experiments. But there were other, overlapping processes at work that contributed to the globalisation of the modern, liberal and largely Western police. The history of police co-operation, for instance, is long and rich, and is especially notorious around the turn of the 19th century when Western governments were reacting to what was seen as a vast and dangerous international anarchist movement. This section seeks to enumerate and describe some of the major historical dimensions of what we have previously called the globalisation of policing.

4.2.1. Foucault on inter-national aspects of "police" in Europe

In some of his 1978 lectures at the College de France³⁶, Michel Foucault became one of the first contemporary authors to explore the links between the emerging technology of government called 'police' and the inter-national politics of Western Europe in the

³⁶ These were the March 29th lecture (Foucault 2007: 311-332) and the April 5th lecture (Foucault 2007: 333-362).

seventeenth and eighteenth centuries. Unfortunately, Foucault never fully developed his thoughts on the international dimensions of 'police' beyond a few pages of lecture material, but he raises nonetheless important issues which resonate with the concerns of this chapter, and this dissertation more broadly. Foucault's work, albeit often comparativist in nature, never truly focused on international relations to any depth, but his 1978 lectures brought him to that unfamiliar field through a circuitous route. In analysing the rise of *Raison d'Etat* in European political imaginary, Foucault delves at some length into how *Raison d'Etat* influenced not only relations of force within states, but also between them.

It is in this context of changing dynamics of force between emerging European great powers, the establishment of what he terms the “diplomatic-military system”, and the nascent idea of a European balance of power, that Foucault locates the international dimension of police. He entitled this brief excursus “the triple relationship between the system of European balance and police” (Foucault 2007: x). The first dimension is morphological: “(...) the problem of European equilibrium has as its main objective the maintenance of a balance despite the growth of the state (...), the problem of the police is how to ensure the maximum growth of the state's forces while maintaining good internal order” (314). Foucault calls the second relation between police and European balance of power a relation of conditioning, and elaborates:

One can only effectively maintain the balance and equilibrium in Europe insofar as each state has a good police that allows it to develop its own forces. There will be imbalances if the development between each police is not relatively parallel. Each state must have a good police so as to prevent the relation of forces being turned to its disadvantage. One quickly arrives at the, in a way, paradoxical and opposite consequence, which consists in saying: In the end, there will be imbalance if within the European equilibrium there is a state, not my state, with bad police. Consequently one must see to it that there is good police, even in other states. European equilibrium begins to function as a sort of inter-state police or as right. European equilibrium gives the set of states the right to see to it that there is good police in each state. (314-15)

Finally, Foucault suggests, there is an 'instrumental' relationship, since both the science and practice of early modern police and the balance of power relied on detailed, actionable knowledge of each state's growth and capabilities, and therefore both relied on (indeed were instrumental to the development of) statistics.

What is the importance of these early insights in which Foucault tantalisingly thinks through the internationalisation of police as a technology of government? First and foremost, it establishes a very early link between the objectives and techniques of foreign policy of modern states and the deployment of police (although, in this instance, merely as a conceptual instrument for statesmen to make sense of the European balance of power, and not the deployment of actual police forces abroad). Second, it establishes that the police of other states is a legitimate object concern for a state's foreign policy, lest it breed “imbalance” or disorder in the society of states – a theme which would eventually develop into a much more mature discourse of technical security assistance to states with weak internal security apparatuses, as shall be examined in greater detail in the following chapters. And thirdly, it denotes that the exercise of “good police” is predicated upon, and dependent on, a series of technical knowledges (such as statistics), which are themselves a constitutive technology of rule.

4.2.2. “International social defence” - origins of international police co-operation

In addition to the conceptual importance of police for the foreign policy of major European states in search of balance of power, one other way in which police becomes part and parcel of the external relations of states is through cross-border police relations, what is usually known as international police co-operation. There is now a large body of literature dealing with the origins and development of Western – essentially European, with the late and timid arrival of the U.S. - police co-operation (Andreas and Nadelmann 2006: 59-96; Deflem 2000, 2002, 2005; DiPaola 2007; Fijnaut 1993; Gerspacher 2008; Jensen 2001, 2004; Liang 2002: 83-181)³⁷. As one prolific author put it, the origins of the current regimes of international police co-operation lay in these “various efforts, especially on the European continent, to control the international spread of people and organizations that were held to be opponents of established political systems, such as socialists, democrats, liberals, and anarchists.” (Deflem 2005b: 275). Moreover, in the materials relative to the international conferences organised by Western European states to deal inter-governmentally with anarchism (Rome in 1898, St. Petersburg in 1904), as well as “white slavery” (London in 1899, Frankfurt in 1902, Paris in 1902, 1904, and 1910), there seems

³⁷ It is intriguing to note that almost all of the extant literature on the birth and development of international police co-operation – a well-documented, socially and politically relevant phenomenon since at least the last decade of the 19th century – has been produced in the last decade, roughly speaking.

to percolate a sense of the transnational character of these problems, which are represented as “having no nationality”, and affecting an equally non-national citizenry (Deflem 2005b: 277-283, Liang 2002: 155-168).

This development is significant for the arguments of this thesis in at least three ways. First, it neatly illustrates, and contributes to a better historical understanding of, the complex process of de-differentiation of the internal and external security fields of Western liberal states which Bigo alludes to, and which forms part of the theoretical background against which this dissertation emerges. In other words, these historical developments in international police co-operation help shed further light on the renegotiation of the inside/outside divide through the emergence of specific knowledges and practices of security emanating from liberal forms of government. Moreover, the examination of this phenomenon reveals the intrinsically political nature of international policing activities, thus directly challenging the notion of a divide between political policing, usually portrayed as nefarious and/or anomalous, as opposed to 'good' criminal policing usually seen as a technical, neutral element. What actually seems to emerge is a sense that governments engage in the (evidently politicised) criminalisation of issues and in so doing eventually achieve legitimation for (politically) acting upon them. To put it succinctly, and in terms congenial to the line of analysis espoused in this project, liberal states govern through security, which means modulating governmental problems in terms of security governance. Finally, it foregrounds the notion, advanced by the practitioners of the time themselves, of this international policing co-operation being directed at a social body, by talking in terms of “international social defence”³⁸.

³⁸ The Rome conference (24th November - 21st December 1989) was actually entitled “Conference internationale de Rome pour la defense sociale contre les anarchistes” [Rome international conference for social defense against anarchists] (Deflem 2005b: 275; Jensen 1981: 342). Interesting also, from a Foucauldian perspective, is the inevitable production of specific knowledges which went along with this particular instance of liberal governmental action: on the one hand, the conference's first order of business was to arrive at an agreed upon definition of anarchism (framing the issue, and enabling action), which resulted in the clarification of an anarchist act as “having as its aim the destruction through violent means of all social organization” (Jensen 1981: 327). This development dovetails neatly with Nikolas Rose's idea that around the turn of the 19th to the 20th century, liberal governmental gaze and action began to focus on 'the social body', which leads him to speak of the 'invention of the social' as a key to understanding modern forms of liberal government (Rose 1999: 112-133). On the other hand, one of the main measures adopted by the conference – and indeed one of the only almost universally enforced by participant countries – was the adoption of the *portrait parle*, a system of individual identification and classification of anarchists and other criminals based on what today would be called biometric data (at the time, measurements of the facial and corporal characteristics of individuals), based on the system invented by the French Alphonse Bertillon – commonly known as *bertillonage*. (Jensen 1981: 332-334, but also Cole 2002: 32-59, Kaluzsynski 2001: 123-138 discusses at length the use of bertillonage as a technique of government).

4.3. The globalisation of policing in U.S. foreign policy – between pastorate and pedagogy

It is now time to focus our attention on the United States of America, and the long historical relation between that state and several strands in the processes of globalising policing. The previous sections have thus far surveyed several historical trends which suggest that from its origins as a key instrument of governing populations within emerging states in Europe, police has become slowly but steadily intertwined with the foreign relations agendas of states. It is no coincidence, nor should it strike us as a surprise, that in several of the dimensions analysed above, the U.S. government gained a prominent – indeed central – role, even if it was often a “latecomer”. From exporting police models to its overseas dependencies, through leading global prohibition regimes, to its crucial role in the formation of Interpol – not to mention introducing the idea of 'international police power' to the world – the US has been at the forefront of modern states in using the police as a governmental technology outside its borders. Moreover, it has for a long time developed a repertoire of governmental modalities and governmental techniques associated with its externalisation of policing. These have, over time, congealed in more or less stable “regimes”: the one structured around the exercise *of* police over a population of subjects deemed too immature for self-government and in need of some form of pastoral care (but holding in reserve a series of more authoritarian mechanisms to survey and punish offenders beyond the pale); the other structured around assistential, technical regimes of development through the police (policebuilding), in order to effect social and political change through the inculcation of liberal habits in indigenous police institutions.

Neither exists in the absence of, or in direct contradiction to, the other. As the next few chapters shall seek to demonstrate, the rationalities of government and the attending practices of security which underpin American policebuilding oscillate between the two, in a relationship that can only be described as uneasy but productive tension. In the pages that follow, I shall seek to illustrate how such changes have taken place, and how the application of a Foucauldian lens to the practice of American policebuilding can illuminate important aspects of U.S. foreign policy, conceived as the attempt to expand and apply liberal governmentality over distant populations through apparatuses of security.

CHAPTER 3

FROM CONSTABULARY TO CONSULTANT– THE EVOLUTION OF U.S. POLICEBUILDING REGIMES, 1880s-1980s

It is not true that the United States feels any land hunger or entertains any projects as regards the other nations (...) save such as are for their welfare. All that this country desires is to see the neighboring countries stable, orderly, and prosperous. (...) If a nation shows that it knows how to act with reasonable efficiency and decency in social and political matters, if it keeps order and pays its obligations, it need fear no interference from the United States. Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and (...) may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power. (...) While they thus obey the primary laws of civilized society they may rest assured that they will be treated by us in a spirit of cordial and helpful sympathy. We would interfere with them only in the last resort, and then only if it became evident that their inability or unwillingness to do justice at home and abroad had violated the rights of the United States or had invited foreign aggression (...).

(Theodore Roosevelt, State of the Union Address to the Senate and House of Representatives, Dec 6th 1904)

'Finally, the United States will use this moment of opportunity to extend the benefits of freedom across the globe. We will actively work to bring the hope of democracy, development, free markets, and free trade to every corner of the world. The events of

September 11, 2001, taught us that weak states, like Afghanistan, can pose as great a danger to our national interests as strong states. Poverty does not make poor people into terrorists and murderers. Yet poverty, weak institutions, and corruption can make weak states vulnerable to terrorist networks and drug cartels within their borders.'

(The National Security Strategy of the United States of America 2002)

1. A new security frontier?³⁹ Early U.S. policebuilding abroad

The previous chapters have alluded to the growing trend in U.S. security discourse and practice to substantially reconceptualise threats to international security as a matter of transnational criminal activities, a trend which demands in response more and better security governance mechanisms. Within that framework, the internationalisation of policing emanating from Western liberal states - as a governmental technology aimed at promoting liberal spaces of well-ordered prosperity – was foregrounded. In the case of the United States in particular, the recent record is bewildering.

For instance, the FBI has a large number of Legal Attaché Officers (Legat's) stationed overseas, with an international presence “(...) in more than 70 key cities worldwide, providing coverage for more than 200 countries, territories, and islands.” (FBI n/d, Andreas and Nadelmann 2006: 132-34; Theoharis 1999: 165-66, 218-19)⁴⁰. And since 1994, when the first International Civilian Police mission was launched in Haiti, “(...) more than 7,000 experienced U.S. law enforcement officers and experts have participated in CIVPOL missions”, and over 1600 are currently deployed worldwide (INL 2007). Clearly then, the complex process of globalisation mentioned previously is also having a major impact in reconfiguring the way the U.S. deploy their police forces beyond their borders.

³⁹ The idea of American activities in police assistance and administration of justice programs representing a “new frontier” for policy-makers in the post-Cold War world was first proposed by Martin Andersen in a prescient 1993 article for the SAIS Review (Andersen 1993)

⁴⁰ Additionally, at the municipal level one can observe similar trends. The New York Police Department, following the 9/11 attacks, has launched an ambitious International Liaison Program, and now has officers stationed as far afield as Madrid, Tel-Aviv, Singapore, or Amman (Nussbaum 2007, Pincus 2008)

One can thus speak of the globalisation of American policing.⁴¹

This chapter builds on those themes, but instead of the more general points about the “criminalisation” of international security in US foreign policy discourse, and the attendant internationalisation of policing mechanisms, it charts instead the rise of international police assistance as a key tool in US foreign policy.

Police assistance has become a significant element of U.S. foreign and security policy. David Bayley concisely illuminates just how significant an issue international police assistance is today when he notes that “American efforts to assist police forces abroad are substantial, costing about \$635 million per year in 2004, touching three-fourths of the world’s countries, and directly involving several thousand police officers and other justice officials.”(Bayley 2006: 48). It is worth pointing out that the estimated budget advanced by Bailey was already problematic in 2004, probably erring by default rather than excess, as it does not count covert forms of assistance. The numbers since then, particularly through police assistance to Iraq and Afghanistan, have risen substantially, and interviews conducted with Department of State officials in late 2006 suggest that my own estimate of between \$1-2 billion is closer to the mark⁴². Also, numbers of individuals involved in delivering police training and assistance abroad are contentious, particularly since there are no reliable figures on how many private contractors are currently operating in such programs – neither the Department of State nor the private sector have publicly released a reliable aggregate figure so far⁴³.

As has been emphasised in the previous pages, the internationalisation of policing is a complex process that has a wide range of manifestations. These include the expansion of

⁴¹ The extant literature has been nothing if not prolific in devising terms for this, often encompassing disparate trends. One of the earliest works available spoke of the “internationalization of U.S. criminal law enforcement” (Nadelmann 1993), and one of the latest monographs to be published on the subject speaks of “crafting transnational policing” (Goldsmith and Sheptycki 2007). As shall be seen below, deployment of police forces or police power beyond a state’s borders can take on a variety of formats, often with very different premises, objectives and results. In order to avoid confusion, therefore, I will use *globalization of policing* to refer to the ensemble of these trends, and specific headings (‘transnational crime control’ or ‘policebuilding’, for instance) when referring to any one of them in particular.

⁴² DC14, personal communication with the author, Washington, D.C., 6th December 2006; DC13, personal communication with the author, Washington, D.C., 15th December 2006; DC29, personal communication with the author, Washington, D.C., 19th December 2006 (cf. Supplementary Sheet)

⁴³ DC1, personal communication with the author, Washington, D.C., 2nd November 2006; DC5, personal communication with the author, Washington, D.C., 10th November 2006 (cf. Supplementary Sheet)

institutional co-operation between police forces (Bigo 1996; Deflem 2000), the creation and deepening of international policing bodies (Deflem 2002), and the (by and large) unilateral expansion of policing jurisdictions by the U.S. (Nadelmann 1993, Andreas and Nadelmann 2006). Additionally, such a process of internationalisation is also manifest in the increased use of civilian police (CivPol) contingents in peacekeeping operations (cf. Azimi 1996; Call and Barnett 1999; Hayden 2001), the use of “executive policing” in the latter context (Dwan 2002), and the growing operationalisation – at a more abstract level – of an international police power (Dubber and Valverde 2006). However, what is meant in this chapter, and indeed throughout this dissertation, by U.S. international police assistance is a set of bilateral instruments (treaties, programmes, institutions) which aim to (re)build and/or reform internal security institutions in ‘transitional countries’ (Lindholt et al 2003; Pino and Wiatrowski 2006; Wulf 2004), with a particular emphasis on those states emerging from conflict (Call 1997, 2002, 2007; Mani 1999; Neild 2001).

This is a form of foreign aid which has become central to contemporary U.S. foreign policy practice, and which is enmeshed in a set of other related, bilateral programs – the training of foreign armed forces, the promotion of the rule of law abroad, the reform of foreign criminal justice systems, to name but a few. However, unlike global prohibition regimes such as the “war on drugs”⁴⁴, it has a much more productive ethos (in the Foucauldian sense) – the ultimate goals are not primarily to interdict and punish certain forms of unlawful or criminal behaviour (although disciplinary, sometimes illiberal, practices certainly find their place in such assistance programs, as shall be seen), but to shape social institutions which are brought to bear on the conduct of individuals, socialising them in a particular way of relating to policing, and the rule of law more generally – a crucial aspect in the promotion of liberal forms of governing to which we shall return at the end of the chapter⁴⁵.

2. Early efforts (1898-1945)

As the opening quotations to this chapter demonstrate, the idea of American security and

⁴⁴ On global prohibition regimes, cf. Ethan Nadelmann’s original article (Nadelmann 1990)

⁴⁵ While there has been some recent, pathbreaking work on similar processes of socializing agents in international society, through the deployment security practices and inclusion in institutions of liberal security (cf. Gheciu 2005a, 2005b on NATO’s role), police assistance has received little or no attention in this analytical context.

vital interests being affected by forms of international disorder and lawlessness emanating from neighbouring, underdeveloped states is not new. Concurrently, the solution found by the U.S. in the form of interventions to redress the rule of law in such places— state-building *avant la lettre*, as it were — is also not entirely new, and dates back at least to the mid-1800's, when America embarked on a host of interventions in the Caribbean and the Pacific.

Although the (in)famous Roosevelt Corollary to the Monroe Doctrine reproduced above was at the time explicitly directed only to the nations of the Western hemisphere, it nonetheless remains a strongly influential precedent to more contemporary understandings — and practices — of U.S. interventionism (Holmes 2006; Mitchener and Weidenmier 2005; Ricard 2006). The themes that underpin the Corollary, and in turn laid the intellectual foundation for American interventions, range from the disavowal of American imperial design to a strongly liberal view of a desirable international order as mirroring a state of domestic well-ordered, responsible freedom and prosperity. Particularly evident is the notion of the civilised nations (and, by logical extension, of which counted as uncivilised or barbaric ones), which leads to identifying the breakdown of social and political order in other states as an object of security concerns and ultimately security governance by the U.S. (cf. Holmes 2006: 63-86; Ninkovich 1986). Theodore Roosevelt — himself a former chief of police in New York — thus evinces an extraordinary degree of overlap with contemporary U.S. discourses on international order and international security, particularly within the Bush administration . Almost a hundred years separate both statements, and yet the most remarkable thing is the underlying similarities in the concerns displayed and the solutions proposed⁴⁶.

2.1. Caribbean blues

From 1898 to the mid-1930's, just before World War II, the bulk of US assistance to internal security forces was centred on the circum-Caribbean region, occurring in the context of US imperial expansion in the late 19th century, as the presence and influence of the rival Spanish Empire receded (Beede 1994). Under the general premises of the

⁴⁶ In fact, there is a direct and strong connection between both administrations, in that neo-conservatives in the Bush administration often and explicitly recognise their admiration for, and desire to emulate, the (foreign) policies of Theodore Roosevelt (cf. Halper and Clarke 2005: 35; Kristol 2004: 34; Kristol and Kagan 2004: 73-74). For an excellent discussion of the Rooseveltian theme of “national greatness”, and its impact on neo-conservatism, cf (Williams 2005: 318-320, fn. 23)

Roosevelt Corollary to the Monroe Doctrine, and a policy of 'preventive intervention', "American armed forces intervened to restore order where local armies failed." (Pérez Jr. 1982: 168). It was in this context that the US intervened militarily in Cuba four times (in 1898-1902, 1906-09, 1917, and 1921), in Haiti (1915-1934) and the Dominican Republic (1916-1922), and in Nicaragua (1912-1933). Panama was in fact a country largely created on account of a 1902 US intervention⁴⁷. The US also intervened militarily in Mexico's revolution (1914-1917) and for several brief times in Honduras⁴⁸, but these interventions never developed into protracted occupations. To this list one should add American interventions in the Pacific archipelagos (Hawai'i, Samoa), of which the Philippine War (1899-1902) and its complex aftermath (1903-1934) was the most significant case.⁴⁹

In many of these cases, and especially in those scenarios where initial military intervention by developed into a more or less protracted occupation, the U.S. had to tackle social unrest in these countries – be it in the form of political protests against the U.S. support government, full-blown insurgencies, or banditry in the countryside – and so created and trained several paramilitary police forces, or constabularies. Generally speaking, the military – and particularly the U.S. Marine Corps – were the primary tool both of the intervention proper, and the stabilisation phase that followed (to use contemporary parlance), during which police reform or policebuilding efforts took place (Blake 1938; Ellsworth 1974).

⁴⁷ After this intervention, which shielded the nascent republic from Colombian retaliation, U.S. Marine presence continued almost unabated 1903-1914 (cf. e.g. LaFeber 1990: 21-45; Major 2004: 9-190).

⁴⁸ The US intervened during the Honduran revolution in 1903, in support of military operations in Nicaragua in 1907, in the context of the Honduran civil war in 1911, to protect economic interests in 1912, and in support of Honduran elections in 1919, and again in 1924-5. (Haggerty and Millet 1995)

⁴⁹ For a full, annotated list of US armed intervention worldwide (1798-2001) cf. Richard Grimmet's report for the Congressional Research Service (Grimmet 2002)



Fig. 1 – Caption reads: “The Filipino Americanised – constabulary soldiers, Manila, Philippine Islands”
© 1907, H.C. White Co. Source: Digital collection, US National Archives, Washington D.C.

Police assistance, in these instances, was still bilateral in nature, but differed markedly in both objectives and methods from what has become, especially since the end of the Cold War, the standard of US policebuilding efforts. In terms of the methods, patterns differed greatly from case to case, from actual military government of a country, to government by proxy, to several forms of limited or shared sovereignty (cf. Healy 1988; Munro 1934, 1964, 1974; Musicant 1995, 1998). The actual “how-to” of police assistance delivery on the ground varied, with cases as different as Haiti, where the U.S. created a gendarmerie force officered by Marines, and later “Haitianised” it (FRUS 1931: 403-4; Rausch 1994:198-200); and Panama, where the U.S. convinced the local government that a standing Army would be a danger to the stability of the country and to the Canal

operations, and thus replaced the disbanded armed forces with a newly created National Police, which for over 40 years would be the only security force in the country. However, one can summarily characterise police assistance in the period as a mixture between (i) training and capacity building of indigenous forces, and (ii) the actual exercise by the occupying forces of policing functions with executive authority (what would later become known, in UN mission parlance, as “executive policing”, *cf.* Dwan 2003) – often for a prolonged period of time.

The first two occurrences of U.S. police assistance abroad in this early period were the occupation of Cuba (1898/9) and of the Philippines archipelago (1899), both taken over from Spain in the wake of the Spanish-American War of 1898. They are also extremely significant, in that they providing testing grounds for early U.S. strategies of policebuilding, the lessons of which were then applied in subsequent scenarios.

In Cuba, after gaining possession of the island, the U.S. faced a scenario of devastation following the Cuban War of Independence (1895-8), with the rural economy laying in waste and a surge of banditry affecting the countryside, especially the Oriente province, a state of affairs that was soon to spread to the entire island (Perez 1986). With such a situation of general lawlessness, economic crisis, the formal disbandment of the Cuban Army – which meant lower changes for the reintegration of former combatants in civilian life, and a rise in banditry – the U.S. swiftly proceeded to establish a constabulary force, under the directives of Brigadier General Leonard Wood (*cf.* Hitchman 1994: 599-603). This initial force, modelled on the Spanish Guardia Civil and the Mexican Guardia Rural, was highly decentralised, fairly informal, and started off sharing its police and peace-keeping duties with a variety of other police forces, including Cuban municipal police forces. Under the supervision of General Wood, who in the meantime had become Cuba's military governor, and a U.S. cavalry officer (Captain Herbert Slocum), this makeshift constabulary would eventually turn into an official body, the Cuban Rural Guard (Millet 1972: 191-196).

The Guardia, as a typical constabulary force, straddled both police and military functions. It was modelled largely on U.S. cavalry forces, informally trained and supervised by American officers, and even possessed artillery units. Nevertheless, it was charged

essentially with maintaining social order in the Cuban countryside, and combating banditry on the island. As the name indicates, the Guardia was always inextricably linked with the power of local landowners and rural 'big men', thus enforcing a conservative, and often racially-tainted, social order⁵⁰.

This template was by no means unique to the Cuban case. In the Philippines, where the U.S. intervened in 1898 and stayed on until, the U.S. Army and the Marine Corps similarly established a constabulary force, the Philippine Constabulary⁵¹. The Constabulary had been created in July 1901, under the leadership of Cavalry Captain Henry Allen, and by early 1902 it already numbered 2000 men (Linn 1999: 19). Already in July 1902, the U.S. military government promulgated General Order 152, stating that the Philippines were officially in a state of peace, and thus formally abolishing the military government, thereby transferring responsibility for public security, law and order to a cadre of American civil administrators and to the Philippine Constabulary (26). There are indications that the Constabulary was hard at work in this task, with records showing that in 1901 alone, the force had captured over 3000 "bandits" (Keenan 2001: 304-305). By late 1902, the numbers of active duty personnel within the force had gone up to 6000 men, garrisoned at over 200 posts throughout the islands. The Constabulary formally endured until the end of World War II, by which time it was formally assimilated into the Philippine Army (305).

While it existed, the force served several important purposes. According to historians Patricio Abinales and Donna Amoroso,

The Constabulary had the power to regulate the use of firearms, take the lead in health emergencies (typically cholera epidemics), and expand the telegraph and postal systems throughout the archipelago. Regarded as "peace officers", constabulary units were also charged to prevent and suppress brigandage, insurrection, unlawful assemblies and breaches of the peace. The constabulary supervised municipal police forces to improve

⁵⁰ Harold Sims, in a short overview of the history of the Guardia Rural, confirms this point when he states: "The guardia Rural, for the most part, was dispersed throughout the countryside at the insistence of local landowners, who often provided land, supplies, telephone services, and whatever else was needed to maintain outposts. By 1905, just 28 of 288 such posts were state-owned. The Guardia was clearly linked to prominent rural sectors, and its recruitment system reflected that fact. Nonwhites were excluded from the officer corps; members had to pay for their own uniforms, and letters of recommendation from landowners were required for entry." (Sims 1994: 215-216)

⁵¹ The Constabulary was established to replace the Guardia Civil, the similar institution which had operated under Spanish colonial supervision, and was seen by American occupiers as venal and "irredeemable" (Abinales and Amoroso 2005: 122)

professionalism and thwart politicization by elected local officials. (Abinales and Amoroso 2005: 122)

The pattern of recruitment and training was similar to what had already happened in Cuba. White American officers serving their commissions with the Army would fill the officer ranks (known as constables), the bulk of the force was composed of young male Filipinos between 18-25 years of age. Interestingly, one of the selection criteria was that they be bilingual in English and Spanish, the two administrative languages of the country - one assumes, on top of their native language(s) (Keenan 2001: 305). As with Cuban policy, and with most subsequent cases, a policy of progressive indigenisation of the forces was sought. On this note, and while there is a dearth of archival or even secondary sources in what concerns their training routines, one can nonetheless infer from documental evidence (cf. Fig. 1, above) that American assistential efforts sought to “Americanise” the constabulary soldiers under its command (through the language requirements, their daily interaction with American commanding officers, their immersion in American administrative and legal structures, as well as their symbolic allegiance to the American flag). The two are by no means contradictory – while U.S. officials sought to gradually bring in natives into the officer corps (allowing for American experienced officers to move on), their integration was precisely premised on how well they performed by American standards of professionalism and loyalty.

Not only was the template for establishing and deploying such a constabulary force similar, in actual fact there was purposeful circulation of knowledge, techniques and personnel between Cuba and the Philippines. This is especially true of military officers moving from one commission to the next. For instance, General Leonard Wood, who had been military governor of Cuba 1899-1902, left that post to serve in various commanding and gubernatorial position in the Philippines (cf. Hitchman 2001: 599-603)⁵². His case was by no means unique. This trend, and the relative similarity of the Cuban and Philippine cases (in that they were both former colonies of the Spanish empire, under the same nominal

⁵² James Hitchman's portrayal of his military and political career in the colonial context offers an interesting note, in that it both details his efforts to establish civilian structures of government, and invest in the education and 'empowerment' of Filipinos in running their own destinies, but at the same time was a vehement critic of any suggestion that Filipinos (as late as 1916) were ready for self-government (Hitchman 1994: 602). This was by no means a paradoxical or uncommon attitude at the time, and resonates powerfully with some of the themes discussed in chapter two about the structures of deferral and trusteeship inherent in liberal schemes of development.

legal and administrative tradition, and were under military occupation by the U.S.), ensured that similar patterns of police assistance ensued. However, while in Cuba the Guardia Rural was essentially occupied with (re)establishing social control and fighting widespread banditry, in the Philippine archipelago the Constabulary had to deal with fierce and organised resistance guerrillas. This added an important layer of militarisation to the nature and deployment of the Philippine Constabulary, who repeatedly saw action and was employed for counter-insurgency purposes⁵³.

The patterns of police assistance demonstrated in the Cuban and Philippine case were to be repeated with varying degrees of success. In Haiti, the U.S. established the Garde d'Haiti (later renamed Gendarmerie d'Haiti) (Beede 1994: 198-200; Bickel 2001; FRUS 1916: 334-336; Renda 2001). Across the border, in the Dominican Republic, a force under the name of Guardia Nacional Dominicana was set up (FRUS 1913: 193-264, Peguero 2004: 33-41; Roorda 1998: 18-22). In Nicaragua, the local version of a constabulary, the Guardia Nacional, played a similarly crucial role (FRUS 1923: 605-616, 1925: 618-646; 1927: 285-478; Joes 2004: 134-6; Nalty 1968).

In short, the essentially military context of such interventions in the circum-Caribbean brought to the fore the establishment of “intermediary forces”, often referred to as *gendarmeries* or *constabularies*. In essence, these “intermediary forces” – as their name indicates – straddled the divide between internal and international security, between crime and warfare, between police and the military. They were of a paramilitary nature, meaning that while their organisational structure, equipment, and basic training are essentially military in nature, they are – strictly speaking – not part of a country’s armed forces, and their primary mission is the maintenance of law and order internally. As Lutterbeck observes, gendarmeries were created to “(...) maintain law and order in the interior, chiefly in rural areas and along major thoroughfares(...)” and as such, historically speaking, “(...) gendarmeries were essentially instruments of the central powers in extending and consolidating their rule over the national territory, in particular the often ‘unruly’ countryside.” (Lutterbeck 2004: 47). Additionally, these forces have always had transnational and inter-national application, both in warfare proper, and in the following

⁵³ James Beede details that “The Philippine Constabulary helped suppress small units still fighting after the formal end of the Philippine War in 1902, control restive groups, such as the Muslims of the southern Philippines, and combat banditry” (Beede 1994: 121).

phase of “winning the peace”. It is in this latter context that they are most relevant to this study, as they highlight the application of a concept of policing which is markedly different from today’s, and in which gendarmeries were most preoccupied in fostering order in a given community than in creating and maintaining a professionalized institution charged with criminal law enforcement, as discussed previously in chapter two.

As for the objectives of such interventions and attending practices of police assistance, those most often adduced by scholars are twofold. On the one hand, the reason most often mentioned is the securing of U.S. economic interests in the region – a thesis most comprehensively illustrated by the work of Martha Huggins (Huggins 1998)⁵⁴. Another reason adduced by scholars is the coeval fear of a European colonial asserting a sphere of influence in the circum-Caribbean region and denying the influence of other Great Powers in the area (especially the then much feared German encroachment, Langley 2002: 13-15). The validity of these arguments notwithstanding, one should not fail to mention an overarching objective, or set of objectives, namely liberal reform premised on racial and cultural stereotypes of 'backward peoples'. However the mode in which this was achieved was not, by any means, democratic, nor did it seek to establish democratic, liberal institutions of government, at least not in the short-run. The policy followed was thus one of self-regarded 'benevolent tyranny' bent on promoting (a particular type of) law and order, first and foremost, which – it was assumed – would establish the bases for stable government in such countries, giving them the opportunity, in the long run, to progress towards a social, political and economic model which emulated that of the United States (cf. Berger 1993).

The Cuban case once again provides an illuminating example. Describing the political rationalities at work, Jennifer Bailey recounts the colonial improvement schemes:

The military government of Cuba undertook the reform of various institutions. As administered by Gen. Leonard Wood, it attempted to build a stable, independent republic by renovating the educational and legal systems, improving the public works infrastructure, and training the Cubans in self-government. In pursuing this course, the

⁵⁴ This should not be taken to mean that all explanations which emphasise this motive are necessarily about financial or monetary gain. Marha Huggins' work makes a compelling (but ultimately all too narrow) case for seeing American policing interventions at the time as attempts to enforce a particular set of labour relations (Huggins 1998).

administrations of McKinley and Theodore Roosevelt steered between evacuation and annexation (...) The majority in both countries, however supported the U.S. policy of remaining in Cuba for a few years to *establish durable government that would render future intervention unnecessary*. (Bailey 1994: 137)⁵⁵

Such a paternalistic policy, irrespective of its reformist and meliorist credentials, was bound to backfire, and indeed it is now widely recognised – as a 'lesson learned' in the literature on police assistance, but also on more general historiographic accounts – that the establishment of constabulary units by the US in the circum-Caribbean region at the time led not to creating the bases of modernisation, but rather equipped local elites with the necessary tools for dictatorial, repressive government over their populations.

2.2. World War II police assistance & reform

In post-war Germany, the Allied forces faced a predictable breakdown in public order following the defeat of the Nazi regime. One of the first tasks of the Allied military government that ensued was to restore public order and reorganise the internal security forces in an extremely complex scenario, since a large number of police had been killed when drafted into the war effort, and many more were tainted by association with the worst excesses of Hitler's regime. Paramilitary units with police functions which had abounded during the Nazi regime (most notably the infamous SS and SA) had to be disbanded (cf. Browder 2008; Dobbins 1999: 4, 9-12, Fairchild 1991). In other words, the internal security forces of post-war Germany were in shambles, and in order to tackle the violence and insecurity of citizens' everyday life and combat more serious crime in the wake of Germany's military defeat (especially sabotage and banditry from remnants of Nazi units roaming the country), the US turned to the constabulary solution once more – an idea which is reported to have originated in the War Department. In a historical review of the use of constabulary forces by the US, Tammy Schultz notes that:

General George C. Marshall echoed this suggestion in a report recommending U.S. Army officers lead local personnel in Germany, Japan, and Korea. When General Marshall asked General Dwight D. Eisenhower to comment on the plan, General Eisenhower modified the proposal for Germany by suggesting that the constabularies

⁵⁵ Notice the remarkable similarity in discourse – in both the merging of security and development themes, but also in the politics of deferral and trusteeship mentioned in chapter two – between the political discussion about the occupation of Cuba (1898-1902) and the contemporary American presence in Iraq (2002-present).

be staffed by all U.S. military personnel, with no German personnel. (Schultz 2005: 17-18, quoting Snyder 1947)

As a result, in November 1945, the European Theatre Command issued order to turn a mixture of in-theatre military units into a paramilitary force, the US Constabulary, which also came to be known among their military counterparts by the colourful name of “C-Circle-Cowboys”, and established US constabulary school at Sonthofen, Bavaria. The recruitment, equipping and training of these forces, under Major General Ernest Harmon, lasted roughly from November 1945 until July 1946, by which time the US Constabulary, composed of approximately 38.000 soldiers, formally assumed its security duties (Brouse 2006: 38-39). Simultaneously, as the US constabulary performed a variety of primary “public order” tasks (in particular disarmament, demobilisation and re-integration of combatants, or DDR) and secured Germany’s borders, the actual training of local police forces began to take place under the Public Safety Branch of the US occupation forces. By October 1945, 22.000 German policemen had been trained and equipped with light weapons, and by mid-1947 General Lucius Clay declared the German police to be “fully competent” (U.S. Dept. Army 2003).

However, one should take this official and rather streamlined version of events as it appears in some military histories with a pinch of salt, as U.S. police assistance efforts continued well into the 1950’s, and in a relatively discontinuous way. Moreover, the manner, duration, and curricula of police training varied according to the geographic area of occupation, and it reflected the national traditions of each of the occupying powers (Fairchild 1989: 456).

While the American, British, and French occupiers alike agreed on the paramount importance of ‘democratising, demilitarising and decentralising’ West Germany’s police, they went about doing that in fairly different ways. As a result, only the French model was palatable to the Germans in the long term (Fairchild 1989: 457), while the British model was gradually adapted and changed in a series of negotiated tensions with the local context (Mueller and Kröger 1960). The American model was the “most radical of all”, involving “communalization of all police forces in towns over 5,000 in population, break-up of the police schools in which recruits were trained for police work at the same time that they

served as riot and emergency forces, and total civilianization of police operations.” (Fairchild 1989: 456). In short, the US was using policebuilding as a (foreign) policy tool, in order to achieve radical reconfiguration of the social and political structures of post-war Germany, so as to achieve two key objectives. On the one hand, the U.S. sought to create a democratic police force in support of a democratic Germany; while on the other hand it sought to maintain German police under the control of local, competing authorities in such a way that avoided any future possibility of a central police force ever again being co-opted into the war effort (Fairchild 1989: 456). In time, the post-occupation German state would gradually adapt this American legacy, ending up with a mixed system, somewhere between its traditional continental model of police (pre Nazi period), and the more de-centralised model imposed by American policy-makers in the immediate post-war period.⁵⁶

In Japan, police assistance in the post-war period followed a very different model, with reform of indigenous institutions achieved almost entirely through the Japanese politico-legal system (cf. Nakahara 1955). In fact, the Japanese police was, under MacArthur’s General Order Number One, exempt from surrender and disarmament (Chwialkowski 1998: 722). Although the process of police reform was initiated and supervised by Gen. MacArthur’s staff, no actual constabulary unit was formed or deployed in the Pacific Theatre by the Allies or the U.S on its own, as had been the case in Germany. One author offers an explanation of why this may have been so: “The decision to engage in an indirect Occupation meant that the police were indispensable to the Americans, and ensured that the institution would not be radically altered until other reforms had been successfully pushed through.” (Aldous 1997: 43)

But it is interesting to note that the US insisted on greatly increased numbers of police officers in post-war Japan, and also encouraged and supervised the creation of the National Police Reserve (NPR), a constabulary type force which, although always referred to as a

⁵⁶ This should not surprise us. Indeed, it points to an important feature in any governmentality analysis of liberal interventions: they have to suffer a process of “translation” so as to adapt to the specificities of local conditions. Indeed, if the hallmark of liberal government, as we have seen in chapter two, is the subtle mobilisation of the desires and expectations of the government, so as to align them with the programmatic objectives of government, then policies have to adapt to those same desires and expectations. Moreover, governmental interventions – although suffused by asymmetric power relations – nonetheless frequently engender resistance.

police force, *de facto* constituted an embryonic armed forces (Wildes 1953: 656)⁵⁷. The US Marines, which were deployed in-country some 2-3 months in advance of actual Allied military government, co-operated with existing police, who billeted them. Given the highly militarised nature of the Japanese Rural Police units, they liaised easily with Marines, but there was no actual deployment of an American constabulary. Instead, as early as February 1946, General MacArthur set in motion the process of police reform when

he requested the services of former New York City Police Commissioner Lewis J. Valentine. The Valentine Commission, together with a second body headed by Michigan State Police Commissioner Oscar J. Olander, planned the entire program of police reform. The Valentine group studied municipal police systems, while the Olander group prepared recommendations for reorganization of the rural police. (Braibanti 1949: 19)

The overhaul of the Japanese police structures was profound, and not only in terms of force structure, or regulatory framework. Indeed, even more so than in Germany, the US occupation effectively oversaw and implemented a change in policing paradigm: from an imperial police state which drew heavily on the *Polizeiwissenschaft* of pre-Weimar Germany and Napoleonic France (cf. Aldous 1997: 21-28; Jansen 2002: 400-402; Sims 1998; Tipton 1990: 45), to a democratic police force at the service of the public according to the model then in vigour in the U.S.. Lewis Valentine, himself a former police officer, made his intentions plain from the outset: ‘Stating that it was his intent to “see the Japanese police force patterned on that of New York City”, Valentine insisted that the Japanese police officer think of himself not as an object of control, but as a “real friend of the people”’ (Chwialkowski 1998: 724). The police were no longer to have jurisdiction on matters of public sanitation, fires, health and safety, labour organisations, and a myriad other issues reminiscent of 16th, 17th and 18th century Continental police traditions. Neither were they to be seen as an arm of the state apparatus potentially in charge of productively organising and administering all aspects of life (economic, social, political, and even intimate) and welfare in a system of well-ordered prosperity. Rather, they were simply an institution charged with the relatively negative and reactive role of ensuring public safety and fighting crime, in the service of their respective communities.

⁵⁷ In 1954, the NPR became the Japan Self-Defence Forces.

Interestingly, and tellingly, the model proposed by Olander and Valentine, and implemented under the supervision of MacArthur – even though it was realised in such a unique manner - followed one central tenet in common with the reform of post-war German police, and that was decentralisation. This was not simply a case of pure translating the American experience with a highly decentralised police organisation⁵⁸ into the Japanese context. Rather, the US clearly wanted to make sure that in this particular instance of nation-building (as was the case in Germany and Japan), the central state apparatus would be weak, at any rate in terms of having power over the institutions dealing with internal security. In a clear parallel with the German post-conflict scenario, “[a]ll towns and villages with a population of over 5,000 inhabitants were required to raise and maintain their own police”, which caused “the creation of over 1,600 police units, each operating as a separate force, with more than 1,400 supervising small towns and villages.” (Chwialkowski 1998: 724).

2.3. The gradual retreat from a constabulary strategy

Although the constabulary strategies deployed by the US, as we have seen, varied greatly according to the region, country and time, one can detect a number of common traits in the first 50 years of US international police assistance. Derek Lutterbeck has astutely observed that developments in security since the end of the Cold War and the attending shifts in security practices by Western liberal states, as analysed in chapter one above, have led to a blurring or de-differentiation of internal and international security fields and, as such, have once again brought to attention the crucial role of “intermediary” or constabulary forces (Lutterbeck 2004, 2005). During the period analysed in this section, post-conflict policing duties were accordingly performed by paramilitary forces, with actual training of local police forces generally not perceived as a priority. When they did take place, such efforts were usually *ad hoc* and short-term, and they were entrusted to, and performed by, private individuals (such as retired police chiefs, or military officers) under some sort of contract

⁵⁸ The US still possesses, to this day, no national police force. Police forces are essentially municipal in nature, and the overall picture is that of a bewildering patchwork of overlapping jurisdictions. With close to 18.000 independent police agencies in 2004 (USDOJ – BJS 2007), the picture by David Bayley sounds accurate enough: “The United States has no general principles for organizing [police] coverage. Almost any government can create police, unconstrained by considerations of geographical scale, overlapping jurisdiction, optimum size, or efficiency. (...) [T]here is a hodgepodge of autonomous forces created by various levels of government according to parochial considerations. American police coverage is made of patches on patches rather than tailored to fit.” (Bayley 1979: 124). For an excellent historical study on the municipal nature of police power in the US, and the changes brought about by the creation of federal police institutions, see (Novak 1996).

with the Departments of War or, more usually, the Department of State.

The German and Japanese experiences with post-conflict police assistance in the wake of major warfare and subsequent occupation hold some important insights, historically speaking, about US policebuilding strategies, both in terms of continuities and important ruptures. While still largely based on the use of constabulary force with executive authority to achieve public order prior to developing and training local police forces, and while still remarkably shaped by the demands of policebuilding in the wake of intervention and/or violent conflict, often in regions where the occupying forces enjoy little legitimacy with the populace, these experiences nonetheless sowed the seeds of change in terms of US approaches to policebuilding.

The first step was a gradual recognition, still below the level of actual articulation but quite visible when pouring over the difficulties faced by each successive US intervention, that there was no actual framework – legal, institutional, budgetary – to deal with policebuilding proper. As a result, one can see that the experiments with police assistance in both Germany and Japan, unlike most earlier attempts, actually emphasised and followed through on the development of local police capability. Secondly, they started a preoccupation with the reform of the wider structures (legal, political, institutional, and social) in which police-(re)building must perforce occur. And finally, and perhaps more importantly, these variegated experiences at the end of the Second World War began highlighting the connection between state-building (especially re-making internal structures of security governance in a way conducive to particular forms of modern liberal government) and democracy promotion (as evinced in discourses of democratising the police *and* democratising through the police) as intertwined overall strategies within which US police assistance would take place. In short, the lessons drawn from police assistance until the Cold War, as discussed in the next section, opened the way for the creation of more specific, durable institutions and policies of international police assistance. This also reflects a slow, gradual change in paradigm from wanting to establish a rough semblance of order in post-conflict scenarios, to the linking of policebuilding with democratisation, the overarching concern of US foreign policy since at least the 1990's.

3. “Foreign internal security assistance” - The Cold War years

Regarding American deployment of police assistance abroad, the Cold War years, from the mid-1950s to the creation of the International Criminal Investigative Assistance Program (ICITAP) in 1986, were a remarkable period in at least two ways. The first, as shall be analysed further below, is the degree to which institutional and intellectual developments in the field at this time came to shape in significant ways the evolution of US police assistance, allowing the overall paradigm of police assistance to transition gradually from earlier ad hoc interventions deploying constabulary forces to maintain public order in post-intervention scenarios, to a much more constant, sustained and articulated policy of support, training and equipping foreign police forces, in order to develop local capabilities and (to a degree) local ownership of the process. Similarly, it was a period that highlights the transition from an essentially militarised form of police assistance taking place in a vague institutional haze, and almost without means of regulation or effective legislative oversight, to a policy environment characterised by multiple competing agencies seeking to achieve the status of lead nation or focal point, a growing primacy of civilian agencies and concepts (at least until 2005), and heavy regulatory framework – paradoxically, as a result of so many ideologically tainted abuses of human rights in Latin America during this period. Moving from the structural to the programmatic level, the operational concept at this time was that of “foreign internal security assistance”, that is, assistance to the internal security forces (police, gendarmeries, paramilitary groups) of foreign countries in the context of anti-Communism and counter-insurgency. The key player throughout this period was the Office of Public Safety.

3.1. Policebuilding as anti-communism – The Office of Public Safety (1962-1974)

The bases for the establishment of the Office of Public Safety were created under the Eisenhower administration in 1957, and the effort saw a substantial follow-through during the Kennedy years. A previous study, commissioned in 1954 by the National Security Council, had focused on strengthening “(...) the internal security forces of friendly foreign countries” and on developing a coordinated effort to deliver police assistance abroad as a “first line of defense” against “subversion” (LeFever 1973, quoted in McClintock 2002). A spate of “Public Safety Programs” ensued, from as early as 1955 (in Indonesia) (McClintock 2002), and although prolific evidence has since then come to light that proves beyond doubt the extensive infiltration and instrumentalisation of such Public Safety

Programs by the CIA, the majority of experts on the ground were civilians with a law-enforcement background. The result was the creation of an Overseas Internal Security Program, and later on – in 1962 - the Office of Public Safety itself⁵⁹. Officially under the aegis of the International Co-operation Administration (AID's predecessor) and then the USAID, the Office was in fact closely linked to the CIA (cf. Lobe 1983). In fact, its director from 1962-1973, Byron Eagle, was widely rumoured to be a “Company man” himself (McClintock 2002).

Police training in these instances was seen essentially as a means of fostering a sort of “early warning” system that would allow the US to anticipate social upheaval, “subversive activities” and Communist infiltration (Rosenau 2003; Jones et al 2006: 10-11). Training thus clearly emphasised the police function as an arm of state power (a police *force*), rather than a service for the citizenry (a police *service*). Most treatments of these policies have focused this aspect, highlighting the negative, repressive, and violent nature of US police assistance during this period. Martha Huggins, for example, explores in detail the origins of OPS, and particularly the effects in Latin America, where she highlights the centrality of disciplining labour relations, and squashing any political dissent (Huggins 1998). While this denunciation is highly important, especially in that it sheds light into former human rights abuses, and potentially triggers a “lessons learned” mentality regarding “foreign internal security assistance” in US foreign policy with important repercussions today (cf. Jones et al. 2006), it nonetheless presents only a partial view of things.

The work of Robert Holden offers a richer and more interesting view as he speaks of two main motives for US involvement in Central America during the Cold War years in *productive* terms, what he dubs the twin objectives of “modernisation” and “security” (Holden 1999). In fact, separating the two is not as interesting as seeing their

⁵⁹ The National Security Council memoranda which led to the eventual establishment of the OPS under the Kennedy Administration can all be found online. With suggestive and transparent titles such as “Training for Friendly Police and Armed Forces in Counter-Insurgency, Counter-Subversion, Riot Control and Related Matters” (NSAM 114) or the laconic “Police Assistance” (NSAM 177), they are an invaluable instrument to understand the changing rationalities of police assistance in Washington at the time. The latter document, NSAM 177 of 7th Aug. 1962, was crucial for the creation of the OPS, and also its location within AID. Stating that “The US should give considerable greater emphasis to police assistance programs in appropriate less developed countries (...)”, it charged the Administrator of AID “(...) in his capacity as coordinator of US aid programs, with responsibility for coordination and vigorous leadership of all police assistance programs; that he establish an interagency policy group, to be chaired by his designee, to assist him in this responsibility.” (NSC 1962). The memoranda can be found online in the John F. Kennedy Presidential Library & Museum collection: <http://www.jfklibrary.org/Historical+Resources/Archives/Reference+Desk/NSAMs.htm>

interrelationship and the tension between them, and to bring out the fact that, as this dissertation has been highlighting since the beginning, the US often attempted to modernise through security, and secure through modernisation. However, Holden makes a powerful case, and allows us to highlight two important aspects of US police assistance during the Cold War years. On the one hand, it is important to note how, in assisting the internal security forces of host countries in Central and South America, the US was not only providing resources that ultimately allowed local elites to stay in government through non-democratic means and brutally suppress any dissent or opposition, but also – and more crucially – the US was again using police assistance as a prime tool of its foreign policy. Thus, under an essentially technical rubric – development aid to governments in its sphere of influence – the US managed, if not to promote a particular (liberal) logic of governance, at least to impede a competing (illiberal) rationality of government to take hold. Once again, development aid tools and national security objectives were inextricably linked. On the other hand, as noted also by Holden, regardless of the atrocities to which it unfortunately led, this policy of building up police forces in Third World countries in effect amounted to a long exercise in state-building, by boosting the state’s capacity in terms of surveillance and the monopoly over the means of coercion. Another author, specifically making the bridge between this reasoning and the centrality of modernisation theory within the context of Kennedy’s foreign policy, concurs:

Foreign internal security assistance, as a component of counterinsurgency, reflected tenets of modernisation theory. Central to that theory was a belief in the importance of strengthening institutions of the state. As articulated by administration strategists, the role of police and paramilitary forces was to expand the presence of the state, and to shield fragile institutions from communist subversion during the difficult transition to modernity. (Rosenau 2003: 66)

The impact of the OPS should not be underestimated. In little more than a decade (and less than two even if we consider the earliest “public safety programs” under Eisenhower), it trained and/or equipped over half a million personnel in more than 41 countries (McHugh

1994)⁶⁰, where it also significantly boosted institutional capabilities (albeit in a lopsided manner that over-privileged the host countries' security institutions)⁶¹. Furthermore, the OPS represents a line of continuity between the Eisenhower and the Kennedy administrations, without major differences except in “packaging” (Rosenau 2003, *passim*). More importantly, its workings also crystallise the emerging doctrine of US police assistance as it operated throughout the Cold war years, and allow us to have a glimpse of the lines of change and continuity in this policy.

Four issues stand out in this respect. First, one must highlight the importance of police assistance instruments in contexts where military training and assistance - or indeed full-fledged military deployment - would be unacceptable. This led to a regime of practices that gradually came to emphasise the “local ownership” of security tasks, and the need to develop local institutions and skills to cope with security demands (cf. Rosenau 2003: 72), a trait significantly different from earlier experiences in the circum-Caribbean region, and somewhat more mature and constant than during WWII.

Secondly, the interpenetration of programs and agencies involved in bilateral police assistance, ranging from U.S. military advisors (albeit in ever-decreasing roles as far as actual police training was concerned), to the Department of State through USAID, to the CIA and the Drug Enforcement Association. This inevitably created a sort of institutional fog, filled with tensions (not least between civilian and paramilitary agencies), a feature of U.S. police assistance that has remained to this day. This dispersion of authority and objectives in terms of agencies involved is mirrored in the variety of instruments used to deliver police training. These included exchange programs, with foreign counterparts typically coming to the U.S. for relatively short periods of intensive training at American institutions, the use of contractors to deliver in-country assistance and training, to the

⁶⁰ Different authors present conflicting numbers. While the chapter generally follows the numbers resented by Heather McHugh in an official report by the Congressional Research Office (McHugh 1994), at least two other prominent authors – Charles Call (Call 1998: 317) and Martha K. Huggins (Huggins 1998: 111) – indicate a much higher figure, citing sources to support their view that the OPS trained over a million police personnel during its brief tenure. Whatever the case, both figures would support this section's general argument about that the impact and influence of the OPS on subsequent US experiences with police assistance should not be underestimated, the paucity of literature dealing with it notwithstanding.

⁶¹ This stance is clearly linked to the perspective of Samuel Huntington, who not only recognised the trend in his *Political Order in Changing Societies* (Huntington 1968), but spoke approvingly of it. Echoing the general ethos patent in American security assistance circles at the time, Huntington suggested that a country's security forces are often the best equipped to lead a nation through the stages of development while simultaneously keeping potential social unrest resulting from rapid modernisation under control.

creation of purpose-built training institutions, such as the original International Police Academy which today has several successors (Huggins 1998: 108-115, Marenin 1998).

Thirdly, it is important to note the emphasis placed, at the level of the overall intellectual trends informing U.S. police assistance abroad, on internal security institutions – in particular the police – as visible markers of state power, and as “barometers” of a state’s ability to perform. This bears witness to the gradual linking of security assistance (and therefore the overall objectives of the U.S. national security) with modernisation theory, and a drive to develop Third World countries. This marks an important step in articulating the ideas of “security assistance as development” (so prevalent today) and “development assistance as obtaining security”, particularly the intellectual strand that affirms the link more and better governance institutions (including security governance) and the U.S.’s ability to diminish or at least manage security threats of a non-military nature. Finally, on a very practical level, it is important to note here the beginnings of the association between U.S. police assistance abroad and a counter-narcotics strategy, a move which would have enormous impact for the future (cf. Neild 2005; Kuzmarov 2003).⁶²

Despite the centrality of Office of Public Security in reorganising and giving shape to American international police assistance efforts, nothing could mask its instrumental role in supporting – sometimes directly participating in - repressive regimes and repressive practices abroad, which included kidnappings, torture, assassination and other grave human rights abuses⁶³. Criticism of the OPS and U.S. security aid more generally became strident and extensive, especially in a time of widespread protest against the Vietnam War and the rise of domestic social activism, and it reached the highest levels of government. Under pressure from Senators James William Fullbright (who had started criticising the methods the OPS employed or promoted in Latin America as far back as 1966) and James Abourezk (Huggins 1998: 113-115; Nadelmann 1993: 116), a worried Congress took firm action, and the Office was finally dissolved in 1974, under a legal provision in the Foreign Assistance Act called Section 660. This section, entitled “Prohibiting Police Training”, clearly stated that

⁶² The OPS started counter-narcotics work in Iran and it included “specialized narcotics training” into the curricula at the International Police Academy (Lafever, quoted in McHugh 1994: 12)

⁶³ For the most comprehensive, and most current, overview of the OPS’s repressive acts, which nonetheless links it convincingly with the modernisation ideas behind American foreign policy cf. (Kuzmarov 2009)

On and after July 1, 1975, none of the funds made available to carry out this Act, and none of the local currencies generated under this Act, shall be used to provide training or advice, or provide any financial support, for police, prisons, or other law enforcement forces for any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government within the United States or abroad. (Foreign Assistance Act 1961/2002: 358-359)

3.2. An exceptional decade (1975-1985)

However, despite the stringent prohibitions imposed by Congress between 1974 and 1975, largely to curb or avoid altogether the excesses associated with the Office of Public Safety, international police assistance continued to be a key instrument of U.S. foreign policy. Despite the tone of finality in Section 660, and while the institutional focal point that had been the OPS was irretrievably gone – and rightly so, given its track record in human rights abuses – the various components of police assistance were again dispersed (Nadelmann 1993: 118-120). Through a number of exemptions, particular programs and institutions have been excepted from the ban, and allowed to pursue foreign aid policies in the area of police assistance and reform, a fact that is candidly acknowledged in both the academic literature and its policy counter-parts. As one scholar succinctly puts it,

The general prohibition of aid for police has, nevertheless, not hindered the evolution of a gamut of programs through what can be described as a “policy of exemptions” to Section 660. Rather than preventing police assistance as originally intended, the section's statutory authority has been hollowed out by a series of exemptions that have created multiple channels of funding for diverse programs through multiple agencies. (Neild 2005: 66)

Even when institutions were closed down – such as the pioneering International Police Academy – that represented only a temporary lull.⁶⁴ And USAID, despite being mired in legal restrictions, was still conducting assistance under the heading of anti-narcotics, right

⁶⁴ In 1995, the Clinton Administration, as part of its strategy to combat transnational crime and strengthen foreign criminal justice systems, paved the way for the opening of a series of International Law Enforcement Academies (ILEA's) to serve as regional focal points for delivering some police assistance, particularly in terms of renewing and modernizing curricula, and imparting organizational and management skills to foreign police personnel. Direct heirs of USAID's international Police Academy, there are currently five ILEA's (Budapest, Bangkok, Gaborone, San Salvador and Roswell New Mexico), which handle a large amount of US bilateral police assistance outside post-conflict intervention scenarios. For further information on ILEAs, see the DoS's website on the subject, available online at: <http://www.state.gov/p/inl/ilea/>

through the 1980's and 1990's (McHugh 1994: 12-16).

However, such efforts were disjointed. In the words of one policy analyst, this multiplication of sites and programs has created “patches of agency turf and competition for programs and funds”, in such a way as to make it “impossible to have a national police assistance program or to develop policy guidelines and coordinated programs within the parameters of current law and funding” (Neild 2005: 66). As an analyst for the Congressional Research Service candidly echoes in a 1994 report for Congress, “[t]he US government lacks a clear and consistent policy on the role of US assistance to police forces in the new and emerging democracies” and went on to notice how “[it] lacks clearly defined program objectives; lacks a focal point for coordination and decision-making; and lacks a means for determining whether individual programs and activities support US **policy** or contribute to **overall US interests**.” (McHugh 1994: 5, emphasis in the original) The OPS, for all its immense faults, had provided a focal point for articulating (albeit with tensions and difficulties as mentioned before) US policy on bilateral police assistance, but after 1974, no such institutional focal point existed, leading to further disarticulation between the agencies still involved in some type of police assistance. *Ad hoc* interventions became common, as indeed they had been until the aftermath of WWII.

Perhaps the most striking illustration of this process is the fact that, starting in 1983, the Reagan administration had obtained from congress the first of a series of “waivers”⁶⁵ from section 660, in order to implement – again through the Agency for International development - a series of “administration of justice” programs in Latin America (Call 1998: 318-320). These exemptions, and the resulting “administration of justice” programs, confirm the insight that the Cold War years in general, and the decade between 1974 (the abolition of the OPS) and 1986 in particular, were an exceptional and transitional period. In terms of deploying police assistance abroad, one can perhaps speak of a gradual but very thorough hollowing out of the legal restrictions on police assistance. In fact, for the meagre eight lines of Section 660 quoted above which clearly prohibited all police assistance of any kind abroad (Sub-section (a)), there are three sub-sections, seven clauses,

⁶⁵ While the literature often mentions such exemptions from section 660 as “waivers”, this is perhaps not a correct terminology. In this chapter either the legal term is used under scare quotes, or else referred to as exemptions and exceptions more generally. I thank Nina Serafino, of the Congressional Research Service, for pointing this out to me and guiding me through the intricacies of the legal apparatus surrounding Sec. 660.

and a whopping 53 lines of legal code that detail all manner of exceptions and exemptions to the rule. This is of course not mentioning a raft of other legal provisions in the Foreign Assistance Act which specifically permit and regulate other police assistance activities. In fact, this hollowing out – which corresponds roughly to the gradual *dénouement* which preceded the end of the Cold War – makes one wonder, as some analysts do, whether one should even keep Section 660 at all within the newly amended Foreign Assistance Act⁶⁶.

Inevitably, the Cold War logic of containing the spread of global communism pervaded the Reagan administration's attitudes towards police assistance, and towards the restrictions that Congress had imposed on it. In fact, Assistant Secretary of State for Inter-American Affairs Elliot Abrams testified before Congress in 1984 that the “flat ban on aid to police forces [was] counterproductive” and that it “really would be awfully helpful if we could do that” once more (Abrams, quoted in Cottam and Marenin 1989: 589)⁶⁷. Thus, while Reagan's administration sought to clearly distance itself in the public's eye from the human rights abuses perpetrated under the guise of police assistance at the time of the OPS, it nonetheless pressed hard to retain some capability to train and assist security forces abroad.

This was a notoriously strong policy drive when it came to Latin America, and such a move must be understood within the context of the 'second Cold War', Reagan's 'Evil Empire' speech and the consequent hardening of American policies⁶⁸. Following the recommendations of a 1984 report by the National Bipartisan Commission on Central America (chaired by none other than Henry Kissinger) with regards to resuming police assistance, the Reagan administration actively sought to change “the law while

⁶⁶ DC16, personal communication with the author, Washington D.C., 11th December 2006; and DC2, personal communication with the author, Washington D.C., 7th November 2006.

⁶⁷ It is interesting to notice here the early involvement of Elliot Abrams in lobbying Congress for lifting the prohibition on American police assistance, given his well known ties to the neo-conservative movement, and his controversial tenure in the Bush Administration (Dobbs 2003).

⁶⁸ One can also make some sense of this through Jeanne Kirkpatrick's work. In her controversial but immensely influential article “Dictatorships and double standards” (Kirkpatrick 1979), she argued that American policies, especially in Latin America should heed the distinction between totalitarian left-wing regimes of the Soviet style, and right-wing authoritarian regimes. In her view, while the former would never liberalise, the latter could (and were also useful allies in fighting the spread of communism). In this light, police assistance to right-wing dictatorships in Latin America had a double-advantage: it would support stable and friendly authoritarian regimes in the region, helping them stop communist infiltration and it might in the long term produce a modicum of liberalisation, or at least relaxation of police authoritarianism.

systematically skirting the edges of the Congressional prohibition on police assistance. It also used two other means and justifications – the international war on drugs and the suppression of terrorism – to supply aid to police forces in Central America” (Cottam and Marenin 1989: 590)

It is in this context of flux and exceptionality that the next institutional pivot – and the longest standing authority - for U.S. international police assistance would come into existence, as we shall see next.

4. Building law enforcement institutions worldwide since 1986 – enter the ICITAP

4.1. The ICITAP in its own words

The International Criminal Investigative Training Assistance Program (ICITAP) was created in early 1986 by the Reagan Administration, for a very particular purpose – in order to manage the latest of a series of “administration of justice programs”, in El Salvador (Call 1997: 320). The US Congress, in response to negotiations with the State Department about how best to circumvent the restrictions of section 660 and thus ensure the prosecution of crimes against American victims in El Salvador, expanded the criteria for exemption in terms of “administration of justice”. The legislation which contains this crucial – if, at the time, fairly *ad hoc* – element in the history of US police assistance is known as Section 534, and clearly states that ‘[t]he President may furnish assistance under this chapter to countries and organisations, including national and regional institutions, in order to strengthen the administration of justice in countries in Latin America and the Caribbean’. It was this legislation that was used as the basis for establishing the ICITAP within the Department of Justice – although the agency was created to administer programs designed and funded by the State Department and the US Agency for International Development (Call 1997: 320, Perito 2002: 19). Although initially only mandated to develop the investigative capabilities of local forces, Charles Call argues that by 1987 ‘(...) Congress had become sufficiently comfortable with ICITAP to expand section 534(b) (3) to two other critical areas: police management generally and police academy curriculum development’ (Call 1997: 320). Legal authorisation of more and more areas ensued as section 660 became gradually hollowed out, so that in the 1990’s the ICITAP was already fully authorised to

reconstitute civilian police authority and capability in the post-conflict restoration of host nation infrastructure for the purposes of supporting a nation emerging from instability, and the provision of professional public safety training, to include training in internationally recognised standards of human rights, the rule of law, anti-corruption, and the promotion of civilian police roles that support democracy. (Foreign Assistance Act 1961/2002)

On the one hand, this it highlights how remarkable it is that such a small agency, established for such a particularistic mission, and within such a complex institutional and legislative set of arrangements, would become, in less than a decade, the ‘most significant bilateral police aid program in the world’ (Call 1997: 316). On the other hand, it serves to remind us that, although the ICITAP remains to this day “the only [US] government institution created specifically to provide foreign assistance directly to the police” abroad, “[i]n terms of government organisation, ICITAP is an anomaly” (Bayley 2006: 39).

Regarding the first insight, if the period immediately following 1986 corresponds to ICITAP’s institutional infancy, then the 1990’s – and especially the Clinton years – correspond to a period of dramatic expansion for ICITAP, both geographically and functionally. *Geographically* because the ICITAP soon began to extend its administration of justice activities, and its training activities as well, from its birthplace in Central America and the Caribbean to the rest of Latin America. Although a 1993 government report commissioned by Congress noted somewhat disparagingly that Latin American programs still made up the bulk of ICITAP assistance efforts (GAO 1993), and that the Program had not acted in a swift manner in recognising the opportunities presented for police assistance in Central and Eastern Europe in the wake of the Soviet collapse, a cursory review of ICITAP programs since then (cf. Table 1, below) shows a different picture. In fact, less than a decade later, Central and Eastern Europe as well as the Central Asian republics constitute– depending on which data one relies on⁶⁹ – either the most important target of ICITAP programs on police assistance, or the second most important, closely behind Latin America.

⁶⁹ The data in Table 1 reflects the information publicly available from ICITAP’s homepage (ICITAP 2007a, 2007b, 2007c, 2007d). However, for Latin America, conflicting data exists, as the Washington-based Centre for International Policy fact sheet on ICITAP (CIP 2007) lists at least 10 active programs in that region – this data is indicated in parenthesis.

Functionally, what started out as an interdepartmental office dealing with “administration of justice” programs aimed at improving prosecutorial standards in Central America has since “(...) expanded to encompass two principle [*sic*] types of assistance projects: (1) the development of police forces in the context of international peacekeeping operations, and (2) the enhancement of capabilities of existing police forces in emerging democracies.” (ICITAP 2007a). The ICITAP now provides, alongside training in improving the standards of criminal justice and prosecution in host countries, training in a host of other skills – from technical assistance (forensics, for instance) to curricular and institutional development skills such as “(...) recruitment and selection process, budgeting, policy development, supervision, and management.” (ICITAP 2007b)⁷⁰.

	Latin America	Africa	Central & Eastern Europe	Central Asia	Asia-Pacific
Current programs	4 (10)	3	7	8	2
Upcoming programs	-	4	2	2	-
Total	4 (10)	7	9	10	2

(Table 1 – ICITAP programs worldwide 2002-2007, by region⁷¹)

In short, then, if during the mid-1980’s the ICITAP was struggling to find its place within a complex U.S. governmental machinery in charge of foreign police assistance, and it sought to carve a space for itself within a tangled and tight legislative space under the watch of the U.S. Congress, in less than two decades the Program was already able to comfortably re-brand itself as a key player in American foreign policy programs (cf. Neild 2005: 83). In

⁷⁰ In its 2007 brochure, ICITAP described their approach to policebuilding as “a holistic approach toward training by providing general and specialized policing courses to senior and supervisory officials, rank-and-file personnel and support staff. ICITAP also supports the development of police academies as well as the knowledge and skills of academy instructors so they can in turn provide basic- and enhanced-skills instruction to recruits and new or refresher training to other members of their organization (...). ICITAP’s comprehensive training methodology is geared toward helping the host country’s law enforcement organisation institutionalize academy-taught precepts such as community-based policing into their daily operations.” (ICITAP 2007b)

⁷¹ The regional divisions within ICITAP have changed to reflect its adaptations to the existing programs, and the program’s strengths. As of late 2008, the ICITAP major regional divisions were “Africa and Latin America”, “Asia-Pacific”, “Europe/Eurasia” (which focuses almost exclusively in the former Soviet-bloc countries), and finally a small division dealing solely with Iraq and Afghanistan. DC31, personal communication with the author, via telephone, 13th November 2008 (cf. Supplementary Sheet).

fact, as its own brochure acknowledges, ICITAP became adept at making the most of the Clinton administration's strategy of linking democracy-promotion and the control of transnational criminal flows to the national security of the US:

ICITAP recognises that two of the U.S. Government's major international priorities are to promote democracy and control transnational crime. Law enforcement as part of the criminal justice system has a major role in both areas. In order to thrive, an emerging democratic government must create an effective democratic police agency that can protect life, property, and human rights and enforce the rule of law. Protecting life and property involves controlling transnational crime, which requires strengthening foreign police agencies' ability to effectively detect, investigate, and forward for prosecution those persons involved in transnational crime. Effective foreign police services serve both their domestic law enforcement needs and become an effective partner with U.S. law enforcement. (ICITAP 2007c)

As a result of this, ICITAP became gradually more and more focused on bilateral programs aimed at reforming the police system of nations transitioning to democracy, and gradually less focused on implementing large programs of policebuilding in countries emerging from conflict such as Iraq and Afghanistan. In its website and information fact-sheets, ICITAP still formally maintains a commitment to all three major types of police assistance missions (emerging democracy and developing countries, post-conflict reconstruction and peacekeeping missions, and nations of the frontlines of the War on Terrorism). However, an analysis of programs currently running shows a much greater concern with programs occurring within the first category (ICITAP 2007d).

This may not be a decision of ICITAP's own doing, however. It is much more accurate to describe this lack of ICITAP participation in the major American policebuilding efforts in Iraq and Afghanistan in terms of organisational or bureaucratic competition, a competition which the ICITAP has been consistently losing on. For instance in Iraq, ICITAP presence has been minimal, and then only as a subordinate of the State Department's INL bureau initial efforts (DC29, personal communication with the author, 19th December 2006). In any case, the ICITAP's program was soon eclipsed by the Pentagon's efforts in reconstituting the Iraqi police, as detailed by Anthony Cordesman (Cordesman 2005: 82). In Afghanistan, the situation is even starker, with the ICITAP virtually kept out of the loop in terms of policy planning and implementation. In response to a recent U.S. government report evaluating the progress of the policebuilding in Afghanistan, ICITAP's deputy

director Robert Carr Trevillian complained that while in his view the program is “uniquely qualified to develop, implement and manage such a large scale program effort”, decisions by other agencies on the ground have effectively ignored this capability:

ICITAP currently has almost no role in on-going program efforts to assist the Afghan police forces. While the report notes that ICITAP developed curricula for the Afghanistan mission, it does not speak to this matter, and it does not clearly articulate the role the Department and ICITAP should play in future program efforts. We continue to be dedicated to interagency cooperation and the ultimate success of the USG’s mission in Afghanistan, but are concerned that our expertise is not being utilized - much to the detriment of the USG’s efforts. (Trevillian, quoted in GAO 2005)

The following and final section will try and make sense of these developments, examining ICITAP’s evolving role within the contemporary regime of policebuilding in terms of its major contribution, but also its drawbacks - which ultimately led the program to lose the pre-eminent position as the lead agency in America police assistance programs in post-conflict settings.

4.2. Promise and problems with the ICITAP

The greatest contribution of the ICITAP for the evolving American regimes of policebuilding was that it served, for a while, as an important focal point through which to channel U.S. bilateral assistance to foreign police forces. In the 1990s, it did so in a fairly programmatic and relatively sustained way. It also shifted the balance in U.S. policebuilding efforts in two major ways. On the one hand, in terms of the rationalities informing police assistance, it changed the grounds from anti-communist counter-insurgency to an explicit preoccupation with the rule of law and the promotion of democracy. On the other hand, in terms of the regimes of practice associated with the delivery of U.S. police assistance on the ground, it crystallised the demilitarisation of such missions, turning policebuilding into an increasingly civilian activity and privileging “institutional development over short-term training” (Call 1998: 362). As such, ICITAP’s activities reveal an important contribution in terms of seeing and enacting policebuilding as a form of technical assistance, premised upon a pedagogy of security that effectively merges America’s preoccupation with security governance, foreign assistance, and democracy promotions.

Despite optimistic assessments, however, one should not overemphasise the role of ICITAP. Indeed, much of what was being diagnosed retrospectively by USAID analyst Heather McHugh in 1994 would still hold today. In other words, save for the implication of American policebuilding in gross human rights violations, U.S. police assistance programs under ICITAP are still plagued by issues of poor coordination (both between the U.S. and host countries, the U.S. and other donors, and between American agencies), and “the tendency for program slippage from the original objective(s) to other activities” (McHugh 1994: 1).

Regarding the latter issue of program slippage, McHugh details the consistent trend in American policebuilding to slip “from law enforcement activities to security activities” more broadly (3-4). In terms of coordination issues, she points out that the “lack of a clear policy on the role of US assistance to police forces for the past two decades [1974-1994]” has meant that “each program is managed individually”. She concludes by stating dejectedly that “while the need for coordination of police training activities is obvious, few (if any) suggestions for how to coordinate police training activities emerged from a review of the literature” (McHugh 1994: 3)

In organisational terms, it does not help that although the ICITAP is located within the Department of Justice, its funding comes mostly from USAID, and its supervision on specific cases emanates essentially from the Bureau of International Narcotics and Law Enforcement Affairs (INL) in the Department of State. As David Bayley puts it, “(...) [t]he sole organisation in the US government whose statutory purpose is assisting police abroad operates through bureaucratic slight-of-hand rather than by coherent authorisation and consistent Congressional oversight” (Bayley 2006: 39, quoting Perito). This complex network – which had tremendous impact on both supervision and finance issues – has resulted in policy-making processes that were at times not very clear, and has also resulted in either failures of coordination or debilitating tensions between the Departments of Justice and State (GAO 1999: 4-5). As far back as 1998, the Government Accountability Office was already reporting “some disagreement had developed between Justice and State concerning State's role in directing ICITAP's police training program. In particular, Justice wanted a larger role in developing law enforcement policy and program priorities” (4).

This was premised in the realisation that the ICITAP was becoming a de facto sub-contractor, working to merely implement programs under the supervision of the INL (cf. Fair and Chalk 2006: 109).

Adding to this are chronic shortcomings in terms of staffing: the ICITAP has only a very small number of full-time personnel⁷², it draws mostly from federal law enforcement agencies (especially the FBI) on short-term contracts or “loans” (Call 1998: 360-361). As a result the program outsources – without all the adequate means of oversight and regulation – a fair amount of its work. Moreover, it can be said with fairness that in the main, ICITAP’s staff is composed of a mixture of experienced career technocrats and retired federal law enforcement officials, both of which are very attuned – perhaps overly so – to the interests, needs and trends of Washington politics. What it patently lacks is a large cadre of people with extensive experience of the areas in which ICITAP intervenes, and who understand the social, cultural, and linguistic intricacies of their host country⁷³ – a problem which has, in general terms, plagued US international police assistance efforts since the beginning.

Finally, these internal problems with personnel and budget were compounded by charges of widespread irregularities and malfeasance within the program, including staff at the most senior level. These problems were exposed by a whistle-blower, which in turn led to a minor scandal and a prolonged inspection in the late 1990s by the Justice Inspector General, which severely tainted the image of ICITAP in Washington circles (DC21, personal communication with the author, 14th December 2006; Dettmer 2000; GAO 1999: 4; Grassley 2000). All of these factors combined have led to a degree of sluggishness in ICITAP’s performance regarding police training activities.

The creation and maintenance of ICITAP, and the expansion of its mission – geographically as well as functionally – marks a high point in the transformation of

⁷² ICITAP documents speak of “approximately 40 federal employees” working at headquarters in Washington D.C. in 2008. When speaking of its field operations, currently active in 16 countries, the document is less clear – it speaks of “19 federal managers”, and states that its largest field office (excluding Iraq) is staffed by 39 personnel. However, the document does not provide exact numbers for federal employees and contractors, either per office, or overall, stating only that “hundreds of contractual advisors, instructors and support personnel serve ICITAP’s programs worldwide” (DoJ 2009: 1-2)

⁷³ Interview with former ICITAP police assistance expert (DC21, personal communication with the author Washington DC, December 14th 2006).

international police assistance from an essentially military framework to a civilian one, concerned with issues such as human rights, oversight and accountability, and in general following some basic tenets of modernisation theory mentioned above in relation to previous regimes. As such, while ICITAP indeed illustrates some degree of rupture between American regimes of policebuilding, especially given the degree to which they increasingly emphasise a civilian ethos of technical assistance, it is nonetheless another step in the enmeshing of security and development - a strong line of continuity in American police assistance.

CHAPTER 4

MODULATING DOMAINS OF INSECURITY⁷⁴ – THE EVOLUTION OF U.S. POLICEBUILDING REGIMES FROM CLINTON TO BUSH

1. The Clinton legacy

Bill Clinton's administration (1993-2001) is often characterised, in terms of its foreign policy, as almost exclusively focused on the pursuit of prosperity and the promotion of global regimes of trade and economic integration, with the late addition of a flimsy 'Clinton Doctrine' on democratic enlargement and humanitarian intervention, often decried as inconsistent and/or dangerous for U.S. national interests (Rieff 1999). As a consequence, Clinton and his administration have been chastised from conservative and neo-conservative quarters alike for a 'soft' position on security issues (cf. e.g. Gertz 1999, 2000; Kagan 2000; Muravchik 1996: 139-170; Zakheim 1993) a position that has become almost commonsensical since the September 11th attacks (cf. Lowry 2004, Patterson 2004). While it is true that Clinton oversaw a downsizing of the US military in the aftermath of the Cold War, this should not be taken *prima facie* as a sign of a weak or disgruntled security policy.

Rather, it is this chapter's contention that Clinton and his administration oversaw a pivotal moment of re-articulation of the US government security agenda, whereby not only security policy became much more preoccupied with transnational criminal issues as new security threats, but also laid the groundwork for linking this trend with democracy-promotion strategies and the issue of state-failure/state-building. On both counts, then, the Clinton administration decisively structured the security agenda within which international police assistance would happen: on the one hand it bolstered mechanisms for international co-operation in fighting instances of transnational organised crime, while on the other hand it sought to create sustainable institutions and policies for strengthening/reforming criminal justice and rule of law instruments in countries emerging from complex emergencies.

⁷⁴ I borrow the idea of modulating domains of insecurity from Jef Huysman's recent monograph *The politics of insecurity* (2006: esp. 3-10)

In this sense, then, Bill Clinton and his cabinet oversaw a gradual transition between regimes of security assistance. Picking up from previous experience in deploying police forces abroad for effecting security governance in post-intervention settings – as detailed in the last chapter, – Clinton’s foreign policy team sought to adapt such experiences to the security architecture of the post-Cold War world. On the one hand, Clinton’s agenda for an “international crime control” strategy affirmed the importance of deploying U.S. police transnationally, and integrating the Department of State and the Department of Justice into the national security strategy of the country. On the other hand, even as Clinton sought to create an institutional framework for dealing with international crime through increased and improved security governance, the dismal experiences of the U.S. in post-intervention security sector reform in the early- to mid-nineties pushed his administration to rethink American policebuilding. The resulting legislation (Presidential Decision Directive 71) sought to set the tone for future policebuilding strategies as multilateral enterprises within a UN framework, aimed at improving local capabilities and ownership in the wake of violent conflict.

The first section of this chapter traces the policy processes through which the Clinton administration gradually but inexorably shifted the American security agenda in the post-Cold War world to an understanding which emphasised criminal transnational threats to the U.S.’s national interests, an innovation in comparison with the previous (Reagan and Bush Sr.) administrations. Following that, the second section analyses the innovations introduced by the Clinton administration regarding the internationalisation of U.S. law enforcement, both at the legislative and institutional levels. After looking at how U.S. policebuilding strategies became progressively more intertwined with humanitarian interventions and peacekeeping/peacebuilding missions during the 1990’s (especially Somalia), the chapter then moves on to map the lines of continuity and rupture between the Clinton and George W. Bush administrations, especially as the latter increasingly made sense of international security threats and subsequent security policy in terms of state-weakness and state-building, and within the context of the global war on terror.

1.1. Shifting the national security agenda

Despite frequent criticism for his “squandered presidency” (Haas 2000) in terms of a 'soft'

foreign policy characterised by its 'relentless subordination to domestic policy' (Muravchik 1996: 139), leading some to doubt whether there was ever anything like a Clinton Doctrine governing US foreign relations during most of the 1990's (Dumbrell 2002), Bill Clinton was far from a neophyte who paid no attention to international affairs and recoiled from action in the world stage. In fact, as highlighted by another account of his presidency, Clinton "was better educated in foreign affairs than many of his predecessors" (Hyland 1999: 15). However, and unlike Bush Sr., he had no real direct experience of foreign policy making (Cameron 2005: 18, Hyland 1999: 15). While he may indeed have downplayed this throughout his first election campaign (Hyland 1999: 15-18), and while during his first mandate in office he indeed followed a fairly hands-off and delegated style of conducting the nation's foreign affairs, he was certainly intellectually prepared to comprehend the challenges posed to American security and foreign policy wrought by the demise of the Cold War.

A good illustration of this is how in 1993, his very first year in office, he oversaw a much commented (and much maligned) "bottom-up-review" of U.S. defence policy, goals and institutions by his Secretary of Defence, Les Aspin. Facing constraints such as a budget deficit, and a military establishment concerned with any cuts in defence spending, Clinton nevertheless proceeded to downsize the armed forces. While his cuts have been the target of scathing criticism (e.g. DiRita, Spring & Luddy 1993; Spring 1993; Gouré and Ranney 1999), most critics missed the fact that the overriding objective was a leaner and more nimble force, adapted for what the Clinton administration saw as a new, emerging security environment.⁷⁵ As one commentator puts it, "Clinton presided over a judicious and inexpensive, yet effective, modernisation program", which "despite some fraying at the edges (...) retained high standards in military personnel and readiness, as proved on the battlefields of Bosnia, Kosovo, Afghanistan, and Iraq" (O'Hanlon 2003: 134).

This is, however, not the only instance in which a revisionist stance is sorely needed. The mainstream treatment of the Clinton administration's foreign policy – both from critics and

⁷⁵ Nevertheless, one of the key elements of Les Aspin's defence review was that the U.S. military should maintain the ability of engaging simultaneously in two major regional conflicts, even if without any relevant, direct support from its allies. This was a reversal from policy since Nixon, and a throwback to Kennedy-era defence planning. It is also one of the key legacies of Colin Powell as chairman of the Joint Chiefs of Staff – a position he occupied until 1993, already under the Clinton team, thus ensuring the permanence of the two-major regional conflict doctrine from the "Base Force" doctrine into the "Bottom up Review" that followed it (cf. Korb 1997: 1, Williams 2001: 42).

supporters – seems at times strangely at odds with the facts. While his emphasis on trade policy and economic relations are routinely emphasised, and sometimes his second-term concern with democratic enlargement (Brinkley 1997), rogue states (Hoyt 2000) and nuclear proliferation (cf. Arkin and Mazarr 1996; Cox 1995: 47-52) are thrown in for good measure, Clinton’s active agenda on major foreign and security policy issues - including the use of force, and participation in multilateral interventions - is often downplayed, misrepresented or ignored by his more hawkish critics. This is particularly surprising in the field of U.S. policebuilding, and associated efforts in delivering various forms of security governance and security sector reform in the wake of complex emergencies. Indeed, even in his first mandate, Clinton’s foreign policy team (under the direction of Warren Christopher) was confronted by several important challenges which would become important ‘learning experiences’, and significantly drive the administration’s persistent efforts to face the post-Cold War world with a flexible but successful national security strategy. The importance of the Clinton years as a decisive (re-)structuring phase in U.S. national security policy is particularly evident in its efforts to internationalise law enforcement, as we shall see next.

The initial focus of this chapter will be on three closely related dimensions of U.S. security governance as they evolved during the crucial Clinton administration. First, the chapter focuses on the shifting rationalities informing the U.S. National Security Strategy, which led to a conceptualisation of American security policy increasingly in terms of facing up to transnational threats of a criminal character. Secondly, the chapter examines the growing realisation under Clinton of the importance of policebuilding and security sector reform (including CivPol) in the wake of interventions seeking to tackle complex emergencies. Finally, one should pay close attention to Clinton’s strategy of institutional creation and reform, aimed at effectively integrating the two previous issues into the routines of U.S. policy-making.

1.2. Confronting new threats, creating new institutions for security governance

Barely one year after entering office, Bill Clinton oversaw what was – at the time – a seemingly minor bureaucratic transformation within the State Department, the renaming and re-structuring of the Bureau of International Narcotics Matters. The Bureau had been

created in 1978 to fight President Nixon's "war on drugs" (Isacson 2005: 18-19)⁷⁶. Its competencies in the field were therefore rather circumscribed, given its mandate to concentrate almost exclusively in developing and implementing a counter-narcotics strategy (Andreas and Nadelmann 2006: 171). However, by signing Presidential Decision Directive 14 (PDD-14), and later by renaming it the Bureau for International Narcotics and Law Enforcement Affairs (INL), Clinton had taken the first institutional step in the reorientation of his administration's strategies towards combating crime and enhancing law enforcement capabilities of the U.S. and other countries. Since this quiet transformation in 1994, the Bureau has become known as the "drugs-and-thugs" branch of the State Department, and has taken on a host of activities related to international crime control (Hinson 1997, 1999; Shinnick 1999). Crucially, this institution has also played a crucial role in U.S. assistance in reforming and rebuilding foreign criminal justice systems and foreign police forces.

According to David Bayley, only 10 years after Clinton's re-tasking, in 2004, "two-thirds (71%) of INL's expenditures should be classified as direct or indirect police assistance". This is without factoring in the civilian police program, which is responsible for funding, recruitment, training and deployment of US CivPol contingents worldwide (Bayley 2006: 33). The INL, largely empowered by the Clinton administration to take over a host of activities, had in fact emerged in the early 2000s as the cornerstone of U.S. policebuilding efforts – both in terms of multilateral CivPol missions, and in terms of American bilateral initiatives such as the ones now present in Iraq or Afghanistan. In fact, as the ICITAP faced policy-implementing difficulties (such as in Haiti) and was marred by scandal in the mid-to late-nineties, the INL became the Clinton administration's alternative for carrying out police assistance and policebuilding activities (DC21, personal communication with the author 14th Dec. 2006; DC29, 19th Dec. 2006).

⁷⁶ For a comprehensive overview of the role played by the Department of State in the 'war on drugs' since the Nixon years, including the INM (later INL), see (Payan 2006: 140-170). The Department of State's Office of the Historian offers further details about the creation of the agency in 1978: "On Oct. 1, 1978, Congress, in the Foreign Relations Authorization Act for fiscal Year 1979 (P.L. 95-426; 92 Stat. 969), authorised the position of Assistant Secretary of State for International Narcotics Matters, to be responsible for the overall coordination of the role of the Department of State in the international aspects of narcotics problems. This title had been given in full in each appointee's commission. The new Assistant Secretary, who headed the Bureau for International Narcotics Matters, replaced a Senior Adviser to the Secretary of State on Narcotics, who had served with a rank equivalent to an Assistant Secretary of State since 1971. The Department of State first supported the Department of the Treasury's Bureau of Narcotics in 1909. The title of this position was changed from International Narcotics Matters to International Narcotics and Law Enforcement Affairs, Feb. 10, 1995" (<http://www.state.gov/r/pa/ho/po/12260.htm>)

The *History of the Department of State during the Clinton Presidency*, produced and released by the Office of the Historian at DoS, details some of the steps through which INL's centrality in the counter-crime strategies of the day (DoS/HO 2001). Apart from its original mission to combat international narcotics flows, INL's efforts under Clinton grew exponentially in two major areas: efforts to combat international crime, and enhancing American participation in civilian police operations.

In terms of combating international crime, the re-branding, re-orienting and growth of the INL to pick up the implementation tab for Clinton's new counter-crime and support for criminal justice policies, is a good example of what Andreas and Nadelmann have described as the creation and expansion of global prohibition regimes (2006: 17-21, 51-58). The INL has been at the forefront of this process, having evolved capabilities on a wide range of issues that include tracking and seizing illegal assets, tracking and halting small arms trafficking, combating trafficking of persons and the smuggling of migrants and fighting corruption.⁷⁷ Moreover, the INL has developed a series of bilateral co-operation efforts with other governments. Through these, the bureau co-ordinates other American law enforcement agencies, so that they provide technical assistance in a host of policing techniques to foreign governments, so that their authorities acquire “the skills, confidence, professionalism, contacts, and resources necessary to identify and investigate the most serious forms of international crime”. As a result of such programs, “the amount of training provided under the Clinton administration more than doubled, from 166 courses in 82 countries (1993) to 401 courses in 96 countries (1999)” (DoS/HO 2001). In addition to these bilateral efforts in providing technical assistance has also been involved in the creation and maintenance of International Law Enforcement Academies, which aim to promote (American) best practices in policing techniques and combating transnational crime (DoS 2003).

In addition to this set of programs and initiatives, the INL also gained prominence during

⁷⁷ The State Department's website elaborates: “The State Department actively worked with other concerned governments through extradition treaties, mutual legal assistance agreements, information exchanges, law enforcement training, and technical assistance to combat transnational crime. INL's global training and technical assistance programs addressed criminal activities including trafficking in persons and smuggling of migrants, money laundering, and related financial fraud, small arms trafficking, and public corruption.” (DoS/HO 2001))

the Clinton administration in terms of enhancing American participation in CivPol missions. In addition to being involved in the drafting and unveiling of Presidential Decision Directive 71 (see below for further details), the INL sought to overcome coordination obstacles and thus facilitate the participation of American police experts in international missions. As a result, the bureau managed the deployment of over 850 CivPol members in the 1990's. This meant that the U.S. became the largest worldwide contributor to such programs under the tutelage of the INL. Additionally, the information available through the Office of the Historian mentions that the INL was involved in creating a “ready-roster” of pre-screened and available civilian police, so that vetting and deployment would become much simpler and quicker. However, that program did not materialise, and INL ultimately managed its CivPol personnel needs – and continues to do so until this day – through contracts with private security firms (DoS/INL 2009; DC1, DC16, DC13, DC9, personal communications with the author, December 2009).

1.3. Brave new world – U.S. intervention & policebuilding in the 1990's

1.3.1. Somalia and Operation Restore Hope

The chapter has so far focused on the Clinton administration's steps towards building an institutional capacity adequate to the tasks of international crime control. Moreover, it has already been mentioned how the State Department's Bureau of International Narcotics and Law Enforcement Affairs, on top of its mandate of anti-narcotics and combating transnational crime, also began developing capabilities in the raising, management and deployment of CivPol contingents. Perhaps the first event to test these nascent CivPol capability, and underscore both their importance and the obstacles associated with their deployment, was the American intervention in Somalia.

Following the ouster of Siad Barre in 1991, Somalia was engulfed in protracted and violent civil strife as the Somali National Movement of Mohammed Farah Aideed clashed with other factions for political control (Wheeler 2003: 173-177). The result, not only in the capital Mogadishu but also throughout most of the country, was a state of widespread lawlessness, violence and famine (*ibid.*). In 1992, shortly after a ceasefire was agreed on March 3rd, the United Nations deployed military observers to Mogadishu to monitor the agreement. This paved the way for a UN humanitarian relief mission, UNOSOM I, which

was launched in August. However, it wasn't long before the political situation had deteriorated significantly, effectively thwarting the UN's humanitarian efforts, aimed chiefly at distributing food to the Somali population. Soon convoys were being high jacked, distribution points looted, and aid workers attacked. This resulted in relief goods being diverted to the black market and used to bring sectors of the populace under control. In response to these developments, the UN issued a plea for help to its member-states, since its own small contingent of 500 Pakistani Blue Helmets were unable to tackle the public security issue. Thus, on December 1992 the Security Council unanimously voted to pass Resolution 794, which brought into being the United Task Force (UNITAF) with a clear mandate to "use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia" (UNSC 1992: 3). This force was to be led by the United States⁷⁸.

On December, US Marines landed in Mogadishu, as a first wave of forces charged with securing the environment for the relief efforts to proceed. UNITAF was negotiated and deployed under the Bush administration, and Bush was initially quite insistent that the mission's mandate should not extend into the Clinton administration that was about to take over (Halberstam 2001: 252). However, this was not feasible, and Bill Clinton and his foreign policy team inherited a complex intervention in a chaotic environment. One crucial problem for both administrations when it came to Somalia was precisely how to tackle the scenario: was this simply a food issue? Was the mission to merely enforce pockets of peace in order to allow aid-workers and international relief efforts to operate and deliver basic goods to the Somalis? Or was the mandate more elastic, more expansive, its relatively ambiguous language implying a larger obligation to attempt peace-building and the reform of the security sector?

While this discussion of *how* to intervene in Somalia raged between agencies during the last months of the Bush administration (*cf. e.g.* Woodward 2006: 61-64), the Clinton foreign policy team is regularly accused of having "dropped the ball" on the issue, so that events on the ground gained a life of their own and overtook the policy process, essentially forcing the broader issues of security governance on the US. Whatever the case, both

⁷⁸ This lead is most apparent in purely military terms, as the US clearly dominated the UNITAF contingent, with 28,000 troops out of a total of 38,000 authorised by the international community (Thomas and Spataro 1998: 183).

actors on the ground (including the U.S. envoy, Ambassador Robert Oakley) and the UN Secretary-General, Boutros-Boutros Ghali, realised that despite the U.S. being keen on keeping the mission limited, some structural efforts in the security field were very much needed if the narrow objectives of the mandate were to be accomplished (cf. DiPrizio 2002: 47-48; Hawk 2002: 49-50; Perito 2004: 102-103). It was understood, for instance, that without a semblance of a viable police force operating on the ground, the withdrawal of U.S. UNITAF troops and the transition to UNOSOM II – a UN led peacekeeping operation, once again - would be severely delayed. Additionally, establishing a functioning police force would free military manpower for more crucial tasks in the context of an expanding mission (cf. Lyons and Samatar 1995: 42). As a result, a significant effort was put into restoring a semblance of public order and security through police assistance – which was made explicit in the UN mandate for intervention (Halim 1996: 72).

Contrary to its heavily partisan Army, which had been a prime tool of General Barre's dictatorship, and remained heavily intertwined with factional fighting during the civil conflict that followed, the Somali civil police "... provided one of Somalia's most stabilising influences" (Kaplan et al., quoted in Thomas and Spataro 1998: 176). Further, the police were "...generally respected, well administered, and relatively apolitical", and "had an undisputed reputation for professionalism" (*ibid.*; Hirsch and Oakley 1995: 87). The Somali Police Force (SPF) had grown out of a host of colonial police forces established by the Italians and the British, generally speaking along the constabulary model discussed before (Fitzgerald 2002: 68). Although most commanding officers were initially white, this experience did create a cadre of indigenous police officers who eventually rose through the ranks, until finally – in 1958 and under Italian tutelage – this resulted in an all-Somali police force (*ibid.*). Throughout the period, the Somali police received assistance and training from West Germany, Italy and the US, and although assistance during the 1970's was provided by East Germany during a period of rapprochement with the Eastern Bloc, the late 70's saw a return of West German and Italian police assistance (Fitzgerald 2002: 69-70).

During the politically unstable period of the Cold War, the Somali police had remained

relatively functional, and neutral, as an institution (cf. Hirsch and Oakley 1995: 86)⁷⁹. However, following the departure of Barre from power and the outbreak of internecine fighting between clans, a very sizeable police force of roughly 15,000 people basically withdrew from the public domain (Thomas & Spataro 1998: 176-77). Most officers simply stopped exercising police functions in order to ensure their safety and that of their families, with some members of the police returning to their clans (*ibid.*). For all practical purposes, the Somali police had ceased to exist.

So, even as the international community under UN auspices and the U.S. in particular, stepped in to deliver aid and attempt a complex peacekeeping mission in Somalia, the very basic conditions for public security – including the police, but also the justice system – were simply not in place. Without having that vocabulary available to them at the time, American policy-makers were confronted with a ‘security gap’. It soon became apparent that the *rapid* re-establishment of a professional, working Somalia police force was a necessity and that the U.S. would have in some way to lead the efforts in this novel instance of policebuilding.

U.S. forces, as well as U.S. diplomats on the ground, set about recreating the Somali police under UNITAF, so as to achieve a modicum of public order with a sustainable local basis that would make transition to UNOSOM II possible (Hirsch and Oakley 1995: 87-89). However, given that the parameters of their mission had not anticipated an exercise in policebuilding – nor a protracted stay with a long, well-structured and sustainable police assistance program – the U.S. efforts were rather limited in nature. In fact, when deploying for *Operation Restore Hope* in Somalia, U.S. forces did not even incorporate civil affairs units tasked with rebuilding the local police – a procedure which had been followed previously as American forces deployed to Kuwait (Ganzglass 1996: 113; Zaalberg 2006:

⁷⁹ Writing in 1969, one author described it so: “The Somali police force is founded on the basic premise that it is the servant of the law rather than its controller, and the police are dedicated to the legal framework rather than the regime in power. This achievement, coupled with what amounts to polyarchic decision making in the political realm, partly explains why Somalia is one of the few new states in which opposition leaders have become the government and government leaders have been voted out of office while remaining significant in the national politics.” (Potholm 1969: 156). For a concise but detailed overview of what the Somali national police force looked like immediately before the tumultuous events of 1991, see Martin Ganzglass’s account, heavily based on personal experience (Ganzglass 1996: 114).

190-91)⁸⁰.

Nevertheless, results of American efforts in policebuilding looked promising at first – at least in terms of boots on the ground. Having entered the country in December 1992, “by mid-January 1993, the first police patrols were on the streets in Mogadishu, soon followed in other regions as well. Eventually, a 3,500 strong Auxiliary Security Force was established” (Schmidl 1998). Under the coordination efforts of Ambassador Oakley, and under the authority of General Ahmed Jama, it was therefore decided to encourage local police to resume their duties in areas where the population supported them, and which were under UNITAF control (Ganzglass 1996: 117). The resulting arrangement was a combination of remnants of the Somali National Police, especially in the capital Mogadishu and surrounding areas, backed up by U.S. military forces – usually with heavily armed and armoured contingents stationed near each major police precinct in the city (cf. Bentley & Oakley 1995: 4). While these developments were far from country-wide, they seemed for a while to produce in some areas a semblance of public order. Martin Ganzglass concurs, stating that “[b]y March 1993 there was a 3,000-man Police Force in Mogadishu, (an additional 2,000 in the rest of the UNITAF zone), security had noticeably improved and the police were arresting criminals for the first time in nearly two years” (Ganzglass 1996: 118)

Apart from this ad-hoc arrangement, General Jama also suggested to American military and political officials that a more structural and permanent step be taken, and an institution for the coordination of policebuilding be created in the capital. The resulting plan was the establishment of a Police Committee in early 1993, which was supposed to represent all the major parties to the conflict (including the key warlords Ali Mahdi and Muhammad Aideed) and promote coordination of policing activities. However, conditions were lacking (apparently, this extended even to basic infrastructure to support the Committee, and

⁸⁰ Ganzglass further details: “The original operational plans for Restore Hope included the activation of 8 to 10 US Army Reserve Civil Affairs units. These units would have assisted in restoration of governmental functions, particularly the police and judiciary. The decision not to activate these units was made by the Joint Chiefs of Staff (JCS). The JCS apparently opposed activating reserve units because Operation Restore Hope was scheduled to take only six weeks and its purpose was to feed starving Somalis, not to rebuild institutions. The US State Department was either unable or unwilling to push the National Security Council to reverse this decision.” (Ganzglass 1996: 116). Given the time at which this decision making process was taking place (just as the Clinton administration was inheriting the Somali operation from its predecessors), one can safely say this was not an intended outcome by Clinton’s foreign policy team, and one can only speculate what would have otherwise happened...

Ganzglass indicates that the first meetings were held in Ambassador's Oakley office) and the Committee ran into problems for the start (Kelly 1999: 25-26). One of the initial difficulties was the composition of the Committee itself: Ali Mahdi had only nominated one officer to attend meetings, clearly snubbing the arrangement; several of the appointed officers were members of the Siad Barre's repressive and generally hated secret police (the National Security Service)⁸¹; and General Jama refused the command of the existing police force which the Americans offered him (Ganzglass 1996: 118-199).

To make matters worse, a host of other issues plagued the functioning of the institution: the city of Mogadishu was divided by the Green Line, thereby complicating police work (when not making downright it impossible); the lack of adequate records about the previous police effectives made it extremely difficult to adequately vet new recruits, and – perhaps most crippling of all – since there had been no planning provisions for an efforts of this kind on the part of U.S., there were few if any funds available for these activities. Some funds were obtained from the previous UN mission, but that was clearly not sufficient for the magnitude of the task at hand (Ganzglass 1996: 118-119). These factors may help to explain why there was never any real attempt on the part of the American authorities under the UNITAF mandate to extend policebuilding to the rest of the Somali territory.

1.3.2. Transition to UNOSOM II and the Somali police

One can therefore see that a modicum of success was attained with the Somali Auxiliary Force under UNITAF, but meanwhile the rest of the country had little or no police coverage. Trying to deal with this situation, the UN “sent a three man Police Technical Team (PTT) to examine the Auxiliary Security Force (ASF) and see whether a national police force could be established” (Ganzglass 1996: 120). This UN team was also tasked with exploring “what could be done to rebuild the judicial system, and whether a civilian police component of UNOSOM was desirable” (120). The team produced a report

⁸¹ Not to be confused with the civil Somali Police Force (SPF), which pre-dated the Barre regime. The National Security Service was created at the beginning of the Barre regime in close collaboration with the Soviet KGB, and so resembled the latter in organisation and methods for quelling internal dissent, essentially a “state security” institution (cf. Patman 1990: 120-121). It was created as part of a legislative package (the National Security Laws of 1970) aimed at tightening Barre's grip on power and quelling any internal dissent, and as such operated hand-in-glove with the special National Security Courts (Besteman 1999: 12-13)

suggesting the immediate creation of a Somali National police force, detailing necessary force levels and funds, and making several suggestions about the appropriate deployment of a UN CivPol contingent with UNOSOM II, the UN mission that was to take over from the American-led UNITAF interim authority (*ibid.*). This was followed by an enthusiastic written response in a report by the Secretary-General (*ibid.*, Hawk 2002: 50; Kelly 1999:71). However, little action was taken in preparation for the transition to UNOSOM II, and there was a failure on the part of both the U.S. and the UN in either maintaining the policebuilding efforts, or preparing and deploying an adequate multilateral CivPol contingent to take over the police reform process (cf. Perito 2004: 107-108). The UN vacillated with regards to a fully-fledged program to reform and restart the police as well as the justice system, along the lines suggested by both its technical police team, and the U.S.. Such a plan was seen as too ambitious and perhaps neo-colonial and initial support for it fizzled out as time went by (Kelly 1999: 71-75).

Meanwhile, in late 1993, an attack on Pakistani Blue Helmets was perpetrated by forces linked to Aideed. This triggered an increasingly fierce response of the part of UNITAF, in a confrontation that went on escalating, until U.S Special Forces became heavily involved to effect what was essentially a domestic law enforcement task. This was because the Somali police was incapable of performing crucial functions such as serving a capture mandate against Aideed and arresting him. The operation that ensued has become sadly famous as the “Black Hawk down” incident of October 1993. In the sequence of a raid by U.S. special forces on a political meeting of Aideed’s men (and failing to apprehend the warlord himself), a series of incidents took place in which 18 American Rangers were killed, and 75 injured (Bowden 1999). The images of U.S. soldiers’ corpses being burned and dragged behind jeeps through the streets of Mogadishu were covered by CNN, and had an immense impact on American public opinion. Soon thereafter, the U.S. would announce its intention to retreat the bulk of its force by March 1994 (barely 6 months later), in the face of mounting public opinion pressure back home (cf. Lyons and Samatar 1995: 59; Wheeler 2003: 198-99).

However, the U.S. did try to maintain its policebuilding efforts alive in Somalia, even in the face of such constraints. Whether this was a way to save face (Ganzglass 1996: 127), or to maintain its commitments to the transition to UNOSOM II, the Clinton administration

pledged to contribute “\$12 million for police training, \$6 million to the judiciary and about \$25 million in DOD excess equipment, mainly vehicles.” (Ganzglass 1996: 128). Moreover, the U.S. agreed to fund a post-intervention program to train and partly equipped the future Somali National Police, and the Department of Justice sent an ICITAP team of instructors to Mogadishu in March 1994, in order to implement a two-step program. Having started the first phase of the instructional program, focused – like previous efforts – in the urban police around the capital, the ICITAP initiative never saw its second phase, which had programmed to steadily extend police training coverage to the rest of the country (Ganzglass 1996: 129). Despite its enthusiastic start, the ICITAP mission to Somalia was too little, too late. Amid a deteriorating security situation – and perhaps anticipating the burden of preparing a large operation for Haiti – the ICITAP team left the country in mid-June 1994, having accomplished few, if any, of the core objectives of its policebuilding mission.

1.3.3. Summary – lessons learned from Somalia

The events analysed above, despite their short duration, were instrumental for setting the tone for subsequent American interventions and the development of policebuilding strategies therein. Somalia certainly triggered a mentality of lessons learned, or perhaps more accurately, of lessons to be learned for the future (Clark and Herbst 1997; Thomas and Spataro 1998: 209-214). This type of American intervention to ensure transitional security on such a large scale was *terra incognita*, and in the absence of long-standing experience in this kind of environment – policebuilding in post-conflict complex emergencies – there was a lot of improvisation, not all of it producing good results. In fact, Somalia is often touted as a classic case of unmitigated failure in terms of American policebuilding experiences, and as a pool of lessons to be learned for future operations (Menkhaus 1997; Perito 2004: 112, 2007: 4-5, 11; Taw 2004: 15; Thomas 2004).

When examining the Somali case, one of the first things to become apparent is that there was a woeful lack of planning for the security gap and the enforcement gap in post-conflict interventions. This, in turn, underlines the fact that there was no functioning legislation or policy-process in place in the U.S. to include policebuilding capabilities into American (military) interventions, where security governance in the wake of violent conflict would

be a foreseeable need. In other words, the Clinton administration needed to develop such a framework for effecting security governance in the wake of such interventions.

The Somali case also demonstrates how far U.S. policebuilding models had moved away from earlier regimes of practice – most of the capability having been moved to civilian agencies (especially ICITAP, within the Department of Justice) as detailed in chapter three. Somalia's debacle also illustrates the extent the U.S. military was unwilling to deploy what little capabilities it had in such scenarios in the 1990's – not even true constabularies, but civil affairs units with experience in policebuilding under similar contexts. This may well have been lack of vision, or fear of mission creep and long-term entanglements, but it confirms that policebuilding in the wake of intervention was no longer a core feature of U.S. military deployments, as had notoriously been the case in before the 1930's, and again during World War II.

This showed the Clinton administration that in future operations with parameters similar to those of *Operation Restore Hope*, there would have to be some consideration of integration and coordination of efforts. Policebuilding programs would have to rely on better synergy between the Department of State (which in this case had acted merely as a co-ordinator of efforts, under the auspices of Ambassador Oakley), the Department of Justice (at the time still the main purveyor of expertise in policebuilding through ICITAP), and the Department of Defence (the first on the ground, and likely the agency whose actions would determine the future of security governance in a given operation). Additionally, key officials within the Clinton administration were made aware that in such scenarios there should be an immediate deployment of units capable of addressing the public security needs of the population – be they fully fledged constabulary forces or, more likely, Civil Affairs units which could quickly establish local capacity (Perito 2007: 11). Such units, if employed, would be instrumental in developing training, mentoring and logistics capabilities for policebuilding, so that military “first responders” can nonetheless quickly address the security gap⁸², but do so by helping local police forces in their job, rather than doing it for

⁸² In fact, the very next such operation – in Haiti, in 1994 – the Clinton administration seemed to take some of these lessons to heart. Not only did it immediately deploy Civil Affairs units, but it also mobilised ICITAP for a much more comprehensive program of police assistance, and the U.S. sought to coordinate its efforts with its international partners on the ground (Perito 2004: 109-112). However, this was not unproblematic, with at least one source complaining that ICITAP was not at all ready for the complexity of the operation, and therefore this translated into a very shaky record (DC21, personal communication with the author 14th Dec. 2006).

them.

Finally, that the U.S failed to contribute to the planned UN CivPol contingent under UNOSOM II, and indeed failed to support the initiative entirely (sending instead a small assessment team from ICITAP), highlighted the need to integrate its own efforts with multilateral efforts by partners in the international community, whether the UN or specific countries (such as the Italians and Dutch who assisted in rebuilding the police in Mogadishu, or the Australians who operated their own policebuilding program in the Bay Area). In short, it would seem that U.S. government under Clinton needed some sort of domestic focal point to promote American capabilities for post-conflict peacebuilding, and to improve inter-agency and multilateral coordination of such efforts internationally. The result was a prescient piece of legislation, under the unassuming name Presidential Decision Direction 71.

1.4. Lessons learned – PDD-71 and the future of policebuilding under Clinton

The lessons learned from the failures in both Somalia and – to a lesser extent – in Haiti, and especially the lessons learned from its protracted operations in the Balkans did not fail to make an impression on military planners and commanders, as well as on Bill Clinton and his foreign policy team (DoS 2000; Perito 2004: 237; Marten 2004: 103). As early as February 2000, and in the wake of U.S. operations in Somalia and East Timor, the president promulgated Presidential Decision Directive 71, titled “The Clinton Administration's Policy on Strengthening Criminal Justice Systems in Support of Peace

Operations” (see Annex 1) or PDD-71 as it became known⁸³. While Clinton had already tackled issues pertaining to the challenges posed by the post-Cold War security environment – especially the rise of military intervention in response to complex emergencies – in previous Presidential Decision Directives⁸⁴, PDD-71 stands out because, for the first time, law enforcement and the strengthening of criminal justice were acknowledged as key tasks of U.S. foreign policy. The document was nothing short of remarkable, for it was both concise and comprehensive – and it remains, to this day, one of the most topical policy documents in examining the rise of policebuilding as a key issue in American foreign policy.

First of all, the directive clearly identified a number of issues and governmental problems in post-intervention contexts, incorporating lessons learned from past deployments (it makes specific references to the problematic situations that arose in Somalia, Haiti and Bosnia). As a consequence, PDD-71 effectively enshrined the notion that “effective indigenous law enforcement and criminal justice systems are necessary for a society to achieve and maintain durable peace”, and that therefore “helping to re-establish an indigenous criminal justice system is often, and appropriately, a fundamental aspect of a successful peace operation or other complex contingency operation” (PDD-71 2000). In other words, while PDD-71 follows from previous documents in conceptualising the changing security agenda, especially in what regards shifting U.S. national security policy towards security governance tasks in complex emergency/post-conflict settings, it is the

⁸³ Presidential Decision Directives, or PDDs, are the name given during the Clinton administration to national security directives. These reflect the role of the President as a director of national security, and are akin to the (older) executive orders, although unlike the latter they are not subject to Congressional or public scrutiny – due to their sensitive nature, they are usually classified (Knight 2004: 444). Such documents usually take a long time in planning and consultation before being signed, and have traditionally emphasized inter-agency coordination towards specific foreign policy goals (Marcella 2004: 247-8). These policy instruments are instances of executive authority (Howell 2003, Relyea 2007), and often offer the best way of surveying the exercise of power and the priorities in foreign and security policy of individual presidents. Over time, different administrations have named the documents differently – they were variously known as National Security Decision Directives (NSDD's) under Bush, National Security Decision Memoranda under Reagan, and National Security Action Memoranda under Kennedy (and Johnson) (GAO 1988: 3-5, Knight 4: 444). Whatever their name, presidents have issued them prolifically to direct and implement significant changes in US national security and foreign policy during their presidencies (Marcella 2004: 247). For the purposes of this study, and in Foucauldian terms, the PDDs signed into action under Clinton are especially important as a focal point in the US policebuilding apparatus. They simultaneously define – often in an extremely concise and powerful manner – the governmental problem in need of intervention (as Foucault would put it, “the urgent need” in response to which an apparatus is formed), and they seek to structure the possible field of governmental action by setting goals, suggesting legislation, creating programs, etc.

⁸⁴ These were PDD-25, on “US Policy on reforming multilateral peace operations”; and PDD-56 on “Managing Complex Contingency Operations”.

first document at this level to focus specifically on the importance of the police (and criminal justice structures more generally) to U.S. security policy. Assisting and reforming foreign police forces thus became, under Clinton's leadership, a key concern of American foreign policy in the post-Cold War world.

The document originally met with stiff resistance from the Department of Defence, where, in the words of one scholar who was involved in the process, there was an unwillingness on both the part of the military command (the Joint Chiefs) and the civilian leadership (the Office of the Secretary of Defence, or OSD) “to allow U.S. military forces to handle lawlessness and civil disorder during future peace operations” (Perito 2004: 238). Robert Perito’s assessment of the reasons for this reluctance resonates with the arguments made in the previous section: the scripts of U.S. foreign policy – and especially its national security policy – had changed dramatically since the earlier regimes of intervention in the 1890s-1930s. As a result, there was a genuine distaste for protracted operations in foreign soil, let alone engaging in nation- or even policebuilding. As he puts it,

U.S. military leaders believed their job was to “fight and win the nation’s wars”. Participation in peace operations dulled combat skills, expended resources, exhausted troops and equipment, and reduced readiness. In addition, soldiers were neither trained nor equipped to deal with civilians and to handle tasks related to fighting crime and maintaining public order. *This predilection to avoid “nation-building” was reinforced by the traumatic experience of Somalia.* (...) Representatives of this group were quick to point a myriad of problems and uncertainties involving legal authority, funding, administrative restrictions, and interagency differences as reasons why the U.S. military should avoid peacekeeping and *could not perform police functions.* (Perito 2004: 238, emphasis added)

One of the likely sources of this reluctance surely lies in the centrality of the Powell doctrine to the 'American way of war' since the mid-1980s⁸⁵. Formulated in 1984, in large measure as a response to the traumatic military experiences of Vietnam, the doctrine hinges upon the idea that conventional warfare is the only proper task for military forces

⁸⁵ The doctrine was initially also known as the ‘Weinberger doctrine’, after Casper Weinberger, the Secretary of Defense under Ronald Reagan who originally formulated its central tenets in 1984. After that, given the role of Gen. Colin Powell in developing, reformulating and applying the doctrine (especially in his role as Chairman of the Joint Chiefs under Clinton), the doctrine became known as the ‘Weinberger-Powell doctrine’, or simply the Powell doctrine, as it is today most commonly known (cf. Kurth 2007: 74). For further information on the genesis and development of the Powell Doctrine, cf. (Campbell 1998; Kurth 2007: 72-91).

(Zaalberg 2006: 66). In order to avoid protracted engagements and massive casualties, such as in the Vietnam War, two of its core principles are that the use of force must be overwhelming (so as to lead to decisive and swift victories), and that there must be a clear definition of mission success, and clear exit strategies every time forces are committed (so as to avoid 'mission creep'). Therefore, the Somalia experience, which had already caused initial friction between Gen. Colin Powell (then Clinton's Chairman of the Joint Chiefs of Staff) and Madeleine Albright⁸⁶, reinforced this aversion to multilateral peacekeeping and re-establishment of public order, which were seen as detrimental examples of 'mission creep' (Zaalberg 2006: 243). It was clear that what the Clinton foreign policy team envisaged as the future of American interventions - multilateral peace operations, humanitarian intervention in the wake of complex emergencies, post-conflict stabilisation - did not fit the terms set by the Powell Doctrine (cf. DiPrizio 2002: 3-4; Western 2005: 133-174; Litwak 2007: 52-4).

Given this antipathy of the American military commands for operations other than war, the drafting of the document on the part of the Pentagon was moved to the small and somewhat marginal Office of Peacekeeping and Humanitarian Affairs, at the Department of Defence⁸⁷. After much wringing of hands and redrafting, however, a minority at the Pentagon had managed to produce a document that would once again insert the American military at the core of post-intervention policebuilding - albeit in an uneasy partnership with the Departments of Justice and State (Perito 2004: 239-40).

PDD-71 provides several insights into the overall architecture devised by the second-mandate Clinton foreign policy team to tackle security governance in post-intervention scenarios. First and foremost, it enshrined that task as a core component by assigning "lead agency" status to the State Department⁸⁸, and by containing specific instructions that a new

⁸⁶ Thijs Zaalberg details this confrontation with regards to the Somalia intervention, and adds that the military plan that eventually emerged was in line with Powell's doctrine (Zaalberg 2006: 173-4). This may well explain the non-deployment of Civil Affairs units, as detailed above. Theo Farrell has similarly linked the debacle in Somalia to the evolution of American military doctrine, torn between foreign policy advances in terms of peace operations, and the straight-jacket of the Powell doctrine (Farrell 1995)

⁸⁷ The Office of Peacekeeping and Humanitarian affairs was in turn part of the Office of the Secretary of Defense, the civilian leadership of the Pentagon.

⁸⁸ The text specifically reads: "Create a Lead Agency: The State Department shall create an office, or modify an existing one, to assume lead agency responsibility for the full spectrum of issues related to U.S. Government involvement in the reform of criminal justice systems during peace operations and complex contingencies." (PDD-71 2000)

office should be created within State Department's structure, tasked with assuming “lead agency responsibility for the full spectrum of issues related to U.S. Government involvement in the reform of criminal justice systems during peace operations and complex contingencies.” (PDD-71 2000) In his own analysis of the document, Robert Perito notes that the unveiling of the document at the State department rather than the White House was illustrative of bureaucratic infighting on the one hand (he quotes DoS officials as having “issued a virtual ultimatum to the NSC staff to get the directive signed by the president, because it was going to be announced by the secretary of state”), and that this was prompted by a need to have a more coherent legal and institutional framework already in place given that fears were mounting about the situation in Kosovo (Perito 2004: 239) However, the fact that the State department did take charge, and that the decision was first announced publicly by Madeleine Albright can be understood as a powerful symbolic message. It signalled that henceforth this kind of task would become one of the key concerns of U.S. foreign policy, and that coordination of such policebuilding efforts would remain firmly ensconced in civilian hands – even if its deployment may not, as we shall see below.

1.4.1. Looking back, looking forward - justifications for PDD-71

According to both the official sources and Robert Perito’s account, the document arose from a growing awareness on the part of the U.S. government under Clinton that peacekeeping/peacebuilding and complex emergencies in countries rising from conflict would be the dominant scenarios of American intervention in the future. Moreover, there was a perception that the issue of restoring and maintaining public order would become central in such interventions, and that it would fall to the intervening power(s) to both ensure transitional security, and bolster the local security institutions with a view to sustainability – especially the police. This form of assistance was justified by pointing out that often local forces have “been destroyed, rendered ineffective by the conflict or corruption” or else they have “become part of the conflict due to partisan behaviour” (PDD-71 2000).⁸⁹ In this respect, it is worth quoting Secretary of State

⁸⁹ Drawing on the (then) recent experiences in Somalia, Haiti and the Balkans, the document further elaborates on this theme of compromised local police forces: “In Somalia, for example, the police simply left their posts in 1991 when a new government failed to emerge after the Siad Barre government was deposed. In Haiti and Bosnia, the police were involved in the conflict and consequently were viewed as biased combatants rather than public servants by large segments of the population. Even before the conflict arose, the public safety forces in Haiti, as in many areas where peace operations are conducted, were the primary instrument for state-sponsored repression of the citizens.” (PDD-71 2000)

Madeleine Albright, who in the press conference at the unveiling of PDD-71 concisely described the reasons behind the document's formulation by making reference to recent American experience with breakdowns in public security, law and order in the wake of conflict and/or intervention: "This step recognises the foreign policy importance of preventing security vacuums from arising in post-conflict situations." (DoS 2000).

The White Paper on PDD-71, released simultaneously with the legislation, goes further in detailing the reasoning behind this move. In line with themes already pursued in chapters one and two – namely, the linking of security governance to the changing national security agenda of the U.S., and emphasising the role of the police as a key instrument of government -, the document elaborates at some length on how

Effective indigenous law enforcement and criminal justice systems are necessary for a society to achieve and maintain durable peace. Therefore, helping to re-establish an indigenous criminal justice system is often, and appropriately, a fundamental aspect of a successful peace operation or other complex contingency operation. (PDD-71 2000)

Moreover, in addition to highlighting the links between policebuilding and the security of developing countries, the document draws explicit links between policebuilding – or the strengthening of criminal justice and law enforcement systems, in the letter of the law – and the national security of the U.S.. The first reason adduced is that "promoting public safety in the short term and developing responsive criminal justice institutions over the long term, can successfully and economically support American interests" (although no further details are given of this putative link between policebuilding and the economic agenda so dear to President Clinton). Furthermore, in the estimation of the document's authors, policebuilding along the lines established by PDD-71 would also help "to deter the presence of criminals who seek to base their operations in areas where they can operate without fear of arrest and prosecution" (PDD-71 2000). This latter aspect is salient in at least two distinct ways.

First, the White Paper neatly links this legislative initiative on policebuilding with the Clinton administration's strategy of international crime control, and it enumerates some of the criminal activities that can happen in such transitional security vacuums, echoing themes in the International Crime Control Strategy: "Such wrongdoers often include

organisers of terrorism, illicit drug and arms trafficking, and international criminal syndicates.” (PDD-71 2000). On the other hand, the document anticipates the Bush administration’s securitisation of ‘ungoverned spaces’ as a key enabler for American post-intervention policebuilding. The White Paper thereby supports one of the key claims of this chapter, namely that in terms of policebuilding, the Bush administration owes largely to the vision of the Clinton foreign policy team.

1.4.2. Local ownership of police development

One other salient aspect of PDD-71 for the purposes of the present analysis is its emphasis on indigenous/local ownership – or at least co-ownership – of the long-term process of renewing policing systems. As discussed briefly in chapter two, liberal regimes of assistance and development do not usually govern by coercion or injunction, but rather seek to align the desires, needs and capabilities of the governed with the objectives of government. As such, in liberal, and especially in advanced liberal forms of governmentality⁹⁰, the emphasis is on an *ethos* of individual responsibility, where the State steers but the subjects of government must do the rowing themselves.

Accordingly, the text of PDD-71 is emphatic about the need for participation and ownership of policebuilding by locals in the host nation, who are to benefit from American help and supervision, but are also to be heavily engaged in building their own security. Explicit references to this are peppered throughout the document: “ultimate responsibility to conduct law enforcement should not be taken away from local police forces as this may breed dependency” (PDD-71 2000). This is expounded more fully under a section appropriately entitled “Executive authority”:

Generally, the U.S. Government shall advocate that CIVPOL not be given responsibility to enforce local law (executive authority) -- the responsibility for local law enforcement will

⁹⁰ In discussing the characteristics of advanced liberal governmentality, Nikolas Rose summarises it as logic of rule whereby “the social and the economic are now seen as antagonistic: economic government is to be desocialized in the name of maximizing the entrepreneurial comportment of the individuals” and therefore “politics must actively intervene in order to create the organizational and subjective conditions of entrepreneurialism”, which includes restructuring “the provision of security to remove as many as possible of the incitements to passivity and dependency”. (Rose 1999: 144). For more on “advanced liberalism cf. (Rose 1993, 1996, 1999: 137-166; Dean 2007: 192-3). Other authors have characterised advanced liberalism in terms of the rise of the “regulatory state”, which “steers” (manages and regulates) fields of activity but encourages as much as possible individuals and other private entities to do the actual “rowing” (cf. Osborne and Gaebler 1993). This has had an enormous impact on the field of security governance, including developments in contemporary policing (Braithwaite 2000; Johnston and Shearing 2003: 35; Wood and Shearing 2007: 123-131).

remain with the indigenous police forces. In some instances, it may be appropriate to give monitors the authority (if not the responsibility) in their mandate to respond to local crimes when indigenous police are unable to take action. This authority may include the right to use detention and deadly force, for example, in an instance where there is a risk of death or serious bodily harm. (PDD-71 2000)

This passage illustrates an important point. Two things are immediately noticeable: that American policebuilding efforts are discussed under the issue of executive authority, and that it draws on the language of 'responsibility' of local forces for participating in their own development. This is indicative that, even at a time when the concept of executive policing was at its height (having been experimented with in Kosovo and then East Timor, (cf. Dwan 2003)), the U.S. government wanted to emphasise the notion of responsabilisation (Muncie 2005: 355-58; Rose 1999: 74-75, 154). In other words, it does not want to wield the “power to make live and let die” as a sovereign (Foucault 2003: 241), but rather it seeks to develop, deploy and manage a set of governing technologies which promote self-regulating, self-securing individuals at the local level.

1.4.3. Walking a tight-rope: Military power & constabulary forces

One aspect of particular significance to the arguments advanced here is how the document specifically returns to the language of constabulary forces. What is interesting, though, is the general tone in which this is present: the deployment of constabulary power for policebuilding is seen as a *de facto* necessity, but it must be approached cautiously and employed only temporarily.

The first aspect – the necessity of deploying constabulary-type units given their specific skill-set is the most adequate for post-intervention security governance – is quite explicit in the Clinton Administration’s White Paper on PDD-71: it unambiguously states that “[t]he U.S. Government will advocate that UN missions make use of a suitable mix of military and paramilitary forces to accomplish the assigned tasks of any new peace operation” since “[s]uch forces bring specialised skills, such as crowd control capabilities, that are not common to traditional military or civilian police organizations”. (PDD-71 2000). Further on, in its section on policy guidance, the paper devotes an entire sub-section to “constabulary activities”, and once again reinforces the point: “in some cases indigenous police forces are unable to provide adequate public safety when peacekeepers arrive. In

these cases, outside agencies may need to assist in ensuring basic public safety until this function can be accomplished effectively by newly strengthened indigenous police” (PDD-71 2000).

But the White Paper is very careful to define a narrow range of functions to be performed by such forces. In addition to stressing again the notions of local ownership highlighted above, it also details that

outsiders may be given responsibility to carry out a more narrow range of activities to create and maintain a reasonable measure of public safety. Such tasks may include actions to regulate movements which may be necessary for the cause of safety; intervene to stop civil violence, such as vigilante lynchings or other violent public crimes; stop and deter widespread or organized looting, vandalism, riots, or other mob-type action; and disperse unruly or violent public demonstrations and civil disturbances, among other tasks. (PDD-71 2000)

Moreover, the document is quite precise in stating that “the United States shall prefer that constabulary functions, when they are necessary, be conducted by a paramilitary force such as exists in many other countries”, and that while the U.S. military should “maintain the capability to support constabulary functions abroad, and if necessary carry out constabulary functions under limited conditions for a limited period of time”, this in “no way obligates the U.S. military to conduct these tasks in any particular operation *or to develop specialized constabulary units dedicated to this mission.*” (PDD-71 2000, emphasis added). Whatever the reasons for this cautiously pessimistic approach to developing and maintaining specialized constabulary capabilities within the U.S. military (cf. Schultz 2005: 1-32), they signal two extremely important points, in line with the general arguments advanced in this thesis.

First and foremost, the White Paper bears witness to the fact that both the governmental rationalities and the security practices involved in U.S. policebuilding had decisively transitioned from a former regime of militarised, ad-hoc policebuilding to one of long-term, much more structural and civilian *ethos* in delivering American police assistance (as detailed in the previous chapter). Second, it becomes apparent that the Clinton administration in particular realised this shift and its implications, and thus wanted to institutionalise this principle for the future. Even when maintaining and deploying

constabulary capabilities to effect security governance in post-intervention scenarios, the U.S. would define such tasks in a narrow manner, deploy such capabilities for a limited time, prefer that allies take on that responsibility, and place control of such forces under UN auspices. In other words, constabulary forces are *per se* not enough to effect the liberal model of policebuilding envisaged by Clinton, they merely establish the base conditions of public security so that capacity building programs – of the kind exemplified by such civilian agencies as the ICITAP or the INL – can take hold, and local police forces can be empowered to act themselves. This marks a shift from the deployment of sovereign-disciplinary mechanisms of social control exemplified by constabularies, to a liberal pedagogy of security.

* * *

Whatever the process through which PDD-71 saw the light of day, one thing seems to be certain: already in the second mandate, without hope of re-election, and less than a year before leaving office – Clinton’s foreign policy team definitely meant this legislation to be a structuring one. PDD-71 is written in a tone that seeks to push the national security agenda of whoever would follow in the White House to have to deal with the complex issues of policebuilding and security governance in the wake of interventions. Clearly, it sought to provide a solid institutional and legislative base from which future administrations could build on in their future policebuilding efforts.

That the legislation was passed after all the interventions abroad that shaped Clinton's term in office (cf. fig 4.1, below), seems to prove that this was a forward-looking decision. It too disproves the widely-held popular opinion that Clinton's foreign policy was unremarkable in terms of national security, and adds weight to the overall argument of this section: that President Clinton and his foreign policy team purposefully presided over a major shift and overhaul of the tenets of American foreign policy. Indeed the Clinton administration pushed through structural reforms that his predecessors had not undertaken. This effort was an attempt to respond to the changes brought to the security agenda of the U.S. by the period following the end of the Cold war. It was in this context that the extension of police power internationally – both as an international crime control strategy, and post-conflict police assistance – became one of the central pillars of U.S. security policy. The next

section will investigate what the succeeding Bush administration did with this legacy.

Fig. 4.1 - Clinton Administration Timeline

First term

1993 – Bottom-up-review (BUR) of US defence policy
Somalia operation “Restore hope” (UNITAF) with police reform component

1994 – May, PDD 25 on U.S. Policy on Reforming Multilateral Peace Operations
Renaming/restructuring on INL
Participation in first ever CivPol mission in Haiti

1995 – Participation in IPTF (Bosnia), until 2002
PDD-42 on International Organised Crime (Oct.)
Creation of ILEA Budapest

Second term

1998 - International Crime Control Strategy, in May
White House issues “National Security Strategy for a new century” (Oct.)
Creation of ILEA Bangkok

1999 – Participation of CivPol contingent in UNMIK (Kosovo)
Participation of CivPol contingent in UNTAET (Timor), last left May 2005
INL organises Global Forum on Fighting Corruption and Safeguarding Integrity among Justice and Security Officials in February

2000 – PDD-71 on Strengthening Criminal Justice Systems in Support of Peace Operations
Establishment of ILEA Gaborone, in July
US signs UN Convention against Transnational Organised Crime in Palermo, Italy (Dec. 13th)

2. The Bush Transition

2.1. Modulating a new insecurity domain - State-failure and “ungoverned spaces” as security problems

As the previous pages, particularly in chapter one, have highlighted, the post-Cold War world saw the development of a new security environment, trends of which intensified in the post 9-11 period but spanned the Clinton and George W. Bush administrations. Within this framework, security studies and policy-makers both have come to conceptualise security threats - and the adequate responses to them - increasingly in terms of criminal

flows such as drug trafficking, terrorism, money-laundering, and a host of other illegal activities constituting varying patterns of risk. Implicitly or explicitly, most literature tends to make the connection between these new transnational security threats and the places whence they originate or pass through unconstrained, characterising these as ungoverned (or sometimes misgoverned) spaces (cf. Elrich 2007; Groh 2006; McNeill 2008). This perception of insecurity as a function of poor or non-existent governance has spawned a prolific response: at the academic level, a host of related issues under the collective heading of security governance has come to the fore, while policy-making circles have similarly highlighted the nexus between development and governance (or their lack) and security.

Given this security-development nexus, where security is seen as a condition best achieved through the practices of good/strong governance, the security apparatuses of Western states have become heavily intertwined with development efforts, in an effort to promote effective liberal (security) governance in developing nations (see, e.g. Duffield 2006, 2005, 2001). Nowhere is this linkage more apparent, or stronger, than in the budding field of post-conflict state-building. Indeed, as the opening quotation to this chapter illustrates neatly, state-weakness and state-failure have been emphatically identified as key vectors of international security by most Western liberal states, most prominently in the United States of America. As the National Security Strategy of the United States of America succinctly puts it, “America is now threatened less by conquering states than we are by failing ones.” (White House 2002) Consequently, the US government agencies dealing in both security and foreign policy have been gradually shifting paradigm since the 1990’s in order to do more and better “state-building” as a means to enhancing their security, as recent policy pronouncements and especially recent interventions neatly demonstrate. The sections above already suggested that the seeds of this linkage between American intervention in post-conflict settings and the provision of police/security assistance as a way towards both peacebuilding and political development are to be located in the Clinton administration, and specifically in PDD-71.

David Bayley, in a recent survey of U.S. efforts on international police assistance (Bayley 2006), summarises the trend neatly. Within the context of post-Cold War security agenda, the collapse of the Soviet Union (and, one should add, the deepening of the globalisation

process) was perceived as having left liberal, market-oriented democracy as the sole victor model. In the somewhat triumphalist consensus that emerged in the early 1990's, democracy promotion became an overarching (some, including Bayley, would say *the* overarching) goal in U.S. foreign policy. Additionally, a third change took place, in that the perceptions – both scholarly and in policy-circles - of the role of the police in political order went gradually from obstacle to enabler with the result that “(...) assistance to security institutions abroad (...) was no longer viewed as dangerous, unsavoury, diversionary and politically retrograde, but as a key component of social stability and economic development.” (Bayley 2006: 10). This was then coupled progressively in the 1990s with a concern about failed states, leading to the view that ‘security sector reform’, as it would be later termed - and particularly the reform or reconstruction of police as a key component of SRR, - were in fact vital means to achieve democracy promotion abroad. In Bayley's words,

For a variety of reasons, then, criminal justice reform, in particular that of the police, became an important element in the foreign policy of the developed world during the last decade of the 20th century. (...) [I]n the 1990s the international community rediscovered a lesson that had been marginalized during the Cold War, namely the importance for peace and prosperity of creating effective law-enforcement institutions that operate under the rule of law and with respect for human rights . The 1990's were unique in the scope and explicitness of attention given by the international community to police reform of a democratic character. (Bayley 2006: 10-11)

David Bayley's analysis underscores the importance of this linkage between providing security assistance and promoting democracy, human rights and the rule of law in the American foreign policy mantra of the 1990s. That particular modulation of state failure seems coherent with the approaches of the Clinton administration analysed above. But in the decade that followed Clinton's tenure, what connections did the Bush administration draw between security assistance, state failure, and the goals of American foreign policy?

Given the sheer volume of literature on state-failure in the last ten years, it is firmly outside the bounds of this chapter – indeed, this dissertation – to provide a comprehensive survey of theoretical and policy approaches to the problems of state-failure, let alone engage in critical fashion with all the arguments raised. Rather, the objective of this section is to sketch some of the main lines of argumentation emerging from the literature, especially as

they seek to link state-failure and the problem of “ungoverned spaces” as security problems, thereby opening such areas up to international governmental technologies such as policebuilding. This provides a useful backdrop against which to analyse changes and continuities in American regimes of security assistance, particularly since the end of the Cold War.

The literature on state frailty and state building mentioned above seems, on the whole, to emphasise the functional failure of states, i.e. the weakness or failure of state capacity to provide its citizens with three major bundles of public goods: security, first and foremost; representation, as a channel to address needs and grievances in a non-violent way; and welfare (Milliken and Krause 2003: 1-13). The failure of states to first assert their institutional presence, visibly and/or effectively, and in second place to fulfil their obligations to citizens in this liberal, social-contractarian view of statehood, is thus what is portrayed as causing the breakdown of social and political order (cf. Gros 1996; Potter 2004; Rotberg 2003: 1-26; Einsiedel 2005: 14-16; Kreijen 2004: 86-96).

The analogy can be – and is often - made with the influential “broken windows” theory of crime control proposed by prominent neo-conservative author James Q. Wilson and sociologist George L. Kelling in the early 1980’s (Wilson and Kelling 1982). According to these authors, the inability or unwillingness of the authorities (at the local or national level) to respond to exterior signs of urban decay (“broken windows” or “litter on the sidewalk”), and to tackle petty crime (especially vandalism) sends a signal to criminals in the area – emboldening them to escalate their activities. Thus, if failure of public order and public safety at the most basic level becomes tolerated, this empowers “criminals” of all sorts. Wilson and Kelly argue that this encourages unlawful behaviour, opening up opportunities for criminal threats to emerge in these ungoverned spaces, which might spill over into other areas. In this view, spaces which are not subject to governmental gaze, governmental presence, or any sort of regulation, represent a security threat.⁹¹

⁹¹ In addition Wilson and Kelling go on to stress two ideas that (unwittingly) resonate with the Foucauldian analysis adopted in this thesis. On the one hand, they highlight the role of community involvement in public order – that is to say, they see 'community' as rife with potential for engagement, so that it becomes part and parcel of security governance strategies (Wilson and Kelling 1982: 2). Governmentality studies have often referred to this idea of 'working through community' as key to liberal governmental projects (cf. Rose 1996, 2001; Singh 2008: 114-115). On the other hand, the authors focus on the idea of individual citizens having to take responsibility, indeed ownership, for their own security provision (Wilson and Kelling 1982: 4-5), which resonated with the themes of responsabilisation already broached above.

Although the theory was originally offered in response to debates about criminal justice within the U.S., and has since come under heavy criticism, one can see the parallels that have been – implicitly and explicitly – drawn from this domestic analogy for the politics of international security governance (cf. e.g. Bumgarner 2004: 10). In particular, links have been explicitly drawn between it and contemporary American efforts in the police assistance field (Axe 2008). Also, during fieldwork, at least three individuals made explicit reference during the interview process to the “broken windows” theory as a paradigm for US international police assistance efforts, and recent U.S. interventions more generally (DC21, personal communication with the author, 14th Dec. 2006; DC23, 18th Dec. 2006; KB6, 10th April 2007). The frequency – and vehemence – with which the “broken windows” metaphor cropped up in fieldwork interviews in Washington is telling, as it indicates that several key individuals have made sense of U.S. international policebuilding efforts, and their own role therein, through this imagery. As such, modulating state-failure as a domain of insecurity through the use of criminological metaphors such as the “broken windows image” opens it up for security interventions by experts (cf. Huysmans 2006a: 6-10), who mobilise their particular knowledges – in this case, the solution for both seems an increase in police presence/activity/capability as a means of signalling the territorial control of the state.

In this way, areas at the international level which are deemed ungovernable or ungoverned – for instance, in cases where a state is unable (or unwilling) to extend the rule of law and the monopoly of the legitimate means of violence to the whole of its territory - warrant intervention, lest these “black holes” become sanctuaries for terrorists, or thoroughfares for drugs and other contraband. This linking of state frailty, ungoverned spaces, criminal threats and international security is often found in the literature on state-failure, but also, tellingly, in axial policy documents of US foreign policy. Consider, for instance, the rationale for the 2005 National Security Presidential Directive number forty-four (NSPD-44), which clearly states that the US has a “significant stake” in stabilisation and reconstruction operations in order to “enable governments abroad to exercise sovereignty over their own territories and to prevent those territories from being used as a base of operations or safe haven for extremists, terrorists, organized crime groups, or others who

pose a threat to US foreign policy, security, or economic interests.” (NSPDD-44 2005: 2)⁹².

Moreover, as early as December of 2005, Secretary of State Condoleezza Rice echoed this conception in an article in the Washington Post, stating that “(...) the greatest threats to our security are defined more by the dynamics within weak and failing states than by the borders between strong and aggressive ones” (Rice 2005). And Marcia Wong, Deputy Coordinator for Reconstruction and Stabilisation at the State Department, expressed this view in unequivocal terms:

Where there is a failure of governance, and the state is too weak to control its territory and provide for its people, it can become a haven for terrorism. (...) A vacuum of good governance and rule of law can lead to a host of dangers – organized crime, drug trade, human trafficking, weapons proliferation, terrorist safe havens. (...) So, this is not a small problem in far-flung places. State collapse has wide repercussions – creating a ripple effect through a region, and affecting the international community. This focus on state weakness is not new. (...) What is different today is that we understand better the interaction between state failure, humanitarian crises, and our own security. It's not enough to focus only on strong states, when our security is so closely tied to the success or failure of societies in weak ones. Addressing state weakness is consistent with our national values. And as we have come to understand, it is also in our national interest. (Wong 2006)

In this vein, the linking of such “ungoverned spaces” to security threats to the US has become increasingly prevalent in the ever-changing Department of Defence internal vocabulary. As early back as 2003, Secretary of Defence Donald Rumsfeld was discussing the difficulties of the war on terror thus: “The second thing I would say is that there are *ungoverned areas in the world*, as the general said, and that is a problem. That makes it easier for people who are trying to evade attention and capture to continue to function, because -- *literally areas that no one is governing*.” (Rumsfeld 2003, emphasis added). When queried by the press about other global concerns in the war on terror, besides the high profile interventions in Iraq and Afghanistan, the Director for Strategic Plans and Policy, Lt. Gen. Victor Renuart described the problem thus: “Well, we spent a lot of time talking about a term that may have been mentioned by the secretary and chairman in the past, and that is, ungoverned spaces (...) [A]nd in that kind of environment it's easy for

⁹² The directive, signed by President George W. Bush, supersedes previous Directives by the Clinton Administration.

illicit trade -- smuggling, piracy, narcotics trafficking, as well as terrorists, all move through that kind of environment.” (Renuart 2006) Additionally, the DoD now possesses an “Ungoverned Spaces” initiative (cf. Wong 2006), prompted by Deputy Assistant Secretary of Defence for African Affairs Theresa Whelan’s presentation on “Africa’s ungoverned space – a new threat paradigm” (Whelan 2005).

Whether in the parlance of state failure (DoS), fragile states (USAID) or ungoverned spaces (DoD), the fact is that U.S. security practices have changed substantively, so that “(...) [i]t now extended to the penetration of the state, the socialization of its polity and the administration of rule of law to groups and individuals within it” (Freeman 2007). In a security environment characterised by criminal threats emanating from, or passing unhindered through, fragile states, the solution presented is loud and clear: intervention in order to create or restore, quickly and visibly, public order and security – much like the recommendations the original “broken windows” article mentioned above, made to chiefs of police about their poorly governed neighbourhood with high crime rates. It is in this context that assistance to security governance becomes paramount, especially in terms of (re)building internal security institutions.⁹³ One obvious area in which this has had application by the Bush Administration is in states emerging from conflict, such as Iraq and Afghanistan. As a recent and comprehensive RAND study on “Establishing law and order after conflict” summarises in its opening page:

Providing security and reconstructing internal security institutions is a key component of nation-building operations. As the U.S. military’s Field Manual 3-07.31 Peace Ops notes, these tasks are vital to establish “a secure environment” in order to “create the conditions for other political, economic, and humanitarian peace building activities.” They are also vital to lay the foundations for a strong and legitimate state. (Jones et al. 2005: xi)

In other words, the Bush administration began modulating their security assistance efforts - including policebuilding programs in the wake of conflict - through the language of state failure, and the attending dangers of ‘ungoverned space’. On the one hand, this firmly anchors American police assistance under Bush to the tasks of state-building in places like

⁹³ This chapter, and indeed this dissertation, focus on US efforts in policebuilding – i.e. programs and techniques of government aimed at assisting third countries to (re)build or (re)develop their internal security apparatuses, mostly within the framework of the rule of law, and criminal justice reform. However, it seems quite telling that the other main arm of international security assistance – that of training armed forces in post-conflict environments such as Afghanistan or Iraq – is disproportionately focused on internal security as well.

Afghanistan and Iraq. On the other, this modulation of ‘ungoverned space’ as a security threat neatly links with some of the dominant themes of President Bush’s Global War on Terror. In particular, American security assistance thus becomes a central tool in denying terrorists sanctuary (cf. Innes and Scheuer 2007), and also in bolstering the institutional security capabilities of states in the frontlines of the war on terror (cf. e.g. Fair and Chalk 2006; Isacson and Ball 2005: 414-421). As one senior official ambitiously put it, in a statement prepared for Congress on the matter:

Our government must be prepared to help partner nations protect themselves, and by extension the United States, from terrorism with a wide spectrum of assistance and delivery platforms. Elements of this spectrum may include the most basic cop-to-cop training in community policing on the streets of foreign capitals, tactical training of police SWAT teams and explosive ordnance disposal experts, investigative training in arcane areas such as the encrypted cyber communications and reverse money laundering schemes known to be used by terrorist organizations, the fostering of interagency cooperation through effective joint terrorism task forces, institutional reform of ponderous and sometimes corrupt security institutions, assistance in intelligence collection and analysis, and military training and assistance at the tactical, operational, and strategic levels. (...) We must provide that assistance and training in a manner that complements the partner’s existing security infrastructure and can be sustained. (Pope 2005)

One can thus observe change of emphasis in the discursive regimes that underpin American policebuilding - from a strategy of international crime control and promotion of democracy and rule of law under Clinton, to a strategy of security assistance as part and parcel of both state-building and the objectives of the ‘war on terror’. In the next section then, we shall examine how the Bush administration went about pursuing that goal.

2.2. Back to the drawing board? Bush administration policebuilding strategies

2.2.1. The death of PDD-71?

As we have seen at the beginning of this chapter, Clinton’s largest contribution in terms of U.S. policebuilding was the drafting and putting into force of PDD-71. The legislation provided clear guidelines for future policy in the area of post-intervention security governance. It also sought to place the capabilities of the U.S. government in terms of policebuilding on a decidedly multilateral path in its application abroad (setting it in the context of multilateral peacekeeping and complex emergency operations). Moreover, the

directive relied primarily on civilian agencies of the U.S. government to lead police assistance efforts. It was also focused on ensuring human right and (at least notionally) on empowering local populations to co-own their security reform processes. Finally, PDD-71 was extremely cautious about the use of the military in providing constabulary capabilities in support of policebuilding but resigned to its deployment, given the special set of skills required by the U.S. military, and the fact that it was likely to be the first on the ground.

However, many of these aspects would seem to be at odds with the policies of the Bush administration that followed Clinton into the White House. Not only had Bush's campaigning centred around the idea that nation-building was not an adequate priority for America (Dobbins 2005: xv, 2006: 29; Flournoy 2006: 86; Neal 2003; Woodward 2002: 192), but the first months in office of his foreign policy team seemed to augur a less-than-congenial attitude towards multilateral institutions and power-sharing arrangements in general (e.g. Garrison 2004: 52; Murphy 2004: 207).

Upon assuming office, President Bush indulged in bureaucratic and legislative house-cleaning, and by signing a National Security Presidential Directive (NSPD-1), his administration effectively nullified Clinton's legislative edifice (Perito 2004: 278). This was not followed, however, by any specific legislation to replace PDD-71's framework for police assistance, or indeed improve American security assistance efforts in post-conflict settings. By failing to either renew or replace PDD-71, Bush, perhaps unknowingly, landed his administration once again in a legislative limbo in what concerned policebuilding activities. This transpired less than a year after the birth of PDD-71. According to Perito:

This was particularly true concerning issues related to justice and reconciliation that fell within the purview of PDD-71. In the absence of the directive, the new administration did not have a clear policy concerning what assistance the United States should provide towards restoring public order, law enforcement, justice and the rule of law in postconflict environments. There was no indication of what agency, office or individual was responsible for providing leadership, or how interagency programs should be coordinated. (Perito 2004: 279)

When the 9-11 attacks took place, Bush's initial reluctance regarding interventions abroad vanished. Subsequent operations in both Afghanistan (2001) and Iraq (2003) slowly revealed themselves as long-term exercises in nation-building, a task to which the Bush

foreign policy team committed itself to without a key instrument of security governance in place, PDD-71. In the absence of such a focal point – and also perhaps reluctant to recognise or hark back to Clinton achievements in the foreign policy arena – the Bush administration saw itself having to reinvent the wheel when it came to police assistance (Flournoy 2006). Moreover, the linking of such interventions to the overall theme of the Global War on Terror, and the specific security problematic of ungoverned states in need of security governance, would give U.S. policebuilding policy under Bush a very distinctive flavour. As we shall see in the next chapter, this translated into the re-introduction of a strong militarised constabulary element in both Iraq and Afghanistan theatres, with the issue of policebuilding increasingly linked to rapid bolstering of local security capabilities, and increasingly disconnected from the more ambitious developmental goals of liberal technical assistance.

2.2.2. The military loves metrics! Developing expert knowledge about post-conflict policebuilding

The Bush administration's thus reoriented of American policebuilding strategies to centre heavily around the notions of state-building and the war on terror. Moreover, the Pentagon gradually took more responsibility for such policy efforts. Although nominally only a co-equal partner in delivering American policebuilding in post-conflict scenarios, the evolution of police assistance regimes under Bush would effectively increase the militarisation of police reform in places like Iraq and Afghanistan, as we shall see in the next chapter. Before moving on to an analysis of that, this final section briefly examines the strategies of developing and mobilising expert, technical knowledge about policebuilding under the Bush administration. This strategy, will become apparent, completed the shift in conceptualising police assistance predominantly as a tool in state-building.

As suggested in chapter two, one of the key characteristics of liberal government is that it operates through security apparatuses, and that these are both producers and products of very specific, expert knowledges. To once again borrow from Foucault's conceptualisation, every regime of power engenders, and is simultaneously reconstituted by, a corresponding

regime of specific knowledges⁹⁴. As discussed above, one of the key characteristics of modern liberal government is the way it operates through mechanisms of problematisation (therefore defining bounded, intelligible fields for governmental action), and rendering technical. Liberal government thereby translates the problem into a series of knowledges and mechanisms that allow for the creation, deployment and management of governmental programs – in the case of the present dissertation, policebuilding programs. To recall the words of Tania Li, both mechanisms “co-emerge within a governmental assemblage in which certain sorts of diagnoses, prescriptions and techniques are available to the expert who is properly trained” (Li 2007: 7).

Government through security apparatuses is, moreover, dependent less on specific disciplinary intervention over the body of this or that individual, than on knowledge of the natural mechanisms of the population. This has led to contemporary forms of liberal government through security to increasingly develop, and rely on, statistical/actuarial forms of knowledge that seek to capture the essential mechanisms and trends of ‘insecurity’ within a given population – often presented in the language of risk – so as to make such problems more amenable to expert governmental intervention (cf. Rasmussen 2001, 2004; Leander and van Munster 2007; Aradau and van Munster 2007).

While the police as a social function of modern states has been inextricably linked to the formation and application of these expert knowledges about security – identifying spaces, population sectors, social activities or individual behaviours as sites of dangerousness in need of governmental intervention for the continued “health and wealth” of the general population – this section is more worried about governmental knowledges about the police itself. To clarify, if police forces in states emerging from conflict are sites of American governmental intervention through policebuilding programs (as detailed so far), then one must also analyse what kind of knowledges and expertise underpin contemporary American discourses of police assistance. In other words, and recalling the discussion in chapter two of governmental knowledge practices, one must question how are American

⁹⁴ Cf. For instance his formulation of the power/knowledge nexus in *Security, Territory, Population*: “A constant interplay between techniques of power and their object gradually carves out in reality, as a field of reality, population and its specific phenomena. A whole series of objects were made visible for possible forms of knowledge on the basis of the constitution of the population as the correlate of techniques of power. In turn, because these forms of knowledge constantly carve out new objects, the population could be formed, continue, and remain as the privileged correlate of modern mechanisms of power.” (Foucault 2007: 109)

policebuilding efforts rendered technical.

These kinds of knowledges are of course not new, nor original in the Bush administration's latest application of policebuilding strategies. On the contrary, every regime of policebuilding mentioned before – from the Caribbean constabularies at the end of 19th century to the interventions in Somalia, Haiti and the Balkans a hundred years later – has relied on a series of conceptual instruments to make sense of the police assistance task at hand. But because as we recede in time such kinds of specific knowledges become less and less sophisticated, and access to them becomes increasingly difficult, the mobilisation of expert knowledge claims to legitimise policebuilding has become much more visible and amenable to investigation during the last decade.⁹⁵

The political sensitivity and visibility of policebuilding in recent years, especially in the wake of the deteriorating security situations in Iraq and Afghanistan, have had the side effect of spurring the creation and dissemination of metrics to evaluate the success of policebuilding programs. Moreover, the increasing weight of the Pentagon in American policebuilding programs under the George W. Bush administration has also meant an increased emphasis in 'metrics' – military parlance for a series of data collection and analysis instruments designed to assess the progress, costs, needs and shortcomings of American policebuilding programs in both Iraq and Afghanistan.⁹⁶ Additionally, the pressures for public scrutiny and public approval mentioned before have resulted in much more readily availability of such technical, expert documents.

In the context of the present chapter, the previous section has already examined how the incumbent Bush administration began to problematise and diagnose state-frailty and the

⁹⁵ This also coincides with a period of greater visibility of policebuilding programs, especially in Afghanistan and Iraq, and greater accumulated literature dealing with various aspects of American security assistance, including policebuilding. This is not surprising – given the need of the Bush administration to seek legitimisation for its course of action in the global war on terror, as well as the theatres of war in which it is involved, it is only normal that more studies quantifying the needs and consequences of security assistance should emerge.

⁹⁶ One interviewee offered anecdotal evidence of this in 2006, during an interview, and again during a public lecture on policebuilding and SSR, saying that since the U.S. military had largely “taken over” police training efforts in Iraq, there had been a huge stress on producing “metrics, metrics, metrics!”, to the point where Iraqi police station chiefs were required to fill in and submit weekly questionnaire forms spanning several dozen pages on everything from how many rounds had been spent, to how many lamps had been substituted. This had led to vociferous complaints from Iraqi police officers, who had complained to the interviewee that this emphasis on measurement, targets and logistics was interfering with their ability to perform actual police duties.

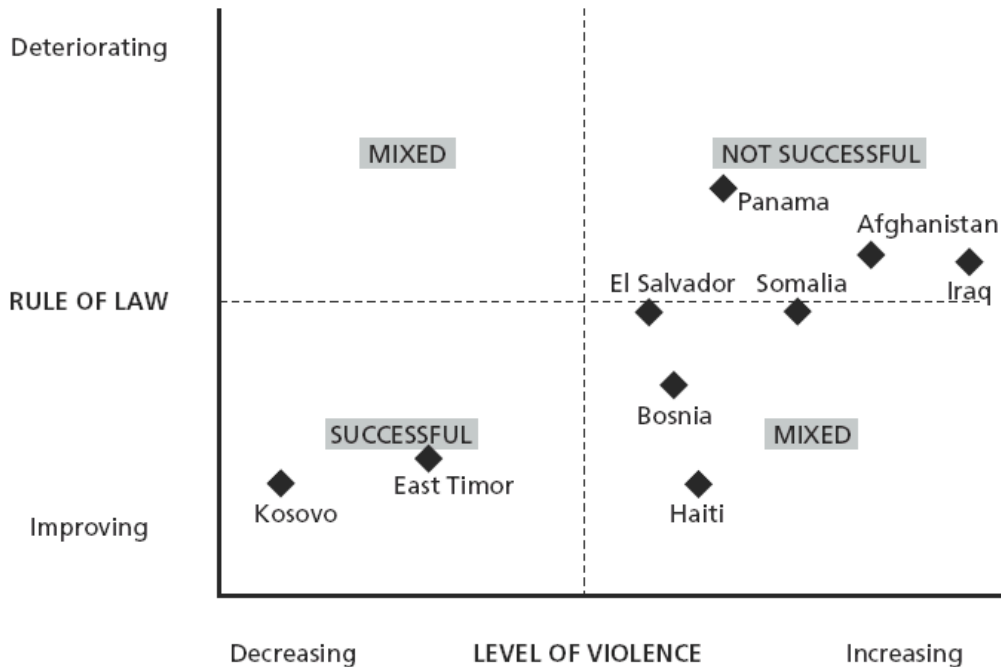
existence of ungoverned spaces as key sites for American security interventions. American policebuilding after the demise of PDD-71 thus became discursively linked to the problem of extending state-capacity following American (military) intervention. This – nation-building or state-building - has become a prime way for American policy-makers under Bush to make sense of policebuilding in particular, and U.S. efforts in security assistance in general. But what of the “prescriptions and techniques” that follow from such problematisation? Having surveyed both sites of change and lines of continuity in the evolving American regimes of policebuilding, it is now time to move down the *dispositif* to a series of micro-practices that underpin this liberal technology of security governance.

In this section, we examine a more general set of knowledge claims and knowledge production mechanisms which constitute the field of visibility, intervention and correction for American policy-makers working on policebuilding.

Of particular significance in policy documents relating to the Bush administration policebuilding efforts in Iraq and Afghanistan, especially post-2005, is their reliance on techniques for visualising the size and impact of American police assistance programs. This is especially true as the U.S. military tries to grasp its new role in providing policebuilding abroad, and tries to adapt itself to the situation. One of the earliest (public) instances of this (re)development of expert knowledge about policebuilding in the Bush administration is a study conducted by the RAND Corporation on *Establishing law and order after conflict* (Jones et al. 2005). An example of how statistical expert knowledge has been brought to bear on regimes of U.S. police assistance is instantly available. In trying to establish the claim that “all societies in transition experience a rise in crime and an increase in violence as old security institutions are dismantled and new ones are built” (thus rendering the issue technical, as discussed in chapter two) and legitimating the task of American policebuilding, the authors muster a series of data about previous operations (some of which discussed here) and plot a graphic that establishes – through a statistical

analysis of crime rates⁹⁷ – the relative success of failure of previous policebuilding models (see Figure S1, below).

Figure S.1
Outcome Measures



RAND MG374-S.1

(Source: Jones et al. 2005)

The authors of this study go on to emphasise the need for reliable statistical knowledge, given that only by generating such technical data can one model it, and produce a matrix of the trends at work in each policebuilding exercise. The methodology employed seems to derive from systems theory, given its repeated emphasis on *inputs* and *outputs*, and expected and real *outcomes*. Policebuilding thus becomes a statistically intelligible field of practice, a where risk, dangerousness and success or failure can be quantified, measured and acted upon accordingly. Policebuilding itself also becomes the aggregate of several

⁹⁷ The authors detail: “Thus, an increase in violence and crime, especially in the initial period after reconstruction begins, does not by itself demonstrate that the mission is failing. In addition, the overall objectives of a nation-building mission—such as the creation of a peaceful, democratic, and market-oriented government—can be achieved against the backdrop of some increase in criminality and violence. However, rising levels of crime and political violence after several years do provide an important indication of the competence of police and other internal security forces. The issue, therefore, is one of degree and duration (summarised in Figure S.1). The x-axis indicates the level of violence; the y-axis denotes the rule of law. The locations of countries are rough estimates. We plotted them according to the percentage increase or decrease in homicide or terrorist rates over the first five years of reconstruction, as well as the percentage improvement or deterioration in the rule of law” (Jones et al. 2005: xiv)

statistical variables: homicide rates, deaths from terrorist and insurgent attacks, and the rule of law and civil liberties” (Jones et al 2005: 192), and the authors wish to contend that “these indicators provide a useful metric of the security environment for the indigenous population” (*ibid.*).

Such an encouragement for collecting metrics on criminal activity and security issues, stems from an emphasis on developing time-series that allow program managers to see the processes and trends operating through time in each case, thereby establishing patterns of the natural processes of security as they operate on the population. This bears a striking similarity to Foucault’s description of how apparatuses of security come to know and act upon a population. In *Security, Territory, Population*, Foucault inserts this kind of knowledge/power into three modalities of thinking and acting governmentally upon issues of insecurity (in this case, he uses the example of theft). The third modality, precisely that of liberal security is described thus: “The general question basically will be how to keep a type of criminality, theft for instance, within socially and economically acceptable limits and around an average that will be considered as optimal for a given social functioning.” (Foucault 2007: 20) He goes on to detail:

The third form is not typical of the legal code or the disciplinary mechanism, but of the apparatus (*dispositif*) of security (...) Putting it in a still absolutely general way, the apparatus of security inserts the phenomenon in question, namely theft, within a series of probable events. Second, the reactions of power to this phenomenon are inserted in a calculation of cost. Finally, third, instead of a binary division between the permitted and the prohibited, one establishes an average considered as optimal on the one hand, and, on the other, a bandwidth of the acceptable that must not be exceeded. In this way a completely different distribution of things and mechanisms takes shape. (Foucault 2007: 20-21)

These variations in knowing security phenomena can, and often do, make very real differences, as they impact on the way security experts – including policebuilding experts – perceive and act upon the security field. As an example, in Afghanistan – the case which forms the focus of the next chapter -, justifications for changing police force levels, for instance, have been given with basis on demographic instruments. What is potentially a key constitutional aspect of the Afghan government’s acting (the *Tashkil* or agreement on police force composition) has been altered on the basis of claims supported by a series of

statistics about ratios of police officers per capita (KB4, Personal communication with the author, 9th April 2007; KB30, 25th March 2008). In a document proposing the changes for higher numbers of police trainees, rather than engaging in the lengthy political negotiation process that in a transitional country is not always an easy or speedy task, American policebuilding experts presented a report where the issue was rendered technical, modulated in statistical terms: presenting a list of countries in the region, and the average number of police officers per thousand individuals, it was summarily argued that Afghanistan needed to boost its force structure (IPCB 2006).

In short, the growing emphasis of the development of adequate metrics and diagrammatic representations in American policebuilding programs, which has surged during the Bush administration, shows an attempt to generate and/or improve technical knowledge of the security processes immanent in populations, a kind of knowledge that might enable the right calculations of government, and the right interventions (Scott 1999; Li 2007: 18).

2.3. Conclusions

	Clinton administration	George W. Bush administration
Nature	essentially multilateral	primarily bilateral
Civil-military relations	mostly civilian	mixed model, increasingly militarised, return to constabulary themes
Key operational frameworks	Peace operations, humanitarian intervention, fight against transnational crime	War on terror, nation-building, doctrine of 'ungoverned spaces'
Institutional framework	ICITAP + INL	ICITAP + INL + DoD + S/CRS
Essential legislation	PDD-71	DoD 3000.05β
Key experiences	Somalia, Haiti, Balkans	Iraq, Afghanistan

Fig. 4.2 – Overview of differences in policebuilding regimes between Clinton and Bush administrations

As can be gleaned from the elements in Fig 4.2 (above), the transition between the Clinton and George W. Bush administrations marks yet another subtle shift in American regimes of

policebuilding. This shift has occurred along three main axes. First, the lessons learned from Somalia and other early interventions which required a police assistance component led the Clinton administration to focus its policy on improving the multilateral setting for American policebuilding. This was apparent in all three relevant directives signed by Clinton (PDD-25, PDD-56, and especially PDD-71). Moreover, this is also demonstrated by the growth of American deployments in multilateral CivPol contingents, and the attempt to develop multilateral training centres worldwide (such as the various International Law Enforcement Academies). The Bush administration, on the contrary, increasingly turned to bilateral policebuilding, emphasising the role of American institutions, programs and teams in delivering post-conflict police aid to select states such as Afghanistan and Iraq. Secondly, while Clinton had strongly modulated his administrations police assistance regimes in terms of a fight against transnational crime, as well as the promotion of rule of law in countries undergoing democratisation, the Bush White House highlighted in its pronouncements the ideas of effective state-building and the theme of the fight against transnational terrorism. Finally, while Clinton fought hard to establish a legislative context conducive to effective policebuilding - which resulted in PDD-71 -, the Bush administration not only “killed” PDD-71, but in effect did very little until very late to replace it with a similar legislative compass (DoD 3000.05, which shall be examined in the following chapter)

To speak of a shift is of course not the same as to talk of a break – and there are, patently, some lines of continuity. For instance, the Bush administration did not significantly alter the institutional structure that enables American policebuilding efforts to be delivered worldwide. Both ICITAP at the Department of Justice and the INL at the Department of State were kept in place as central pieces in U.S. policebuilding strategies. They were, however, supplemented by the heavy involvement of the Pentagon in American policebuilding, and the creation, under Secretary of State Condoleezza Rice, of an *Office of the Coordinator for Reconstruction and Stabilization (S/CRS)*.

Therefore, it is not my intention to argue that there is a sharp departure or displacement of the key characteristics of previous American policebuilding regimes during George W. Bush’s tenure. On the contrary, some of the key elements of policebuilding which mark it out as a liberal technology of rule through security (security governance) have remained

throughout. However, if we are to view American policebuilding as an apparatus, then it is important to foreground the subtle ways in which its disparate elements are re-arranged in their relationships, or the way in which the object of the security apparatus – that is to say, the problem it addresses, and the urgent need to which its creation responds – is modulated differently.

As such, it becomes apparent that by modulating American policebuilding as linked to the Global War on Terror, and by couching it in the language of “ungoverned spaces” linked to terrorism, policy-makers under Bush have done two things: first, they brought security governance programs to the fore, especially security assistance programs to foreign militaries and foreign police. But they have also introduced a wrenching tension between existing models or regimes of U.S. policebuilding. If, as we have seen in chapter 3, the existing regime had gradually moved away from a militarised, constabulary, *ad hoc* policebuilding scheme in the wake of military intervention to a much more structured, civilian and long-term set of programs in transitional countries, preoccupied chiefly with effecting liberal development schemes of the local subjects, and promoting democracy, under the auspices of Bush such programs now seem to be moving in the opposite direction.

To investigate this trend, and indeed to look at the finer grain of how policebuilding becomes instantiated, and policy-programs seek to act upon and (re)constitute the subjectivities of distant populations, we must look at the shifting application of policebuilding technologies in Afghanistan. The next chapter will offer a brief overview of the institutional set-up of American policebuilding in the context of Afghanistan's post-conflict stabilisation, before moving down to an analysis of the micro-practices of security governance.

CHAPTER 5
***THE PRACTICES OF POLICEBUILDING -
AMERICAN POLICE ASSISTANCE IN AFGHANISTAN, 2001-2008***

We are not trying to conquer Afghanistan, we are trying to help Afghanistan conquer itself.

(anon., American ex-Embedded Tactical Trainer with the Afghan National Police)⁹⁸

You have no family and no tribe. The ANP is now your family and your tribe.

(Anon. Afghan police commander)⁹⁹

1. New beginnings – U.S. policebuilding efforts in Afghanistan

As our car moves through the cacophony and chaos which is Kabul traffic, circulation slowly grinds to a halting pace shortly before one of the major roundabouts, near the historic Macroyan quarter¹⁰⁰ and the Ministry of Public Works. I look around, trying to understand the sudden slowing, and query our pensive driver, a bear of a Pashtun: “Trouble?” He shakes his head, and sighs in resignation: “Security check...” As we inch our way towards the roundabout itself, the picture is bizarre. Two traffic policemen, in their dapper green-grey uniforms with white insignias, are trying to slow down and order the traffic so that police and army personnel can pick out and search vehicles. Their best efforts notwithstanding, their frantic gesturing is of little or no avail, as Afghan drivers typically ignore them, and greedily move forward in short bursts of acceleration, cutting

⁹⁸ Quotation can be found online at <http://billandbobsadventure.blogspot.com/2009/02/adventurist-gut-punches-hts-shades-of.html> (last accessed 20th Feb. 2009). The author of the sentence and owner of the milblog (or military weblog) posts anonymously under the pseudonym *Bill and Bob's Excellent Afghan Adventure* or *Old Blue*. The author describes himself as a “citizen soldier with 26 years of service. Volunteered to go to Afghanistan to advise the Afghan National Army as an ETT (Embedded Tactical Trainer.) Wound up as a Police Mentor Team (PMT) mentor working to improve what for most people is their first contact with the government of Afghanistan.”

⁹⁹ Quoted anonymously in a joint DoD/DoS assessment of police training in Afghanistan: “The Afghan commander at one of the RTCs told the assessment team that he tells the recruits being trained, “You have no family and no tribe. The ANP is now your family and your tribe.” (OIG DoD/DoS 2006: 17, fn. 20)

¹⁰⁰ The Microrayan or Macroyan quarter (transliterations vary) was built by the occupying Soviet forces after the 1980 invasion to house party cadres, and is a distinctive reminder of Soviet influence in the urban culture of Kabul (for an overview of its historical and social significance, cf. Issa and Kohistani 2007: 54-55). Today, it houses some 60.000 people, and many government offices are located in its vicinity.

off slower drivers and speeding through any holes in the traffic to their destination. Our driver, used as he is to such things, does exactly the same, lurching the SUV forward in an effort to escape the bottleneck, and in the process leaving a nearby traffic cop waving him down both ignored and frustrated. As we enter the roundabout at relative speed, a soldier with the Afghan National Army notices our manoeuvre to avoid the police officer, walks up to us in the middle of the road, and decisively opens our door, while still in motion, to force us to stop. Clad in his new, American supplied uniform, and sporting a shiny M-16, he barks a question to the driver in Dari: “Weapons?” The driver smiles, shakes his head, and motions to indicate us, the Westerners in the back. The soldier takes off his strangely incongruent American jungle hat, fidgets his radio uncomfortably for a moment as he peers inside, and then just shuts the door noisily, walking away without a word, an apparent sign we can proceed. We speed off once again, as our driver mutters under his breath, with a patronising smile: “Security, crazy!”¹⁰¹

This scene, by no means uncommon in 2008 Kabul, could well be a metaphor for the state of security sector reform in Afghanistan. As I reviewed it in my head, inside the car, it seemed apparent that security forces in Afghanistan, and especially the police, command very little respect, and very little by way of authority, even after 6 years of security assistance efforts by the international community. Traffic cops in Kabul are, generally speaking, bereft of automatic weapons - a true exception in a country which could be a poster for the popularity of the AK-47 assault rifle. But while to my Western eyes their somewhat gentler demeanour proved reassuring in traffic, to them it proved to be an almost insurmountable obstacle in doing their job with any degree of efficacy. Since the police in general are seen by the Afghan public as part of their daily insecurity problems, rather than as a solution, they do not really embody the government's authority in any significant way – safe with a gun on their hands.

The notion that Afghan police are seen by the larger population as a source of insecurity rather than law and order has historical roots and is often quoted in reports justifying the reform of the ANP by the international community (cf. ICG 2008: 5-7; Wilder 2007: 1). Further, such a charge is amply corroborated by anecdotal evidence and my own fieldwork

¹⁰¹ KB18, personal communication with the author, Kabul, 14th March 2008.

in 2007 and 2008, in and around Kabul¹⁰². However, a recent survey conducted by the Asia Foundation presents a somewhat different, somewhat more confusing picture: 80% of respondents agreed with the statement that the “ANP is honest and fair with the Afghan people” (40% strongly agreed, 40% agreed somewhat), the same percentage agreed with the statement the “ANP helps improve the security” (same proportion). Additionally, 73% agreed with the statement “the ANP is efficient at arresting those who have committed crimes so that they can be brought to justice” (34% strongly agreed, 39% agreed somewhat). (Asia Foundation 2008: 33). This corroborates their findings that 82% of respondents manifested some degree of confidence in the ANP as a public institution (Asia Foundation 2008: 25). However, this jars with several other findings by the same survey: 49% of respondents indicating some degree of fear when encountering the police (34% some fear, 15% a lot of fear), and 60% agreed that the ANP is unprofessional and poorly trained (22% strongly agreed, 39% agreed somewhat), while 69% agreed that the ANP “needs the support of foreign troops and cannot operate by itself” (Asia Foundation 2008: 32)

As I thought about it, I began noticing re-enactments of this general disregard for police authority all over town: cops having to physically block the traffic by standing in the middle of the road, risking their own life to make their orders obeyed, or sporting automatic weapons to bolster their claims to authority in the public space. In short, since a modern, professional, incorrupt, state-run, community-friendly police institution is an historical oddity in Afghanistan, in order to do their work, more often than not police officers find themselves deriving their legitimacy not from the law, but from the barrel of a gun.

This trend was made sadly and violently apparent in May 2006, as Kabul was engulfed in popular, spontaneous riots, leavings at least 14 people dead, and scores more seriously injured (Gall 2006). The Washington Post called it “the worst street violence since the fall of the Taliban in 2001 (...)”, as angry mobs roamed the streets of Kabul, “(...) many of them shouting slogans against the government and United States, set fires, attacked buildings and clashed with police for about seven hours.” (Constable and Hamdard 2006). The event which sparked all of this was a relatively banal occurrence in post-conflict

¹⁰² Interviews with KB2 (9th April 2007); KB3 (9th April 2007, 25th March 2008), KB11 (12th April 2007); KB18 (25th March 2008) and KB21 (19th March 2008), Kabul (cf. Supplementary Sheet).

Kabul: a US military convoy was involved in an accident, ramming into civilian vehicles and causing at least one dead and several injured among Afghan civilians. But as the angry populace began to mass around the crash site, US forces and Afghan police made a show of force, trying to contain and disperse the crowds. There are conflicting accounts, with some suggesting that both US military and the Afghan National Police (ANP) fired into the crowd, while official reports deny this and said only warning shots were fired into the air. What is clear, however, is that weapons were held and fired by the security forces, and that the Afghan police were perceived by the populace on the spot to be supporting and protecting the American contingent – rather than being impartial instruments of the Afghan justice system. That was enough to spark a wave of violence that soon turned from anti-American to anti-Western manifestations, leaving behind a litter of broken windows, charred automobiles, and very scared international aid workers (KB1, personal communication with the author, 8th April 2007, Kabul).

In light of this last example, it becomes obvious why Security Sector Reform has risen to its contemporary prominence, virtually at the heart of today's post-intervention efforts by the international community and the US in Afghanistan. Without some semblance of security guaranteed to both the local population and the host of international aid workers in post-conflict scenarios, the mantra goes, little or no reconstruction can be achieved, let alone the loftier ideals of democracy-promotion so central to contemporary U.S. foreign policy¹⁰³. And of course, of all the institutions targeted for reform in the SSR process, the police often constitute the most visible, the most ubiquitous, the most common daily interface between people and their security providers (usually States). Additionally, the police is a special kind of social institution, for it simultaneously embodies both legal restraint and discretionary powers; crime-prevention and peace keeping; the right to take life and property but also the duty to foster and protect them.

As shown throughout the previous chapter, American policy-makers of both the Clinton and Bush administrations realised very soon that in post-intervention, especially post-conflict scenarios, the police are key to maintaining a modicum of law and order structure the social and political field in ways receptive to further assistance. After over a quarter of

¹⁰³ This idea of security as a precondition for reconstruction and development, and the attending “security first” agenda in post-conflict operations, is becoming widespread in the literature (cf. Brzoska 2003: 27-30; Etzioni 2007: 20-31; Krause and Juttersonke 2005: 455-56; Ottaway and Mair 2004; Schwarz 2005)

a century of violent, internecine, factional conflict, American policy-makers contended, few places on the planet were more in need of police assistance than Afghanistan.

1.1. Plugging the security gap

In the wake of the September 11 terrorist attacks, the U.S. intervened in Afghanistan, in an incursion dubbed by the Pentagon *Operation Enduring Freedom*. For the Bush administration, this was a dual-purpose intervention. It was conducted as a key step in rolling out the Bush administration's Global War on Terror, but also as a means to tackle the problem of state failure and 'ungoverned spaces', which was being modulated as a key security issue for the U.S, as we have seen in the previous chapter. As such, the Bush administration resorted to the discursive regimes of 'humanitarian intervention' and 'nation-building' from which it had initially shied. However, for all the earnestness and excitement with which the U.S. represented and conducted *Enduring Freedom*, the Bush administration – particularly the neoconservative elements within it – failed to foresee the consequences of a strategic bombing campaign for the future of Afghanistan, and America's role in it.

Afghanistan, ravaged almost incessantly by internal violence for almost a quarter of a century, had one of the most inadequate public infrastructures in the world (cf. Coyne 2007: 163-4; Goodson 2001: 92-97). Sure enough, Afghanistan was now free from al-Qaida training camps, and according to the nascent narratives of securitised “ungoverned spaces”, it presented an opportunity for a new Afghan state to establish its remit, and Weberianly claim the monopoly of force within its territory, with the assistance of the international community. However, what the U.S. military had failed to foresee was that the rapid collapse of the Taliban regime, and the strategic retreat of its al-Qaida guests suddenly left the U.S. armed forces in charge of a country without a real state – from public sanitation to public police. The ‘light footprint’ advocated by Donald Rumsfeld, neoconservative advocates and policy-makers in Washington - based on small special forces units, extensive use of air power, and precision guided munitions - had lasting political ramifications, and left the U.S. particularly ill-fitted to establish a comprehensive regime of security provision and governance in Afghanistan (Lock-Pullan 2006: 164; Vaishnav 2004). And it would surely take some time to produce from the ashes a viable

Afghan state, complete with an Army and police, to provide security to its own people. In short, the U.S. had just created “a security gap”.

In the abundant literature that has appeared recently on transitions from conflict (what the Pentagon identifies as Phase IV of operations (Crane 2005)), the “security gap” refers to two intertwined phenomena. On the one hand, the more common and widespread meaning of this concept is the partial or total collapse of law and order in post-conflict societies, that is, the vacuum of security provision by the state as one regime falls and another seeks to establish effective mechanisms for security provision and the rule of law for its population (i.e. the security gap as a “deployment gap” cf. Dziedzic 1998: 8-10). On the other hand, the concept has also come to mean the gap between expectations of security - by the new regime trying to provide it, by the intervening forces, or by the local populace -, and the actual delivery of security on a day-to-day basis (i.e. the security gap as an “enforcement gap”, as well as an “institutional gap” cf. Dziedzic 1998: 10-16)¹⁰⁴. In the case of Afghanistan, the security gap has come to mean – at least in the parlance of U.S. officials - the institutional shortcomings of the Afghan state in achieving a sustainable, autonomous capability in security governance since 2001 (DC25, personal communication with the author, 18th Dec. 2006; KB17, 13th March 2008).

In the case of Afghanistan, the U.S. did not have a clear plan for addressing the security gap immediately after the invasion, nor did it envisage using a CivPol contingent, or ISAF’s troops as peacekeepers. Instead, it relied initially on the various Afghan militias which had helped American forces oust the Taliban regime, which in turn created an ever greater security problem, as many engaged in unlawful behaviour rather than plug the security gap (Goodson 2006: 149). In the longer term, however, American policy-makers understood the need for a full-fledged security sector reform process, so as to help the fledgling Afghan state set up its own security forces, and thus take responsibility for plugging the worsening security gap (149).

¹⁰⁴ The notion of a security gap in post-intervention scenarios has generated a fair amount of literature (Cawthra and Luckham 2003: 323-325; Feil 2002; Jones *et al.* 2006; Pugh 2008: 418-419; Stromseth, Wippmann and Brooks 2006: 147-149), especially with regard to the role of police forces in plugging the gap. Regarding the latter, there is now some discussion as to what is the best model to adopt with several authors pushing for the deployment of paramilitary/constabulary type units (or “formed police units”) (Agordzo 2009; Dziedzic and Stark 2006; Perito 2008), and other authors severely criticising that option (Hill, Berger and Zanetti 2007).

2. Early days – 2002-2006

2.1. Geneva Process, SSR and “lead nations”

After the military intervention by the U.S. in the Fall of 2001, there was an urgent need to fashion a new, transitional government, and lay the foundations for a post-Taliban political order. For that purpose, a number of Afghan notables – leaders and representatives of the various political factions, minus the Taliban – met in Petersberg, near Bonn, Germany, under the auspices of the UN's Special Representative of the Secretary-General for Afghanistan. Given that no stable, internationally recognised Afghan government had existed in exile, the agreement established the bases for an “Interim Authority” to assume formal sovereignty on behalf of Afghans in December 2001. Its purpose was to ensure the smooth transfer of power into Afghan hands, and to make all the preparations for the convening of an Emergency *Loya Jirga*, presided by the ailing Zahir Shah, within six months. The purpose of this Emergency Jirga would be to “decide on a Transitional Authority, including a broad-based transitional administration, to lead Afghanistan until such time as a fully representative government can be elected through free and fair elections (...)” (Bonn Agreement 2001). In the mean time, the process of reforming Afghanistan's security sector, because of the urgency of plugging the security gap, was officially launched with a series of G-8 and donor meetings, held in Geneva in early 2002 (Sedra 2004: 3).

The security sector reform (SSR) process was divided into five pillars, with each of them being assigned a “lead nation” that should coordinate all efforts: military reform under the aegis of the U.S.; police reform (Germany); the disarmament, demobilisation, and reintegration of ex-combatants (Japan); judicial reform (Italy); and counter-narcotics (UK). Germany, through its Ministries of Interior and of Foreign Affairs, established the German Police Project Office in March 2002, which started functioning in Kabul in early April of the same year. In its capacity as lead, co-ordinating nation, its duties were to establish (or more accurately, re-open) the Kabul Police Academy, to assist in the recruitment and training of Afghanistan's police recruits, to implement and contribute to funding assistance, and to advise the Afghan Ministry of Interior (MoI) with regards to police reform and rule of law. (FFO/FMI 2005: 8) By April 2007, the GPPO had field offices in Mazar-e-Sharif, Kunduz and Feyzabad, 327 police advisers had worked on the mission, and Germany had

provided over 60 million Euros for rebuilding the Afghan police (GPPO 2007).

It is unclear what exactly the decision-making process was during the talks that led away from the more usual framework (a multilateral, UN sanctioned mission with a CivPol component) and to such a division of labour on the crucial issue of security governance. Some decisions looked fairly justified - the US has had extensive experience with security assistance to foreign armed forces, probably having done it more often, longer and in more places than any other nation¹⁰⁵, while Germany has a well-documented relationship in assisting Afghanistan's police that stretches back at least 50 years (Amstutz 1994: 268; Girardet 1995: 120-22; Macoun 1996: 112-114; Rubin 1991: 83; Schreiber et al 1995: 162-3). Other choices, however, appeared rather arbitrary: Japan had little local knowledge of the Afghan case, and precious little experience dealing with warlordism. One choice in particular was risible – the important issue of justice reform and rule of law being handed to Italy, who had neither the experience with such processes in post-conflict operations, nor the necessary knowledge of the Afghan legal context.

Given the large disparities between the lead nations in terms readiness, available funding, political culture, national public opinion, and available personnel, it soon became apparent that security sector reform in Afghanistan - instead of being a co-ordinated, parallel and relatively well-integrated process - was doomed from the start to suffer from a series of wrenching tensions. In an analysis of the difficulties that thus plagued the Geneva process, Mark Sedra states: “The rationale behind the scheme was sound; it assumed that giving donors a direct stake in the process would guarantee long-term support. In actuality the scheme has disjointed the process preventing the formation of much needed synergies across the breadth of its programs” (Sedra 2004: 3). Nowhere was this more apparent since the beginning than in the reform of the Afghan National Police.

¹⁰⁵ As chapter two briefly indicates, this tradition extends at least to the late 1800's. In addition to constabulary operations, the U.S. has provided training and assistance to a host of foreign nations. Apart from the modicum of literature on policebuilding already mentioned, there is also a significant body of writings on American military assistance/advising to foreign forces throughout history (cf. Becena 1993; Bolger 2006; Gibby 2008; Grube 2008; Hermes 1966; Lumpe 2002; Marks 2001; Mott 1999; Porch and Muller 2008; Waghelstein 2008; Westermann 2008). In 2006, the Combat Studies Institute at Fort Leavenworth organised a symposium on military history precisely on the topic, the result of which was an edited volume entitled *Security Assistance: U.S. and International Historical Perspectives* (Gott & Brooks 2006), in which one of the participants was Gen. David Petraeus (now the Commander of the U.S. CentCom, and therefore responsible for the Afghan theatre of operations).

2.2. The INL steps in - the Afghan Police Program

As it became clear that individual lead nations did not have enough funds to kick-start their SSR projects with the speed and intensity which would correspond to U.S. wishes, ISAF strategies and the needs of the Afghans, the Bush administration stepped in. Interviews in Washington DC during fieldwork in the Fall of 2006 revealed a widespread sentiment that Germany's efforts to rebuilding and reform the Afghan police was clearly insufficient. Almost no one questioned the technical abilities of the German police advisors on the ground, nor did anyone think that the establishment of a very professional, high-level, fully staffed, curriculum-intensive Police Academy was a bad idea. But the (perceived) slow pace of recruit turnover, the small size of the German operation (it did not cover the whole country), and the relatively low number of German advisors in-country at any one time anguished American officials working in policebuilding (DC13, 15th Dec. 2006; DC29, 19th Dec. 2006; DC15, 6th Dec. 2006; DC27, 18th Dec. 2006, personal communications with the author).

The Afghan government, alongside its international partners, most prominently Germany, had agreed on a force level ceiling of 62,000 for the Afghan national Police¹⁰⁶. Although the figure was a ceiling and not a floor, and no specific targets and deadlines had been agreed upon in either the Geneva (April 2002) or London (January 2006) talks, the U.S. was growing impatient at what it perceived as insufficient results on the German part. Germany initially sought to reach an accommodation with the U.S. on the matter, and there were high-level meetings between the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) and their German counterparts. But conversations stalled since Germany's proposal was to negotiate extra-funding from the US government, so it could expand its operations while keeping to the same strategic framework. U.S. officials on their part insisted vehemently that if they were going “to fork over the big bucks, they should be calling the shots”, i.e. Germany would become an implementer, but overall strategic decision should follow American guidelines (DC29,

¹⁰⁶ A US interagency assessment of the Afghan Police Program details: “The Afghans and the coalition partners agreed to set the ANP force ceiling at 62,000, a figure based on a calculation by representatives of the government of Afghanistan and German planners as to the minimum number that could function effectively and be supported and financed by the Afghan government over the long term. That figure included 44,300 uniformed police, 12,000 border police, 3,400 highway police, and 2,300 counter narcotics police. During the January 2006 international donors conference in London, conferees reconfirmed the 62,000 ceiling while adding a standby reaction police force and adjusting the size of other ANP subdivisions” (OIG DoS/DoD 2006: 5)

personal communication with the author, 19th Dec. 2006).

The Department of State decided instead that it would ‘complement’ Germany's strategy, taking charge of the all the basic training below officer level, and inject massive amounts of money and personnel into the Afghan scenario. For that purpose, it tasked an Afghan Police Program inside the INL, and in mid-2002 it built its own, parallel police ‘academy’ - a Central Training Centre (CTC) in Kabul, which it finished in 2003. This meant that initially the nascent U.S. policebuilding program was addressing police needs in Kabul, but it would soon need to move beyond that, and so the CTC was followed by the building and opening of seven more Regional Training Centres (RTC's), operating out of in Kandahar, Kunduz, Jalalabad, Gardez, Bamiyan, Herat and Mazar-i-Sharif. As for curricula, they were built on the basis of the curricula previously used by the INL in Bosnia and Kosovo during the 1990's, although major adjustments had to be made to adapt to the Afghan context, where illiteracy was a crippling and pervasive problem¹⁰⁷.

With an initial budget of approximately 24 million dollars, the INL channelled recruits into two “tracks”, according to their level of literacy (INL-APP 2006: 7). However, while the shortest course initially ministered by the GPPO to officers at Kabul's National Police Academy was 1 year (the longest taking 3 years of formal training, plus field experience), INL's focus on high-volume, high-turnover meant that courses lasted 5 to 9 weeks initially, depending on the track, with the possibility of recruits taking “speciality courses” later on such issues as criminal investigative skills, tactical skills, pistol and rifle qualifications, or crowd control, among others (INL-APP 2006: 3, 8-10; DC13, 30th Nov. 2006; DC29, 19th Dec. 2006; KB4, 9th April 2007, personal communications with author).

Additionally, the U.S. policebuilding program in Afghanistan focused on structuring logistics – the most recent UN Human Development report on Afghanistan concisely states that efforts and funding “(...) have largely concentrated on the rebuilding of police facilities, providing uniforms and equipment, training, and pay and rank reform.” (UNDP 2007: 84). In fact, this trend of focusing large parts of the policebuilding budget on

¹⁰⁷ Afghanistan's literacy problem, especially in the context of security assistance programs, is well documented (Clifton 2008: 13; OIG DoD/DoS 2006: 28-30; Wilder 2007: viii, 30), and the U.S. Government even contracted with a private security firm (a branch of MPRI) to develop special, image-based curricula for military training programs (DC8, personal communication with the author, Washington, 16th Nov. 2006)

equipment and logistics has continued unabated – a 2008 report by the Congressional Research Service detailed that in order “to address equipment shortages, in 2007” the U.S. government would be “providing about 8,000 new vehicles and thousands of new weapons of all types.” (Katzman 2008: 36)

3. New developments – 2005-2008

3.1. The Pentagon steps in – DoD directive 3000.05

Since the end of the Clinton administration, as we have already seen in the previous chapter, the Bush administration saw itself in the unenviable position of having to continue a policy of intervention abroad that would include extensive issues of transitional security and long-term objectives of state-building and the establishment of sustainable security governance capabilities. However, it had already revoked PDD-71, the one piece of American legislation that effectively established the focal point for a coordinated, clear response of the U.S. government to such emergent needs.

Given that limitation, and the fact that by 2004 the U.S. was deeply embroiled in effecting post-conflict reconstruction and stabilisation in both Afghanistan and Iraq – with a record of very mixed success, to put it charitably – the Bush administration commissioned or encouraged a series of studies from Washington think-tanks, consultancies, and the Pentagon itself, to devise long-term strategies for improving American post-conflict capabilities, including issues of security governance in post-intervention scenarios. Particularly influential was a working group, established in the summer of 2004, to deal with policy recommendations regarding transitions to and from conflicts, organised by the Defense Science Board (DSB 2004, DSB 2005). One of the key messages in the ensuing report was that the future operations the U.S. military was likely to face would look a lot more like Afghanistan and Iraq (or Somalia and Haiti) than World War II, and that, therefore, the Pentagon should pay close attention to developing a set of capabilities for stabilisation, reconstruction and transitional security (DSB 2004: iii-xviii). Among these,

the Defense Science Board panel recognised that “when daily life in a country is largely shaped by violence of a magnitude that cannot be managed by indigenous police and security forces, progress is difficult” (DSB 2004: 12), and the report specifically mentions an “ability to train constabulary forces and indigenous police” as one of several critical capabilities for DoD stability operations (43).

In fact, the document puts forward an explicit argument for developing a series of expert, technical capabilities in the domains of transitional security, rule of law, and governance, and links it quite openly with American objectives of promoting a particular kind of liberal order in post-intervention settings:

By establishing a secure environment, *military forces open a window of opportunity during which political and economic changes can take place*, thereby allowing a society to move from conflict to peace and democracy. The civil elements of an S&R mission must promote such changes. *It is police, judges, civil administrators, and technical advisors who help build new institutions for security, rule of law, governance, civil society, free press, and political parties.* If these civil capacities are not carefully planned, prepared, deployed, and employed in a timely fashion, then the window opened by the military intervention eventually will close, possibly leaving the situation no better than before. (DSB 2004: 58, emphasis added)

Donald Rumsfeld, then still Secretary of Defence and an ardent proponent of ‘force transformation’ (Rumsfeld 2002; Else 2004: 65-123), took these suggestions to heart, and decided to turn them into policy guidance for all American forces.

From those origins, a document was born under the name ‘Department of Defense directive 3000.05 on Military Support for Stability, Security, Transition, and Reconstruction (SSTR) Operations’, which became known in U.S. governmental circles simply as DoD 3000.05 (DC 24, DC25, personal communication with the author, Washington D.C., 18th Dec. 2006). The unassuming name, however, should not blind us to the key fact about this piece of legislation: less than four years after the untimely demise of Clinton’s PDD-71, this was the George W. Bush administration’s answer to the need for a coordinated policy of security governance in post-intervention scenarios. The greatest difference, however, is that while Clinton’s PDD-71 had emphasised the essentially multilateral and civilian nature of such efforts – carefully circumscribing the opportunities

and ways in which paramilitary instruments such as constabulary forces could be developed and deployed – directive 3000.05 shifts that balance towards bilateral relations between the U.S. government and the host nation. Simultaneously, the directive injected the Pentagon as a – if not the – key player in post-intervention security governance schemes in Iraq and Afghanistan.

While the document goes to some length to distinguish between civilian and military competencies and mandates in post-intervention scenarios, and speaking in a language of inter-agency co-operation – whereby the U.S. military is merely another “supporting agency” within a “whole of government approach”, – nonetheless its pages and recommendations are nothing short of revolutionary, in that they advocate the involvement of the Pentagon in all areas of post-conflict policy¹⁰⁸. Of course, the document recognises that, under optimal conditions, “many stability operations tasks are best performed by indigenous, foreign, or U.S. civilian professionals”, but “U.S. military forces shall be prepared to perform all tasks necessary to establish or maintain order when civilians cannot do so. Successfully performing such tasks can help secure a lasting peace and facilitate the timely withdrawal of U.S. and foreign forces.” (DoD 2005: 2). Within this context, the directive then establishes a series of core competencies, the first of which is – tellingly – to “rebuild indigenous institutions including various types of security forces, correctional facilities, and judicial systems necessary to secure and stabilise the environment.” (DoD 2005: 2). In other words, albeit with a change of language (from multilateral peacekeeping operations to security and stabilisation in post-conflict environments), and a much greater emphasis on the central role of the military, the directive establishes the DoD as a key player in American policebuilding under Bush, in the same way as PDD-71 had legitimated the actions of the State Department in general, and INL in particular, under Clinton.

¹⁰⁸ In several interviews in Washington, in late 2006, and as the directive was moving into the institutionalisation and implementation stages, Pentagon staffers were eager to promote it publicly. ‘Revolutionary’ was one of the adjectives most bandied about to promote the document (DC24, DC25, DC 30, DC4, personal communications with the author). This was especially so since Sec. Defense Donald Rumsfeld had placed it within the context of long-term transformation of the U.S. military (to respond to the changes in the security agenda traced in chapter one), and given stability operations equal priority to combat operations. As the document makes explicit at its very start, “It is DoD policy that ... [s]tability operations are a core U.S. military mission that the Department of Defense shall be prepared to conduct and support. *They shall be given priority comparable to combat operations and be explicitly addressed and integrated across all DoD activities* including doctrine, organizations, training, education, exercises, materiel, leadership, personnel, facilities, and planning.” (DoD 2005: 2, emphasis added)

Having thus reviewed the shift in thinking and planning security governance and policebuilding policy during the first four years of the Bush administration, the chapter now moves to tracking the effects these changes in modulating the problem had in the implementation of governmental solutions on the ground in Afghanistan.

3.2. CSTC-A and the “Police Reform Directorate”

From the shortcomings of Somalia’s early policebuilding mission to *Operation Enduring Freedom*, the Bureau of International Narcotics and Law Enforcement Affairs had steadily become the focal civilian agency for U.S. policebuilding, as we have seen in the previous chapter. Unencumbered by the negative historical connotations of USAID's police assistance, and relatively free of the internal problems that rocked the ICITAP in the mid-1990's, the INL had become a key player in the outgoing Clinton administration's strategy of international crime control. However, its experience so far had been mostly connected to the deployment and management of American CivPol contingents within multilateral peacebuilding operations, and in the main outsourced through contracts to private security companies, especially DynCorp (DC1, personal communication with the author, 2nd Nov. 2006). Afghanistan represented, for all sorts of reasons, a different kind of challenge for INL's staff. For one, there was the issue of logistics – how to effectively implement such a large policebuilding program in such a far away, landlocked country? Secondly, in a country with very little by way of available, intact, suitable real estate, and still swamped in daily violence, how to provide for adequate construction materials, accommodation, timely shipping of training materials, and the supply of police weapons?

Until 2005, the INL was, by and large, tackling these issues on its own, but more and more its staff realised that improvements were urgently necessary in the terms of training infrastructure and equipment for the ANP. Since the DoD possessed the best strategic airlift capability, was hampered by no restriction whatsoever in supplying ‘lethal equipment’ to the Afghan police, had plenty of experience in the planning and delivery of security assistance, and seemed relatively eager to step into the field of policebuilding, the INL started a working relationship with the Pentagon. The Office of Military Cooperation in Afghanistan (OMC-A, established May 2002) was the Pentagon's focal institution in liaising with the Afghan security forces, especially the Ministry of Defence and the Afghan national Army. In July 2005, given its extended responsibilities in the whole gamut of

security assistance, it was re-created as the Office of Security Cooperation – Afghanistan (OSC-A). Inside the OSC-A, and in consultation with the INL, a “Police Reform Directorate” was established – a military organisation, led by a civilian staffer appointed by the INL. A recent unclassified review of the US policebuilding efforts characterised the PRD as responsible

for mentoring and training the MoI and ANP staff and for installing a program to develop an effective national security institution. The directorate played a large role in determining the process for implementing the ongoing pay and rank reform effort (...) and is assisting the MoI in developing methods and processes for manning, training, and equipping the national police force. In addition, the Police Reform Directorate assists the MoI in rebalancing the ANP, ensuring that the appropriate numbers of trained and equipped police are stationed in the highest-risk areas (USG, DoS/DoD 2006: 18)

In April 2006, the OSC-A, based off Camp Eggers in the centre of Kabul, was renamed the Combined Security Transition Command-Afghanistan (CSTC-A), given its combined task of training and liaising in both military and policy aspects (USG, DoS/DoD 2006: 8, fn. 7). However, the Police Reform Directorate endured, and retained its essential mission – to be the key institution in Afghanistan for implement the US overall strategy of police assistance and reform. In order to do this, the Directorate functioned as a focal node within a network of military officers, private contractors, and INL staff. At an institutional level, this produced “parallel” policy structures for the U.S. policebuilding program in Afghanistan (cf. GAO 2008: 5). On the one hand, policy oversight lay with the U.S. Embassy in Kabul (where INL program officers were officially based), through its “Narcotics Affairs Section” - an old fashion terminology from the before the re-branding of the INL in Clinton times, which nonetheless had several sub-sections: a counter-narcotics arm, a justice section, and a police section. On the other hand, CSTC-A and its police directorate were tasked with policy-implementation. Both arms of the program relied primarily, until early 2007, on DynCorp private contractors for ultimately providing training to the Afghan police forces.¹⁰⁹ This dual structure is mirrored in Washington,

¹⁰⁹ Additionally, the strategically crucial job of liaising, advising and mentoring the Afghan Ministry of Interior officials has been sub-contracted to MPRI, another private security company based in Virginia (DC8, personal communication with the author, 16th Nov. 2006). MPRI contractors working on mentoring officials in the Ministry of Interior were a very commons sight during both my field-trips to Afghanistan. Significantly, and as an illustration of the influence of the mentoring strategy not only over police recruits but also ministry officials when I set up an interview at the Afghan Ministry of Interior with a senior official, I was surprised to see him walk in accompanied by ‘his’ MPRI mentor (KB22, KB23, personal communication with the author, 22nd March 2008). Not only did the American mentor remain present for the duration of the interview, much to my surprise he partook in it, directing the flow of conversation and the topics broached and talking even more than the Afghan official himself. The latter seemed intent on following the lead of his mentor in every declaration, and it was common for him to seek approval of his words in the mentor’s expression and body language before addressing the questions posed to him.

where the INL Police Program manager directs and oversees policy, and dedicated staff at the Department of Defence makes sure that CSTC-A implements it on the ground (DC14, personal communication with the author 6th Dec. 2006).

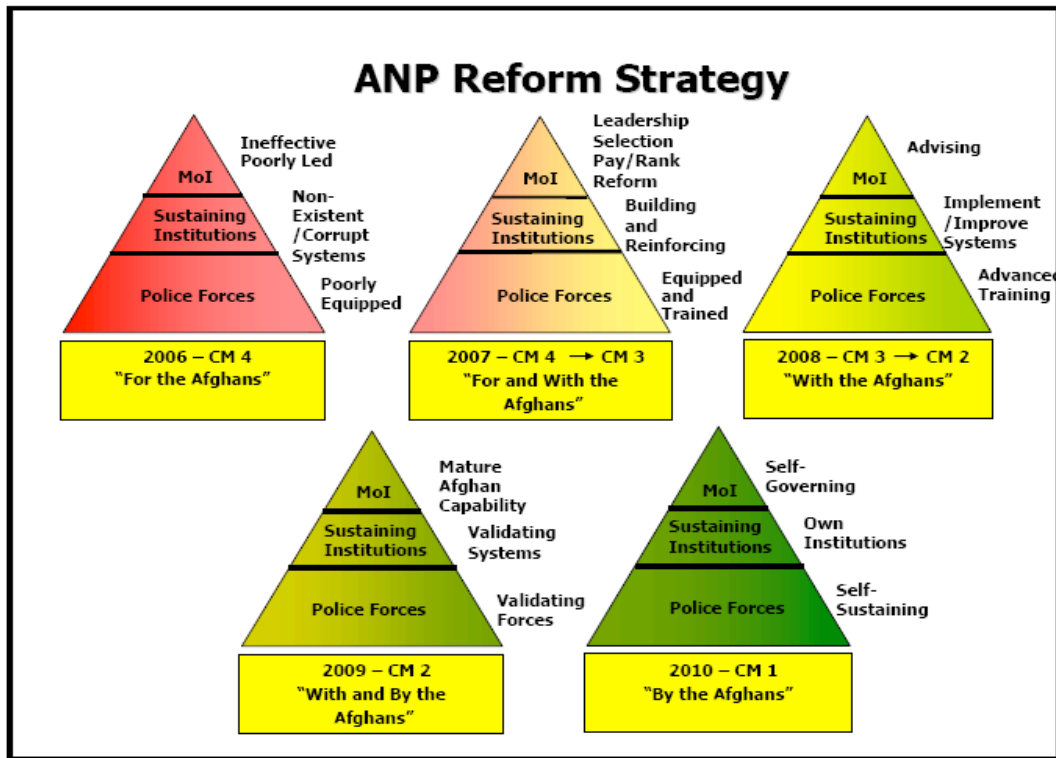


Fig. 5.1 CSTC-A's Afghan National Police Transition Readiness Strategy, 2006 (Source: CSTC-A, inserted into OIG DoD/DoS 2006: 17, fig. 4)

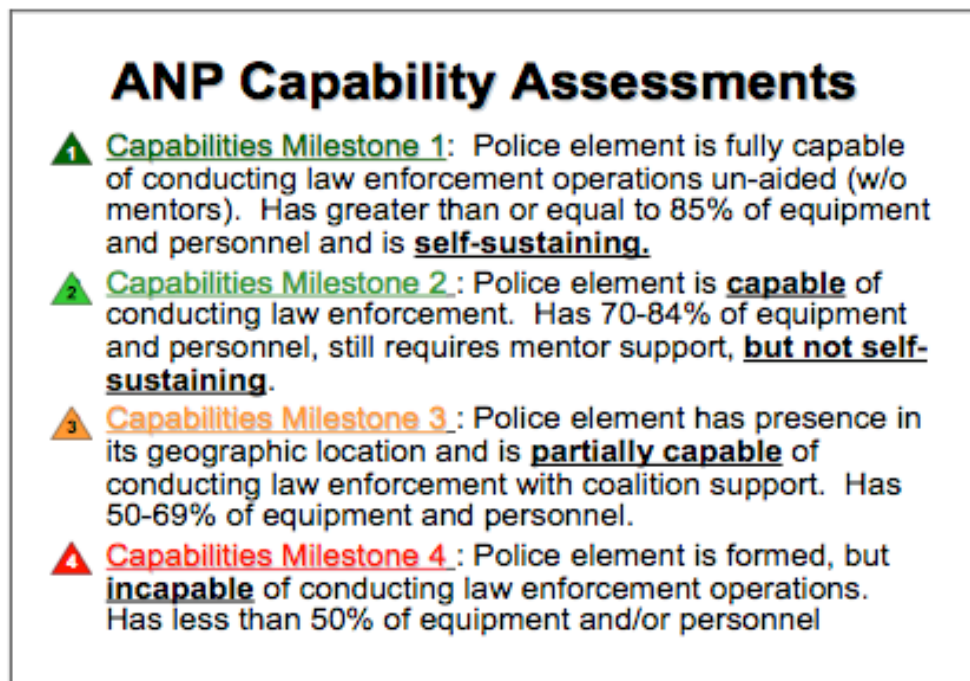


Fig5.2.CSTC-A's Afghan National Police Capability Assessment Milestones (Source: CSTC-A, inserted into OIG DoD/DoS 2006: 16)

Perhaps the most interesting aspect to analyse in the CSTC-A's earliest developments in policebuilding, for the purposes of this chapter at any rate, is their representation of their own role and its relationship to Afghan forces. Specifically, I want to take some time here to analyse to what extent their own discourse of technical assistance to the ANP conforms to some of the themes developed in chapter two. One good way to do so is to look at the documents produced by the CSTC-A itself, as well as supporting U.S. government reports, where a series of 'capability milestones' is proposed and described. For instance, one such diagram establishes a teleology of progress within the process of reforming the ANP, starting out from a state of affairs where the Afghan Ministry of Interior is characterised as "ineffective" and "poorly led", sustainable security institutions are "non-existent" or "corrupt", and the ANP are "poorly equipped" (see figs. 5.1, 5.2, above).

One could, of course, dispute the factual basis for this characterisation, but what is interesting here is precisely that such a rhetoric is employed, and how it paints the assistance relationship between the governing agents of improvement (CSTC-A, and the U.S. more generally) and the subalternised subjects of that improvement (the ANP and the Ministry of Interior). In other words, American official discourse on policebuilding has characterised the formal policing sector in Afghanistan – prior to the stepping in of CSTC-A enlightened assistance – as incapable of performing the right kind of security, and hence the need for a policebuilding strategy that is initially only for the Afghans, but not with or by them. The document then charts the blueprint for success in a succession of capability milestones (four in total) to be achieved until 2010, as can be seen in greater detail in figures 5.1 and 5.2. Besides reinforcing the dichotomy and implicit hierarchy between those doing the policebuilding, and those being 'built' as proper performers of liberal security, there are a few important aspects in such analyses that are worth mentioning.

The first of these aspects is the emphasis displayed on all documents pertaining to Afghan policebuilding to the idea of empowerment. The stated goals of American police assistance in Afghanistan are always defined ideally in terms of the empowerment of Afghans themselves. For instance, the recent overview and evaluation of the American police assistance program in Afghanistan conducted jointly by the Departments of Defence and

State clearly states that:

The intended end state of the U.S.-funded APP is an effective, well-organized, professional, multiethnic national police force that is trained and equipped to provide a safe and secure environment for the people of Afghanistan and a force committed to the rule of law. The ANP need to be led well, paid decent salaries, and trained and equipped to carry out their assigned security and law and order missions. *The program's goal is to establish a self-sustaining ANP* – a police force able to attract and retain qualified candidates and to operate with minimal international assistance (OIG DoD/DoS 2006: 5, emphasis added).

However, such emphasis on local ownership, capacity-building and sustainability is always tempered with deferral – in an initial phase, Afghans must be told what they should be doing, rather than queered about their needs and desires. In a second phase, Afghans should be consulted and brought into the process of developing their own policing capabilities, and are promised their own steering of the process. However, this last step towards self-governance in security matters can only be taken when they are judged – according to an American, liberal matrix of success in policing – autonomous and responsible enough, through the acquiring of specific skills, knowledges and the incorporation of certain disciplining mechanisms.

With regards to this point, it is worth mentioning again the work of Tania Li. In examining the linkages between governmentality, sovereignty and discipline inherent in developmental drives since at least colonial times, uses the work of Gary Wilder to introduce the notion of a “structure of permanent deferral” at work in colonial improvement projects: subjects of native societies were “destined to become rights-bearing individuals, but [were] always too immature to exercise those rights” (Wilder, quoted in Li 2007: 15). Similarly, then, in American policebuilding programs in Afghanistan, ANP recruits are deemed as subjects capable of (self-)improvement so that one day they attain the ‘capability milestone’ of autonomously performing their policing duties¹¹⁰. In the meanwhile, however, they must be supervised, disciplined and led through a series of ever-more stringent requirements to prove their ‘operational autonomy’ (KB15, KB16, personal communication with the author, Kabul, 13th march 2008).

¹¹⁰ The ultimate goal of the American policebuilding program, as defined by CSTC-A, is to achieve ‘capability milestone CM1’, a state of affairs which is defined thus: “The unit, agency, staff function, or installation is capable of conducting primary operational mission(s). Depending on the situation, units may require specified assistance from the Coalition or international community” (GAO 2008: 6)

The ability to monitor this development of the Afghan police personnel thus becomes a major issue. Only through adequate monitoring of their evolving capabilities can the U.S. trustees pass judgement on their maturity and effectiveness. This is precisely why the Department of Defense was keen on developing its ‘capability milestones’ framework, complemented by monthly assessment and reporting by American police mentors on the ground (OIG DoD/DoS 2006: 15). Moreover, DoD has made efforts to put in place what they have called a ‘Readiness Reporting System’ within the Afghan Ministry of Interior. The purpose of such a system is to “produce timely and accurate readiness system reports, provide actionable readiness data, and provide an executive level brief”, which in turn would “enable the MoI and ANP to conduct analysis of readiness data that will recognise shortfalls and allow MoI and ANP leadership to make corrective actions” (DoD 2008b: 24). However, one of the criticisms most often raised about the American policebuilding policy in Afghanistan is precisely the need to develop more and better instruments to assess the progress of police assistance (e.g. GAO 2008: 15). This emphasis on mobilising expertise in order to create technical knowledge of each policebuilding program, in order to better assess, monitor and manage its subjects, strongly parallels developments already alluded to in chapter four.

A second noteworthy aspect in this mobilisation of expert knowledge to assess and direct the progress of Afghan policebuilding is its almost exclusive focus on the formal policing sector. In other words, the ‘capability milestones’ framework developed by the Pentagon takes as its starting point, and focuses exclusively on, the institutional structures of the Afghan National Police. As such, in mapping out the policing terrain to be intervened upon in Afghanistan, and in establishing the technical blueprint for governmental intervention and improvement, the informal security/policing sector is woefully absent from American policy documents. This loud silence is especially significant inasmuch as the informal policing and justice sectors have been crucial in achieving some degree of social order in Afghanistan, historically speaking (Mohammad and Conway 2003: 162). Such preference for an *institutionalist* model (as opposed to a more *culturalist* model premised on ‘local

knowledge' and 'indigenous practices') thus runs counter to historical precedent¹¹¹; and even the recommendations of experts from within the American national security establishment¹¹².

In fact, if there is one – controversial – lesson the U.S. seems to be 'learning' from the developments in Iraq and Afghanistan is about the importance of cultural knowledge, and of engaging with local traditions of security, governance and justice, so as to turn such knowledge into an advantage in its counter-insurgency strategy, deemed 'population-centric'¹¹³. Why then, ignoring the informal policing sector, in particular the tribal tradition of the *arbakai*¹¹⁴? One can only conjecture that this preference on the American side has so far endured given the need to effect a behavioural change in large numbers of recruits, and a change in organisational culture in an institution. This may have led the various U.S. government agencies on the ground to remain wedded to the institutionalist model, complete with its disciplinary and normalising advantages, as we shall see below.

3.2.1. The initial curricula

Having surveyed the way American policebuilding efforts in Afghanistan became

¹¹¹ Tania Li does a good job of highlighting how colonial schemes of improvement relied, among others, a tactic of improving *through native authenticity*: "Improvement for natives did not mean becoming like their colonial masters, it meant being true to their own indigenous traditions... Intervention was needed to teach (or oblige) natives to be truly themselves" (Li 2007: 15). This is an idea which resonates with the colonial/administrative practices of the British empire – including in the fields of security governance and the rule of law – alluded to in the introduction.

¹¹² The influential report by the Defense Science Board referred to previously, mentions this preoccupation in several places, and defines an "understanding of the cultural and historical context" as one of the keys to the planning and execution of post-conflict operations (DSB 2004: 19)

¹¹³ This realisation has prompted the Pentagon to refocus its counter-insurgency strategies on mapping and working through the "human terrain" in places such as Afghanistan and Iraq. This in turn has led to the creation of a controversial "Human Terrain System", whereby teams of social scientists are embedded with combat brigades in Iraq and Afghanistan (cf. Gonzalez 2009; Kipp et al 2006; McFate 2005). Their purpose is to understand, translate and mobilise local/ indigenous knowledges and social practices with an aim to decrease casualties and augment the counter-insurgency success of the American forces. For an explicit discussion of the role of American police assistance in such a context, cf. (Kilcullen 2009: 61-62).

¹¹⁴ The *arbakai* are a tribal institution with similarities to a community policing scheme, or a neighbourhood watch. Michael Bhatia and Mark Sedra define them as a "Tribal police, in Pashtoon communities, utilized to enforce internal rules and decisions of Jirga, and to protect the community from external forces. Depending on the tribe, also pronounced and spelled as *arbakee*, *robakee*, *harbakai*." (Bhatia and Sedra 2008: xxvi). They should not be confused with tribal militias (*lashkhar*) or the private militias or warlords and local strongmen (cf. Wilder 2007: 14, esp. fn. 43). The *arbakai* have historically represented an important and legitimate source of public order in Afghanistan, especially in the rural areas of Eastern Afghanistan (cf. Tariq 2008; TLO 2005; Sammon 2008: 55). Despite efforts by Afghan civil society organisations (such as the Tribal Liaison Office) to raise awareness of, and support for, *arbakai* reform and funding with American policy-makers, such initiatives have been for the most part ignored in favour of the government-run, centralised ANP (KB 14, personal communication with the author, Kabul, 12th March 2008; KB21, Kabul, 19th March 2008).

institutionalised on the ground, and after an analysis of the liberal ethos of improvement through technical assistance present in key official policy documents, it is now time to turn our attention to the curricula themselves. Given the framing of American policebuilding as a technical form of aid to improve local police skills, one would be forgiven for thinking that the courses taught to ANP recruits would consist mostly of such prosaic matters as handcuffing a suspect, or how to walk a beat, or how to diffuse a tense situation in a street confrontation through dialogue and the exercise of public authority, especially since the courses offered were of such short duration¹¹⁵. However, even a cursory look at the curricula developed and implemented by INL's Afghan Police Program such a much richer picture, where on top of practical skills related to policing trade craft, recruits are also taught such subjects as "police officer values and ethics, democratic policing and human dignity" (OIG DoD/DoS 2006: 64). In addition to these contents in the Basic Courses, supplementary short courses were offered by the APP on a wide range of topics, including "the basics of democratic policing, protection of human rights, non-discrimination, and compliance with international law." (65), as well as management for beginners and police ethics (65, DC13, personal communications with the author, 30th Nov. 2006, 15th Dec. 2006).

Given that such courses ranged in duration from one to five weeks, and that the profile of recruits entering such courses was highly uneven - including a large population of illiterate Afghans, as well as recruits with an extensive background in asymmetrical warfare, and sometimes individuals implicated in previous human rights abuses -, it is reasonable to doubt the ability of American private contractors to effectively teach such exotica as compliance with international law. But for the purposes of our analysis here, that is almost entirely beside the point. What matters is to note that such topics were indeed included as a set of very particular knowledges which Afghan police recruits are expected to master and internalise in order to perform their duties as proper policemen.

¹¹⁵ Before 2006, the INL, in coordination with CSTC-A, and a private contractor (DynCorps), were ministering two basic courses to Afghan police recruits. Basic I was "a nine-week entry-level police course for literate students designed to provide ANP personnel with a basic understanding of accepted international police techniques and theory of democratic policing" (OIG DoD/DoS 2006: 64). In addition to this, the Basic II course was "a five-week entry-level police course for illiterate students designed to give ANP personnel a beginning awareness of police techniques and principles of democratic policing. This course follows the same general outline as the Basic I Course, but omits 32 classes that can only be practically taught to literate students." (64).

One can obviously disagree as to what exactly counts as human rights. It is only natural that illiterate, rural Afghan recruits from around Kandahar would at times disagree in their understanding of this concept with, say, a veteran police officer from the Miami Police Department under contract as an instructor. But the central point here is that ANP recruits are expected to understand INL's roster of human rights. And, perhaps more significantly, they are expected to act upon themselves as students so as to internalise the fact that good policemen uphold these (perhaps alien) standards. In other words, the inclusion of such topics into the compulsory training of ANP recruits reveals an attempt to radically alter/(re)constitute the subjectivities of the recruits themselves (towards a liberal understanding of their duties as policemen, and their internalisation of human rights standards), as well as structure the field of action for the police in general, as a regulatory social institution. The latter represents a very significant shift from its historical role as an often violent instrument of political centralisation and suppression of dissent under the rule of the Afghan monarchs, to a liberal service responsible for upholding the human and civil rights of the Afghan population.

The point here is neither to question the benign intentions of the American policebuilding program in Afghanistan, nor to suggest that human rights' training is an oddity in a police curriculum. Nor is it to suggest that Afghan society should not benefit from a heightened awareness of human rights issues and have those protected by the police. The key point is simply that the inclusion of this specific issue demonstrates the inherently political nature of American police assistance programs, which seeks to effect a kind of liberal political pedagogy through security reform schemes, and thus (re)produce, in Afghanistan as elsewhere, a very specific kind of liberal subject of/by security.

* * *

In any case, this initial plan (2002-2007) as analysed here, was deemed too slow and too parochial. In terms of the security sector reform process, the ANP were lagging behind the Afghan Army (ANA) in achieving their prescribed capability milestones (cf. DoD 2008b: 4), and the objective of more universalised and effective police coverage in the whole of Afghanistan remained a political *desideratum* (KB17, personal communication with the author, 13th Mar. 2008). In fact, the 2006 joint report by the Office of the Inspectors

General of both the Department of Defense and the Department of State, while finding that the American policebuilding program in Afghanistan was “generally well conceived and well executed”, nonetheless cautioned that “long-term U.S. assistance and funding, at least beyond 2010, is required to institutionalise the police force and establish a self-sustaining program”. The report further recognises that despite American efforts, the “ANP’s readiness level to carry out its internal security and conventional police responsibilities is far from adequate”, and that “the obstacles to establish a fully professional ANP are formidable” (OIG DoD/DoS 2006: 1). The report therefore includes recommendations for increased coordination between civilian and military components of CSTC-A, a revamped and much larger mentoring component, and an ability to extend training and supervision to the field activities of the new police once they have left the training centres. It is in light of these developments that a new plan was thought out and implemented by CSTC-A, as we shall see in the next section.

3.3. Focused District Development

Throughout 2007 - possibly because of the increased deterioration of security conditions throughout Afghanistan, as well as the bold escalation of hostilities undertaken by the Taliban, the Hiz-e-Islami movement, and insurgents affiliated with Al-Qaida - the U.S. government began paying more and more attention to the status of the Afghan security forces. This meant an express preoccupation with the progress of efforts to reform the ANP (KB17, personal communication with the author, 13th Mar. 2008).

The period between 2005 and early 2008 had in fact shown an increasingly bleak security situation, on almost all indexes, with the numbers speaking for themselves. ISAF troop deaths in Afghanistan has steadily risen, from 130 in 2005, to 191 in 2006, to a massive 232 in 2007, Afghans killed in 2007 alone amounted to 6500, and throughout 2007 there was an increase in reported incidents involving humanitarian workers killed, humanitarian workers abducted, as well as humanitarian convoys and facilities attacked (Guardian 2007, cf. UNDSS-A 2007). These trends in the security situation were marked by two, relatively constant, patterns: for one, the bulk of incidents and casualties occurred in the most rural parts of the country, away from the major cities, predominantly in the South and South-East of the country; secondly, the pattern of the incidents showed the insurgents moving

progressively away “from large-scale armed clashes in the field to asymmetric or terror-style attacks” (UNDSS-A 2007: 2). Additionally, while there are no reliable statistics analysing non-insurgency criminality in Afghanistan, anecdotal evidence gathered during fieldwork seems to indicate that it too is on the rise, including in Kabul, where robbery, extortion and kidnappings were daily occurrences.

Neither the Department of State nor the Department of Defense could ignore these issues. This was particularly the case given the criticism directed at the ANP, especially from within Afghanistan itself, that it lacked the capacity to tackle mounting insecurity (cf. Bruno 2008). In Washington DC, as we have seen, the Pentagon had – between the summer of 2004 and late 2006 – achieved a much more prominent position in delivering security governance in the post-conflict setting of Afghanistan and Iraq. With the passing of *DoD Directive 3000.05*, and the seeming successes in rebuilding the armed forces of Afghanistan, the Pentagon’s weight in shaping CSTC-A policy in Afghanistan grew, and this obviously had an impact in policebuilding.

A new plan, dubbed “Focused District Development” or FDD, was developed by CSTC-A – purportedly a joint effort of the Department of Defense and the Department of State, but in reality leaning heavily towards Pentagon pre-eminence – that sought to re-launch the Afghanistan policebuilding program along more ambitious and more rigorous lines, or, in the words of CSTC-A, “improving the Afghan police, one district at the time”¹¹⁶ (Votroubek 2008b).

Initial assessments showed that the logistics which were put in place in the previous years by the INL-led Afghan Police Program were woefully inadequate, and that the small Regional Training Centres (RTC's) were not capable of ‘processing’ enough trainees. In the process of conducting such an assessment, CSTC-A officers fanned out into the countryside beyond Kabul, and attempted to talk to regional (provincial) police chiefs, in order to obtain a better and more up-to-date picture of the security needs of the whole country. Interviews conducted during a stint of fieldwork in early 2008 revealed that in some of the provinces, those conducting the assessment on the ground during the summer of 2007 felt the need to conduct interviews at the district and sometimes village level.

¹¹⁶ Afghanistan has 364 districts, distributed by 34 provinces.

When they came back from the field, all the data was centralised, compiled and analysed, in order to produce an assessment that was as close to a census as possible (covering over 76% of the ‘declared’ or official police force numbers), detailing the conditions of the Afghan police forces on the ground. The results were, to put it mildly, disappointing: besides a large number of ‘missing’ police officers (policemen who had been listed as having gone through training and having been issued a weapon and a position somewhere), between 40-50% of Afghanistan's ‘policemen’ had not been properly trained, or even properly ‘institutionalised’ through a Regional Training Centre (KB17, personal communication with the author, 13th March 2008).

In view of these disappointing results, CSTC-A decided to re-task a military outfit – Joint Task Force Phoenix, out of Camp Phoenix in the outskirts of Kabul – with (re-)training, vetting and mentoring the Afghan police forces (KB15, personal communication with the author, March 13th 2008). January of 2007 saw the setting up of a small “cell” within CSTC-A, in order to plan and coordinate the new efforts to reform and rebuild the ANP. In the October issue of the CSTC-A newsletter, *The Enduring Ledger*, Major General Robert Cone (CSTC-A’s commanding officer) officially announced the rolling out of the new plan:

Over the course of a year, we have had great success building the Afghan army into a respected organization. Today, we are at juncture that requires us to readjust our emphasis and efforts. We are moving forward with a new plan aimed directly at improving policing force-wide. Titled the Focused District Development Plan, this plan calls for placing greater reformation efforts at the district or community level. The strategy is to screen those selected district police and replace them with a qualified and competent force, assisted by police mentoring teams. The endstate is a well-trained, well-lead and well-paid district police force that has the trust of the people. (Cone 2007b: 2)

What follows below is an analysis of this latest American strategy of policebuilding in Afghanistan, which tries to break down “Focused District Development” into a series of sub-programs, techniques and rationalities aimed at achieving the improvement of Afghan policemen. As such, and after briefly defining or reviewing each separate component of the program, the aim is to highlight how each reveals traces of liberal governmentality.

3.4. *“The Afghan government gave them the authority, the U.S. military gave them the skill”¹¹⁷ – FDD and the pedagogy of security*

Focused District Development is described a program driven by both a bottom-up and a top-down approach (CSTC-A 2009a: 12). It includes several initiatives, aimed at not only disciplining the new recruits and model them through a pedagogy of security, but also at reforming the Afghan Ministry of Interior (MoI) – the institution formally tasked with the supervision of all Afghan police forces . Its specific goals involve efforts to “transform the loyalties of the AUP [Afghan Uniformed Police] to the Afghan nation and to the people of Afghanistan—whom they protect and serve” as well as to “further develop the capacity of the Ministry of the Interior”, among others (CSTC-A 2009b: 13, emphasis added). In fact, CSTC-A documents regularly talk of FDD as a program devised by the Afghan Ministry of Interior:

Focused District Development, or FDD, is a Ministry of the Interior program to reform the Afghan Uniformed Police, a component of the ANP, which simultaneously achieves improvements in local governance, public works, and elements of the Rule of Law. FDD allows the MoI to take a focused approach toward assessing, training, mentoring, and validating the uniformed district police” (CSTC-A 2009b: 13).

However, it would be closest to the truth to say the plan was devised by CSTC-A in consultation with the MoI – and that is putting it charitably. In the early days of its implementation (during the spring of 2008), military Public Affairs Officers were keen to stress its origins in CSTC-A (KB15, KB16, personal communications with the author, March 13th 2008). It was only later that the theme of Afghan authorship of the plan becomes prominent, no doubt to boost its legitimacy, and point out an element of ‘local ownership’.

The plan itself consists of six phases. In the first phase, “a District Assessment and Reform Team (DART) assesses districts and sets the conditions for successful reform of the district’s police and Rule of Law” (CSTC-A 2009b: 13). The local police units – when they exist or can be found – are then rotated out to a regional training facility, while a unit of the newly created Afghan National Civil Order Police (ANCOP) takes their place for the

¹¹⁷ Statement of Army Capt. Curtiss Robinson of the Shahjoy District police mentoring team (quoted in Votroubek 2008c: 7)

duration (phase two). In the third phase, approximately 8 weeks in duration, CSTC-A trainers attempt a “reconstitution of the new District Police at the Regional Training Centre”, meaning that “the unit is reorganised, retrained, and re-equipped” while “District Police facilities are concurrently renovated” (13). The newly trained unit is then reinserted into their district of origin to resume their duties, which constitutes phase four. In the two final phases (V and VI), which last a minimum of four months, “Police Mentor Teams overwatch the newly reformed police and continue collective training until validation by a special team” (13).

According to this document, significantly, the assessment of the needs of local Afghan policemen is best done by American military personnel, who then devise the appropriate curricula, supervise their teaching, and monitor the correct application of new police knowledge and attitudes on a daily basis. They are then validated (or not) by another CSTC-A team. All of this reflects and reproduces the ideas of trusteeship and hierarchical structure of development schemes that are discussed in chapter two of this thesis. While the liberal ethos that pervades the program often leads experts to emphasise that American efforts are designed to empower Afghans to help themselves¹¹⁸, official documents are quite transparent about what kind of relationship this is, stating openly that “the Afghan National Police force is improving everyday under the tutelage of coalition Police Mentoring Teams” (Seymour 2007a: 13).

Moreover, in terms of its objectives and results, FDD also shows the liberal governmental tendency of understanding security – as discussed above in chapter two – as an acceptable bandwidth, worried about trends and processes within a population, rather than isolated events concerning individuals. As Foucault put it, while disciplinary mechanisms regulate and prohibit everything, “the apparatus of security, by contrast (...) lets things happen” (Foucault 2007: 45). In this liberal conception of security, the function of apparatuses of security such as the police is to “rely on details which are not valued as good or evil in themselves [but] are taken to be necessary, inevitable processes” and thus achieve governmental effects at the level of the population (45). This is apparent, for instance, in the world of Maj. Gen. Cone, commanding officer of the CSTC-A, when he

¹¹⁸ Cf. “With insurgent activity and police corruption stemming from poor manning and inadequate training, the PMT’s assigned to the Regional Center South *have devised a way to help the ANP help itself*” (Seymour 2007a: 13, emphasis added)

declares that “fully trained and capable districts have had a 66 percent decrease in civilian casualties -- they are effectively protecting the population” (Cone 2008a: 2). In other words, in an understanding of security/policing centred on the welfare of the population, properly trained and supervised Afghans attain a level of capability and maturity that makes the ‘natural’ mechanisms and processes of population (for instance, number of violent deaths, or criminality rates) regain ‘normal’ values.

Additionally, the language of changing values, internalisation of new norms and transformation of loyalties which pervades CSTC-A documents suggests that the ultimate objective of Focused District Development as a policebuilding program, then, is to instil a “behavioural change” at the level of individual policemen so that “once the policemen complete the class you begin to see more self confidence, a transition from the ‘I don’t know how’ to the ‘I can’ attitude” (Newborn 2008: 12), and also cultural change at the level of the police as an institution. In fact, according to one report “half the battle of standing-up a capable and self-sustaining police force is instilling a behavioral change within the government led institution” (Seymour 2007a: 13). Army Captain Dave Perry, speaking about his PMT’s efforts in that regard, specifically states that previous efforts (referring to the program that preceded FDD) largely failed because “There was no opportunity to instil a behavioral change before. Our plan is going to fix that” (13). Speaking of the training Afghan policemen would receive at the regional training centre, Cap. Perry once gain emphasises the behavioural aspects: “It is there that we can provide more comprehensive training, and *instil some of those core values into them...* Then push them back up to their checkpoints with leadership integrated into their organization and a readiness to go out and conduct operations.” (13, emphasis added)

Let us then briefly look at some of the specific techniques utilised by American policebuilding experts to attain this goal of behavioural change in ANP recruits, thereby linking American security assistance programs with micro-practices seeking to reform Afghan subjectivities.

3.4.1. Screening, vetting, and biometrics

Chapter two referred to the dividing practices inherent in liberal government – and in particular the liberal schemes of improvement such as policebuilding – that seek to

separate subjects into categories or groups characterised by specific needs and subject to particular kinds of interventions and governing techniques. The first micro-practice deployed by the Focused District Development program to be analysed here – the process of screening and vetting new recruits – is exemplary in that regard. American Regional Training Centres, where selection and processing of new recruits takes place, have ‘processing teams’ in charge of two main tasks: weeding out unsuitable candidates, and inserting suitable ones into the networks and databases that will allow for their training and monitoring in the Afghan policebuilding apparatus (DoD 2008a)¹¹⁹.

Regarding the first task, Lt. Cmdr. Sheila Pearson, a recruiting mentor and a processing team leader at Regional Training Centre Konduz, gives an eloquent explanation: “The goal to cleanse the ANP is started here at the RTC... By cleanse, I mean to make sure the people the ANP are recruiting and training are good, trustworthy people. This is the start of that progression” (quoted in Del Vecchio 2008a: 8). In other words, it is up to program experts to split the general population of recruits into two basic groups: those deemed good and trustworthy, who can then progress through the training and become proper policemen, and those dangerous individuals beyond improvement. In order to weed out the latter, two criteria are specifically mentioned: medical fitness¹²⁰, and prior criminal record.

Moreover, the program seeks to inculcate these techniques of population management into Afghans – this particular report specifically mentions that while the screening standards and procedures originate from the American mentors and CSTC-A, Afghans were encouraged to internalise these procedures and perform them on their own: “although the CSTC-A mentors, serving as subject matter experts, were on hand to advise their Afghan counterparts, the process was almost completely Afghan-led” (Del Vecchio 2008a: 8). Apparently, these efforts to inculcate such practices into Afghans have had a measure of success, and the report mentions how “ANP Col. Hadid Khan, Konduz RTC training

¹¹⁹ One should not miss the language used here of *processing* recruits. While data is to be collected about each trainee individually (“During their enrollment, the students meet with an Afghan personnel representative who collects their individual data, such as name, father’s name, rank, and district where they work” (Del Vecchio 2008a: 8)), once they are vetted they are depersonalised and inserted into a general population of like subjects (trainees), identifiable only by a ‘tracking number’ attributed during selection (*ibid.*). This is reminiscent of the systems used in such institutions as modern asylums or prisons, and extensively treated by Foucault (*cf.* e.g. Foucault 1977).

¹²⁰ Cf. e.g. “The students also go through a medical screening for basic vital signs, sight and hearing tests, immunizations, and a drug screening. Based on the results of the medical screening, the Afghan doctor makes a recommendation on the student’s qualification or disqualification.” (Del Vecchio 2008a: 8)

commander, echoed the mentor's sentiments" by declaring that "some people linked with the enemy try to join the police. This system will find the bad people and keep them from our force. The people of Afghanistan will understand that." (Del Vecchio 2008a: 9)

These mechanisms for screening and vetting recruits are the norm in most police recruiting and training schemes. However, the purpose of detailing them, with reference to the Afghan police program, is less to establish it as strange, inadequate or oppressive, and more to raise questions about what effects it has on Afghans themselves. To put it simply, in an intensely personalised culture, where accession to the security forces almost never depended on rigorous and anonymous vetting procedures, and where often entry into the police was a process mediated by personal, familial, tribal or clan affiliations (KB13, 12th March 2008), such techniques seek to foster new subjectivities and new formats of political participation. In other words, the micro-practices at work in the Focused District Development program neatly demonstrate some of the key issues raised by a Foucauldian analysis of American policebuilding. They do so by taking as a starting point the Afghan population and its processes of security, but also by relying on a set of pedagogical and disciplinary techniques aimed at each individual recruit (an example of the logic of *omnes et singulatim*, in Foucault's own phrasing).

In the same vein, the second issue raised by the screening and vetting process of Afghan trainees is their insertion into (biometric) databases. Governmentality scholar Nikolas Rose, while discussing some of the key characteristics of advanced liberal technologies of government through security apparatus, refers to networked security to mean the increasing management of security systems through mechanisms of inclusion/exclusion such as databases and other digital technologies (Rose 2000: 188-191). In fact, forms of networked or nodal security, which often rely on such databases, have become the rule in advanced liberal governmental schemes (Pawlak 2007; Shearing 2005, Wood and Shearing 2007: 12-34). However, and somewhat surprisingly in a country ravaged by grinding poverty and three decades of almost continuous war, CSCT-A has begun implementing a series of digital security measures in Afghanistan that rival in their complexity and sophistication those of any Western police academy (KB4, personal communication with the author 9th April 2007).

Firstly, “once the students finish with the personnel representative, additional information is collected by the Afghan ID card team.” CSTC-A security experts then “check their database to determine if the student already has a national identification card and verify the expiration date as applicable” and in case “ student does not have a national ID, more personnel data is collected” (Del Vecchio 2008a: 8). Moreover, and as part of the vetting process based on criminal record mentioned above, “the students also undergo a biometrics screening, which compares unique physical traits of the students to a criminal database” (8).

This usage of biometrics in governing the conduct of Afghan police recruits highlights an important dimension of contemporary American policebuilding: it bears not only upon the soul of the subject - as we have seen above, in its attempts to effect a change in values and attitudes towards security and professionalism - but also upon the body. The physical identity of each individual within FDD thus becomes indelibly linked to the liberal security project America seeks to build in Afghanistan, through its inscription in a set of authenticating technologies and networked databases (cf. Aas 2006; Muller 2005; Woodward 2005). While it is doubtful that the majority Afghan recruits - many of which can barely read and write at the inception of their training - fully grasp the implications of this technology of security governance (cf. Hodge 2009; Schachtman 2007a, 2007b), the fact remains that the deployment of biometrics foregrounds the advanced liberal character of contemporary regimes of American policebuilding.

The use of advanced biometric measures¹²¹ seems widespread within the Focused District Development Program, and serves at least three explicit purposes. First, they facilitate the ‘tracking’ of new trainees. Second, they are supposed to act as a deterrent. In the words of Army Sergeant Wayne Demar, biometrics co-ordinator, “if these men know that the system will identify anyone who has committed any crimes; it will deter the criminals from trying to enter the force.” (Quoted in Del Vecchio 2008a: 8). Finally, these systems are used to tackle the thorny issue of corruption – electronic payment systems have been instituted in order to enhance accountability of recruits (cf. DoD 2008b: 26), so that no informal deductions are made when payment is handed down the chain of command (the traditional

¹²¹ These include (digital) photos and fingerprints, but also hand prints and iris prints (Del Vecchio 2008a: 8)!

method in Afghanistan) (Del Vecchio 2008a: 9, DoS/INL 2008). Implicitly, the salary relationship which is established is between the recruit/trainee/officer and the Afghan state (or, in this case CSTC-A), direct and unmediated.

3.4.2. *Mentoring*

Another key technology of liberal security governance introduced by American policebuilding programs into Afghanistan has been mentoring. Through the deployment of mentors (usually, but not always, organised in Police Mentoring Teams or PMT's), the emphasis of American efforts in Afghan policebuilding shifts from actually doing policing instead of Afghans, and toward empowering Afghans themselves to act via the transference of skills and the close monitoring of their everyday performances. As one officer expresses it, “[PMT's] aren't there to give the ANP anything except advice, support and back-up” (Del Vecchio 2008c). As such, mentoring can be seen as a form of *co-location*, which Michael Merlingen and Rasa Ostrauskaite identify as one of the key technologies of power/knowledge at work in liberal schemes of police reform. Merlingen and Ostrauskaite discuss this practice with direct reference to Foucault:

Domains of power can be brought into existence through the construction of fields of visibility. This allows power to exercise its hold over those subjected to it without physical violence and material constraints (Foucault 1980: 155). A structure of social control based on visibility comprises three generic components: *hierarchical observations*, *normalizing judgements* and *corrections* (Foucault 1991b). Penetrating observations, which are organized around certain *notions of normality typically defined by experts*, constitute individuals as cases whose behaviour and characteristic features can be documented in detail... At this point the disciplinary gaze gives way to a judgement: do those who have been brought under a certain description measure up to the established norms or deviate from them? *Deviant*s are made the target of repetitive normative corrections. Yet regimes of power based on visibility do not simply restrain subjects. They also *incite them to constitute themselves as objects of their own gaze, exercising surveillance over and against themselves and subjecting themselves to the strictures of normality* as defined by those in power. (Merlingen and Ostrauskaite 2006: 105, emphasis added)

The American policebuilding program in Afghanistan proceeds through similar instantiations of the 'power of vision'¹²². Afghan capabilities are monitored and assessed through hierarchical observation that identifies individuals or practices as deviant and

¹²² The expression is borrowed from Merlingen and Ostrauskaite, who thus succinctly define their concept of co-location (cf. Merlingen and Ostrauskaite 2006: 105)

proposes technical solutions for their correction. But what is most interesting here is the way these practices come to bear upon police trainees through mentoring, a technology specifically designed to prolong governmental intervention well beyond the confines of the training centre, and into the everyday lives of policemen. As General Cone put it, the “focused mentoring and validation portion of the strategy” are critical to the success of American policebuilding efforts, as it “will rely on the efforts of our police mentoring teams to ensure the training the police received at the RTC is reinforced and sustained while resuming responsibility for their home districts” (Cone 2008b: 2).

As Merlingen and Ostrauskaite put it, mentoring is a double-edged technique. While it depends on “the calculated administration of shame”, it must also rely “on assisting their mentees in making concrete plans for improving their skills and conduct in line with the policing ideology of the missions” (Merlingen and Ostrauskaite 2006: 106). As such, one of the key tasks in the spirit of the latter is to promote changes in the subjectivities of the trainees, emphasising for instance leadership qualities of a particular kind into a unit, or lauding the ability of a trainee to shed old methods and embrace the new training regime effectively, or even coaching trainee policemen in how to self-censor and discipline their declarations when dealing with the media. In the words of Lt. Cmdr. Steve Parks, a public affairs officer with the U.S. military, “one of the other ways we’re dealing with information operations is by training the senior leadership of the Afghan security forces on media relations and what they should say when approached by the media... This way they say the right things and don’t compromise operational security.” (quoted in Seymour 2007a: 12)

In this context, then, another key objective of mentoring is that while it extends the will to improve in time, thus lengthening the period of supervision of Afghan trainees by policebuilding experts, mentoring is implemented as a means to foster eventual autonomy of the mentees: in the words of one report, “international forces teach Afghan soldiers how to conduct operations with an eye towards their independence” (Votroubek 2007: 16). Mentoring teams are routinely described in CSTC-A newsletter *Enduring Ledger* as performing a two-step process: teaching Afghans a technique (or remind them of a technique learned during RTC training), and then ‘letting them’ perform the technique on their own, but under close supervision, to evaluate their ability to perform: “When the team first began working with the ANP, they trained the police in patrolling procedures. Now,

the police are on the front lines and are scheduling frequent patrols throughout Afghan villages.” (Newborn 2008: 12).

In another report, Sgt. 1st Class Ronald Judson, a PMT leader in the Kandahar region, emphasises the pedagogical need for the trainees to develop autonomy in helping themselves negotiate the newly formed Afghan system, including procurement: “We can’t just give them what they need... We have to mentor them on requesting things through their channels. We advise them of processes that work for us and they find solutions that work for them” (quoted in Del Vecchio 2008c).

All of the above are prime examples of the regulatory nature of liberal governance previously discussed. Governing elements (in this case American police mentors) are there to supervise through surveillance, suggestion and training ('steering'), but Afghan recruits are supposed to be active participants in their own development as better policemen ('rowing').



Fig. 5.3 – “An Afghan National Police officer leads Army Capt. Hunter Hill and his Zhari district police mentor team on a patrol near Kolk.”

(Source: CSTC-A’s *Enduring Ledger* newsletter, Dec. 2007 issue, p. 11)

Figure 5.3 (above) shows in some detail how the process unfolds. After receiving training

in a specific technique (in this case, patrolling), the trainee then leads the exercise in the field, closely watched by the mentoring team, which follows for back-up, advice and corrections, all mediated by an interpreter (to the left, in the background, in blue). The same relationship can be seen at work in figure 5.4 (below), where a police mentor (in full military gear) looks on as a policeman trainee pats down a local elder, checking for weapons, in order to evaluate/correct how well the trainee performs in the field.



Fig. 5.4 - photo by Petty Officer 2nd Class Brian P. Seymour
(Source: CSTC-A's Enduring Ledger newsletter, Dec. 2007 issue, p. 12)

Moreover, mentoring teams are not only responsible for this continued disciplinary gaze, they also perform pastoral duties: while the PMT's "will visit the district police after they have left the RTC and ensure they sustained those skills learned during training and are conducting their basic function as policemen", they must "also ensure the police are getting paid and fed." As Col. John Cuddy puts it: "If the ANP aren't paid, they go AWOL (absent without leave). If they aren't armed, they get killed in the night" (Cuddy, quoted in

Del Vecchio 2008b: 1).

Mentoring was adopted and emphasised within the Afghan policebuilding program through the involvement of the U.S. military: in fact, the adopted techniques were based on previous experience in training the Afghan National Army through the use of Embedded Tactical Trainers (ETT's) and Operational Mentor Liaison Teams or OMLT's. One report openly traces this line of continuity when discussing the design and early implementation of the Focused District development program:

It all began with the establishment of police mentor teams, and attaching them to each of the five Afghan Regional Security Integration Commands to focus specifically on provincial and district ANP components. The goal was for them to mirror the efforts made by embedded training teams to train the ANA by explicitly tackling key elements of basic policing. (Seymour 2007b: 12)

As such, the introduction of mentoring, neatly illustrates neatly a host of liberal techniques of government through the pedagogy of security. Importantly, it also demonstrates the growing militarisation of American policebuilding regimes today, which shall be discussed below.

4. The thinning blue line?

As shown in the previous two chapters, the growth of U.S. international police assistance as a technology of liberal security governance and as a crucial foreign policy tool has been accompanied by two interrelated trends up until the end of the first mandate of the Bush administration: the demilitarisation of the process, and a gradual retreat from an *ad hoc* constabulary strategy with executive power. Both of these trends resulted in a structural and structuring preoccupation with the entire framework (legal, institutional, economic, and social) in which police assistance takes place. Policebuilding thus becomes framed as a question of technical foreign aid, and driven essentially by civilian agencies such the ICITAP and the INL. However, developments since 2005 have signalled a contrary trend gaining momentum, as the Department of Defense has begun gradually moving into post-intervention security governance, to the point that today, in the two dominant scenarios, Iraq and Afghanistan, it is virtually the dominant player, at least in terms of sheers

numbers. As the U.S. armed forces engage in internal debates about their role and the transformation in their skills, trying to come to terms with their move towards the performance of police-like tasks within the framework of nation-building (cf. Dalton 2005; Serafino 2007; Williams 2005), from the field in Afghanistan emerges another picture. This picture is one of decided militarisation of U.S. policebuilding apparatuses, mostly in response to the strategic and operational imperatives of the Global War on Terror, and the counter-insurgency campaigns raging in Iraq and Afghanistan.

4.1. The militarisation of ANP training and deployments

The current core program in the American policebuilding apparatus in Afghanistan - Focused District Development or FDD - offers ample illustration of the growing militarisation of American policebuilding regimes since the end of the Clinton Administration. In addition to the discursive and legislative changes that occurred during the transition from the Clinton to the Bush administration, modulating the security agenda and the need for effective security governance delivery in terms of the dangers of 'ungoverned spaces' in the prosecution of the 'War on Terror', the militarisation trend is, of course, intimately connected with developments on the ground in both Afghanistan and Iraq. In Afghanistan, in particular, the evolution of the post-conflict scenario into a mixed mission involving both state-building and fighting off a protracted and sizeable insurgency has led CSTC-A policy into increasingly turn to the Afghan police as a complement to the military doctrine of ISAF and the Afghan Army.

This trend can be observed at work in several aspects of the ANP reform program, aspects which furthermore are openly acknowledged in CSTC-A documents available to the public. To understand this, one must first note – as do most contemporary police studies and criminological literature, even at its most basic level – that in policing there is no 'enemy' (cf. Trebilcock and Daniels 2008: 108-110). In other words, the core functions of the police in today's Western, liberal states are to enforce the law, investigate crimes, keep the peace, and foster a "well-ordered prosperity" (Grieve, Harfield and MacVean 2007: 29-42). In fact, as detailed in chapter two, the evolution of American policebuilding regimes is marked by that stark realisation, scarred as it is by the human rights abuses of American-trained police in Latin America and the ensuing Congressional ban on

international police assistance. Ever since then, the emphasis of American police assistance has moved in the direction of reforming foreign police forces towards a democratic police service for the community. In such an understanding of policing, there may be risks, threats or dangers, but there is no enemy – much less an ‘internal enemy’ – and the use of force (including deadly force) is seen as an option of absolutely last resort, which is why most police forces usually do not sport heavy weaponry, when they are armed at all (cf. McKenzie 2000).

However, and at least since late 2005, program managers, policy experts and police mentors seem intent in declaring that Afghanistan’s “National police are in the fight” (Votroubek 2008a: 5) and striving to “establish dominance over their enemy” (Cohen 2007). This trend can be seen at several levels, perhaps the most prosaic and immediate of which is the subtle change in nomenclature. While documents referring to the Afghan police program before 2006 always made mention of the Afghan National Police in isolation, with the inclusion of policebuilding into the mandate of CSTC-A – in addition to their previous charge of training the ANA – things began to change, and it now common in documents to see references to both institutions in the same sentence, indicating union of mission. For instance, in one of his first messages after taking command of CSTC-A in 2007, Gen. Cone writes: “Our goal is to build a “standalone” army and police force that can take on and defeat the Taliban, al Qaida and other enemies of Afghanistan” (Cone 2007a: 2). The formulation suggests not only unity and effort and unity of mission, but also refers to, once again, fighting ‘the enemies of Afghanistan’ as an objective for the ANP.

Even more telling, the acronym that has started cropping up more and more in the relevant documents pertaining to the Afghan police reform program is the ANSF, which stands for Afghan National Security Forces – a denomination which for all practical purposes does not distinguish between the police and the armed forces (e.g. DOD 2008: 5; House 2007: 4; Votroubek 2008a: 5).

4.1.1. Training

One of the earliest pieces on the implementation of FDD to come out of CSTC-A, in the April 2008 issue of *Enduring Ledger*, epitomises the trend of militarised training which is

now current in the reform of the ANP: “‘Taliban! Taliban!’ the instructor shouted. Instantly, two dozen Afghan National Policemen dropped into defensive positions and pretended to shoot at an imaginary enemy” (Votroubek 2008c: 7). The article delves into the new curricula devised for FDD recruits, and there are several interesting aspects to notice. The first is how a sort of division of labour in teaching parts of the curricula has become established: “DynCorp instructors with police experience handle the law enforcement training, while U.S. soldiers do the combat training and MoI instructors teach the Afghan customs, laws and constitution” (7). At first sight, it seems that FDD training has been deployed ‘on the back’ of the previously existing INL training scheme – which was indeed ministered by DynCorp contractors and focused mostly on law enforcement – with the addition of military infantry tactics. However, it is worth noting that even in the 2006 audit of INL’s program, one of the structural weaknesses pointed out was the lack of adequate numbers of DynCorp instructors (OIG DoD/DoS 2006: 25). The Focused District Development program is currently in place in 54 districts, and ultimately aims to all 364 districts that compose Afghanistan (KB17, personal communication with the author, 13th March 2008). Given that there have been no large increased in the DynCorp contract for more mentors, it therefore stands to reason that the proportion of DynCorp instructors – and consequently, the proportion of actual law enforcement training – will be diminutive in comparison with the military aspects drilled in the Region Training Centres and in the field, under military PMT supervision.

In fact, in describing what kinds of training are being offered through FDD, the article in question seems to confirm this militarisation, stating that the topics covered include “general police duties, weapons proficiency, conducting searches, tactical movement and building clearance, unarmed combat, first aid, human rights, community policing and Afghan law” (Votroubek 2008c: 7). Moreover, ANP trainees are given specific training in “infantry skills they need to *fight against heavily-armed insurgents*” (ibid. emphasis added). This pre-eminence of infantry skills in basic training was further and amply corroborated by interviews (KB15, KB16, personal communications with the author, 13th March 2008; KB28 25th march 2008; KB 10, 11th April 2007) and observations during fieldwork.

An article entitled “Mentors teach combat skills to new ANP” provides a good example of

the emphasis on combat skills in training. As an example, Public Affairs Officer Beth Del Vecchio details how

Army Staff Sgt. James Parks, an ANP police mentor team member from Buffalo, N.Y., uses the bottle caps to demonstrate a wedge formation, a type of patrolling technique. That day, his group was working on the “rush and roll,” the “low crawl” and other basic combat reactions under fire. This is typically training done by soldiers; however, due to the counterinsurgency environment, the ANP need these skills to survive and defeat the enemy. (Del Vecchio 2008b: 5)

The logic of using a civilian police service to combat armed counter-insurgency is never adequately addressed and explained in CSTC-A documents however. But this trend is not limited to American military instructors, mentors and commanding officers. Even during the days of greater State Department input and management of the Afghan policebuilding program, the tendency to view the ANP as an integral part to the international community’s fight against terrorism was apparent. This is all the more strange given that INL – and indeed U.S. policebuilding programs for decades – had come to emphasise the civilian, democratic, law-and-order nature of the police as a core objective of technical interventions.

When queried about this militarisation of training for the ANP, and the subsequent use of Afghan policemen in fire fights against insurgents, a police program manager stated that “it’s all about priorities”. Yes, he continued, the police are notionally supposed to take little girls across the street and fetch cats from trees and regulate traffic. But, he added, these tasks are relatively low priority for police in the West, who will respond first to reports of someone stealing a car or trying to kill someone. Similarly, he concluded, in Afghanistan the police would have to first deal with the greatest threats to the community (i.e. insurgent offensive activities), and then they would come down in the list of priorities to all their other duties. When queried about whether they were indeed trained to tackle the latter, given the RTC training emphasis on the former, he answered that in time they could be retrained for a more civilian mission (KB6, personal communication with the author, 10th April 2007).

4.1.2. Deployment of the ANP in militarised settings

Given their heavily militarised training, it logically follows from the views of American policebuilding experts that the ANP would also be deployed in combat situations, especially in joint-operations with the Afghan Army against ‘insurgent activity’ in their various districts of origin. That has in fact been the case. In an article suggestively titled “National police are in the fight”, public affairs officer David Votroubek details the role of the police in a joint mission with the ANA and coalition forces in the provinces of Faryab and Baghdis:

Their role wasn’t limited to just security, however. Not only did the police discover and disarm at least one improvised explosive device, they also helped conduct raids that captured at least 24 insurgents during the operation. Several ANP officers also distinguished themselves during combat actions. (Votroubke 2008a: 5)

He further quotes an enthusiastic a U.S. military officer who thinks that such joint missions with the participation of the ANP are “brilliant” because “unity of effort is definitely a combat multiplier” (Marshal, quoted in Votroubek 2008a: 5). Another officer joins the chorus, and emphasises the ease with which both security forces – the military and the police – can work together (interoperability): “This is the first time we saw the ANP and ANA do what they were supposed to do: the ANA secured and the ANP searched” (Daly, quoted in Votroubek 2008a: 5).

Moreover, an alarmed official involved in police reform efforts, who is privy to the meetings of the International Police Co-ordination Board (IPCB) and the Joint Coordination & Monitoring Board (JCMB), stated that in at least one of these meetings, military officers and diplomatic staff representing the U.S. had suggested quite strongly, that ‘close air support’ should be made available to police units on the ground. Close Air Support, American officials argued, was crucial in supporting the Afghan Police when they engaged insurgents in their districts (KB28, personal communication with the author, 25th March 2008). The prospect of a police sergeant, operating in a province after only 8 weeks of training, and momentarily engaged with what he believes to be counter-insurgents in a fire fight, calling in the awesome destructive power of an AC-130 Spectre gun-ship to rain down thousands of rounds is, to say the least, scary. More importantly, it speaks volumes of the lengths to which ANP deployments have become – conceptually and operationally – militarised, moving away from the “community-policing” and “democratic policing”

models initially proposed by the U.S. government (OIG DoD/DoS 2006: 2, 61). Ground conditions in all their specificity notwithstanding, the mere thought of having a British, American or Spanish police officer call in gun-ships during an escalation of violence with criminals in their own countries is simply inconceivable.

But although this suggestion was rapidly discouraged/vetoed, and although it represents the extreme end of the spectrum in the militarisation of the police training in Afghanistan, it is by no means an isolated issue. Anecdotal evidence gathered during fieldwork shows that police officers sport pistols and automatic weapons (usually AK-47's); even while performing routine duties in crowded areas of Kabul. Moreover, they are fielded with heavy machine guns (each ANP pick-up truck has a harness of top to fit on should the need arise) and rocket propelled grenades (RPG's). Given that CSTC-A is also in charge of equipping both the ANA and the ANP, it is not surprising to find in ANP's inventory several items of military issue. While interviewing police recruits, Ministry of Interior officials, or American staff involved in the training and mentoring of the ANP, it isn't at all uncommon for stories to involve lines such as: "we were under fire, and the sergeant lost his RPG. We were taking heavy fire, and suddenly his AK-47 jammed, so I had to ask for cover from my unit and dash to get him" (KB10, personal communication with the author, 11th April 2007).

While American policy as emanating from Washington DC (especially from civilian institutions such as ICITAP and INL) has traditionally placed its focus on structural change in order to reform the police to become a civilian, democratic, community-oriented service, in practice American policebuilding efforts in Afghanistan have *de facto* become inextricably linked to the Pentagon's prosecution of post-conflict stabilisation, and counter-insurgency. The U.S. simply does not possess, at least since the end of World War II, an intermediary or constabulary force to tackle the vacuum in public order which almost inevitably follows regime change by delivering an executive policing service in the transitional period (cf. Perito 2004: 323-7). Having failed to plan or negotiate adequately on how to better engage coalition partners who do possess such a capability to deploy it in concert with American strategic objectives, the U.S. policebuilding efforts in Afghanistan has almost inevitably been bogged down in addressing the (public) 'security gap'.

As we have seen, this has resulted in overriding concerns on the part of American policebuilding policy-makers about speeding up training, emphasise numbers over quality of training initially, and prioritise the constabulary tactics in training that would later be needed to fight an insurgency. This was done at the expense of focusing wholeheartedly on performing community-policing duties, and has led to a state of affairs whereby the ANP is tactically deployed in tandem with the ANA and ISAF soldiers so as to “hold” territorial gains made by military offensives¹²³.

This militarisation has important consequences for an analysis of liberal governmentality inherent in American policebuilding. In the first instance, it highlights the central tension in liberal modes of government between the subjects of development, and those deemed beyond the pale of liberal improvement – a key trait, foregrounded in chapter two. The Afghan policebuilding program, especially since the deployment of the FDD strategy, shows this dual approach at work: on the one hand it illustrates how police reform operates, as an apparatus of security, by seeking to improve and (re)form particular subjectivities; while on the other hand the militarisation of training and deployment of the ANP highlights the coercive powers in store for those deemed not improvable by American efforts.

Additionally, this almost seamless joining of civilian and militarised ethos in contemporary American policebuilding – here highlighted through an examination of the Afghan case, but also present (perhaps even more strongly) in the Iraqi scenario – forces us to think about what Li has called the “limits of governmentality” as an analytical tool (2007: 17-19). In fact, for the better part of three decades, authors working in governmentality studies have almost solely focused upon what Nikolas Rose has called “governing through the social”, and the analytical and socio-political consequences of the retreat of this model, and the rise of neoliberal or advanced liberal modalities of government (cf. Rose 1999: 98-136). Closely following Foucault's own intellectual move away from issues of punishment, incarceration and physical violence visited upon the body at extreme moments, such authors have focused predominantly on the routinisation and institutionalisation of liberal practices of intervening upon subjects, both in more physical

¹²³ This is part of a “clear-hold-build” strategy which is at the heart of current American counter-insurgency strategy in Afghanistan and elsewhere (DoD 2007: 5-18-5-23; Ladwig 2007: 287; Marston 2008: 230-32; Malkasian 2008: 248-58).

terms as ‘disciplines’ (Foucault 1977: 135-230; Rose 1999: 101-111), or as ‘techniques of the self’. Foucault aptly describes this as a gradual shift in the political economy of punishment from the body to the soul (Foucault 1977: 10-12, 16-18).

However, as Mitchell Dean has come to caution in his latest work, it is important for governmentality theorists to pay once again close attention to disciplinary modes of governing. Beyond that, even, it is important to re-engage analytically with sovereign coercive power, and its place in advanced liberal modalities of government, especially as they deal with the distant populations – such as Afghans – which have become prime targets of liberal governance today (e.g. Dean 2002a, 2002b, 2007: 79-195).

4.2. Concluding remarks

Despite more than 6 years and almost as many billion dollars invested in reforming the Afghan police, the U.S. is faced today with persistent problems in its policebuilding efforts (OIG DoD/Dos 2006). A recent UN Human development report phrases it curtly and to the point: “Although the performance of the police is improving, several analysts view reforms to date as disappointing. Although the quantity of the police has improved, quality is still a significant issue. The quality of the ANP remains exceptionally low.” (UNDP 2007: 84). Sadly, however, much of the critical analysis that has focused on American policebuilding programs in Afghanistan has remained unimaginatively chained to this, and has thus concentrated on ‘problem-solving’ and lessons learned. This chapter however, and this dissertation more generally, have sought to go beyond such problem-solving discourses, and engage in a form of critical theory. Indeed, echoing Prozorov’s Foucauldian analysis of another such technical assistance program seeking to govern through development, the attempt here is to question and disentangle the conditions of possibility of such schemes of liberal governance (Prozorov 2004: 264).

To do so, this chapter has highlighted the way in which contemporary regimes of security assistance have been brought to bear on the Afghan population, with the aim of ‘developing’ Afghans, and empower them to manage their own security. Through an analysis of the micro-practices of police assistance – mentoring, screening, and training –

the sections above have highlighted the asymmetric power relations inherent in these, and their ways of working upon the bodies and souls of Afghan police recruits. Through the idea of police reform and professionalisation, much more is being inculcated upon these Afghan recruits than simply the ability to correctly perform a new script of security. Indeed, such American policebuilding efforts clearly seek to (re)constitute the subjectivities of their Afghan mentees – to be more autonomous, more self-sufficient, to gain the ability to constantly monitor their own shortcomings and act upon themselves.

This drive, however, based on liberal ideas of civil-society and the potentials for development of non-liberal subjects, co-exists in an uneasy balance with a growing militarisation of American policebuilding. Given the hinging of policebuilding, under the Bush administration, to the master narrative of a global war on terror, Afghan police recruits now bear the weight of their own development, but also the responsibility of fighting a counter-insurgency alongside the military. As this occurs, the parallels between the current American policebuilding regime and previous historical frameworks becomes more and more evident. As the previous pages show, the return to a constabulary *ethos* is now a reality – even though it is tempered by advances in liberal modes of government. As such, although the Afghan National Police is not officered by American military personnel (as in previous historical experiments highlighted in the first part of chapter two), it is being trained by them. Recently, calls for a strategy of increased “Afghanisation” (cf. Karp and Ponzio 2007: 227-228; Giustozzi 2008) have made the parallel to American interventions in the circum-Caribbean area all the more obvious.

The reverse of this COIN is an increased governmentalisation of the U.S. military, as they increasingly find themselves in a political context that demands a focus on developing expertise about, and implement technologies for, the rule of foreign populations, beyond the conventional tasks of war. The result is a ‘mixed’ regime of policebuilding riven by tensions and incongruence, not least between the will to improve and the need to deal (illiberally) with those outside the pale of liberal development.

CONCLUSION

Drawing inspiration from the social and political theory of Michel Foucault, and from the work of those working after him in the broad tradition of governmentality studies, I have sought in the previous pages to illuminate a specific policy field within the larger topic of American foreign policy – namely, policebuilding. By looking at the historical evolution of the regimes, policies and programmes of American bilateral post-conflict police assistance, I have sought to foreground and further illuminate aspects of what Mark Duffield has called the growing security-development nexus (Duffield and Waddell 2004; cf. Chandler 2007). However, rather than following the same line of argument as Duffield - that contemporary Western regimes of liberal development are suffused by a politics of security - I wish to make the opposite but complementary argument that American regimes of security, especially as seen through their application in policebuilding programs, are suffused by the liberal ethos of development, a ‘will to improve’ populations under its governmental gaze. In other words, if Duffield is persuasively arguing that the evolution of liberal forms of rule has led to an increasingly securitised understanding and practice of development (understood as a relation of governance); I have sought to argue that one must also look at the increased governmentalisation of security policy that has evolved alongside the previous trend.

As such, in chapter one I examined the changing nature of security discourses in the post-Cold War world, emphasising how (predominantly) Western conceptions of security became increasingly de-coupled from the problematic of inter-state armed conflict and state survival under nuclear strategic parameters. Instead, the chapter argues, the post-Cold War world saw a gradual, but nonetheless fast-paced, refocusing of security agendas from concrete threats to diffuse risks, and from military to human security – understood as a relation of liberal governance focused on distant populations. This rise of the human security doctrine, and its preoccupation with governing distant populations with a view to their self-improvement, coincided with the introduction of the concept of security governance at the end of the 1990's. Indeed, the more orthodox understandings and

applications of the term, which I have sought to critique, have gained some prominence in the security literature – especially in what concerns the 'growth industry' of post-conflict security sector reform. However, I have sought to introduce a more sophisticated notion of security governance, which highlights liberal forms of governing through security apparatuses – in particular, through policing.

In chapter two I put forward some of the key concepts of governmentality studies, and sought to show how they could be related and applied to American policebuilding. In particular, I focused upon three analytical dimensions. Firstly, I explored the meanings of government and governing within a Foucauldian framework, emphasising the role of policing as an apparatus, employed to govern through security. The following section then explored how liberal forms of government rely upon a set of dividing practices to make sense of the subjects of liberal government, thereby defining more or less fluid categories of subjects, each amenable to distinct discourses and practices of rule. This section thus allowed me to highlight that, at its core, liberal government is essentially preoccupied with (re)producing a specific kind of subjectivity, deemed appropriate to bear what Kant called a kind of well ordered freedom (Guyer 2000: 106). Finally, in foregrounding these dividing practices inherent in liberal modalities of rule (including government through security), chapter two allowed me to highlight the inherently hierarchical relationship established between those doing the policebuilding, and those being – quite literally – built as proper liberal subjects via developmental schemes, a feature reminiscent of liberal modalities of colonial rule and trusteeship.

In chapters three and four, I proceeded to examine the history of American policebuilding. As Friedrich Nietzsche once put it, “only something which has no history can be defined” (Nietzsche 1994: 57). In following such an insight, rather than creating a definition of American policebuilding, I have sought to interrogate the modalities in which it has been historically instantiated, the problems it was deemed a solution to, and what kind of subjectivity it relied upon/sought to construct. As such, rather than talking about discrete historical 'cases' of American policebuilding, chapter three and four posited the existence of evolving regimes of American policebuilding. Moreover, both chapters sought to underline the trend one could call the growing governmentalisation of American policebuilding. Accordingly, American efforts in the field have evolved in the direction of

greater civilian institutionalisation (favouring long-term structuring programs, rather than *ad hoc* militarised intervention), greater linkages between technical police assistance and wider governmental and biopolitical goals (in particular fostering democratic governance and liberal subjectivities), and greater emphasis on building local capabilities, empowering local police forces, and aligning American (bio)political goals with a logic of responsabilisation of host governments.

However, such processes were not without internal tensions. As chapter four in particular has demonstrated, the transition from the Clinton to the Bush administration brought to the fore a series of tensions inherent in American policebuilding. For one, the trend of deploying policebuilding apparatus predominantly in post-military intervention scenarios – a context consolidated through several ‘humanitarian interventions’ in the nineties such as Somalia, Haiti or the Balkans – meant that the U.S. Department of Defense would sooner or later have to be heavily involved in policebuilding efforts, at the very least in terms of better coordination.

Finally, in chapter five I focused on the case study of American policebuilding efforts in Afghanistan. Doing so allowed me to demonstrate several things. First and foremost, through an analysis of expert discourses on Afghan policebuilding, and daily practices thereof, I demonstrated that a liberal governmental logic of biopower is indeed at work in contemporary American policebuilding programs. Through a pedagogy of security aimed at Afghan National Police recruits, complete with its disciplines, American policebuilding has sought to reform the subjectivities and practices of the Afghan police, seeking to instil in each and every one the necessary skills to perform the right kind of security.

Using the broad framework of governmentality studies to make this argument, as I have already pointed out in the introduction, brings with it a particular set of advantages. Throughout the research process, my aim was always twofold: one the one hand, shedding light on an important sub-set of policies and programs – policebuilding programs – which have so far received relatively little scholarly attention, at least in terms of mainstream accounts of U.S. foreign and security policy. On the other hand, focusing on this policy field, and particularly by doing so through the lens of Foucauldian social and political theory, would allow the opening up of larger issues pertaining to American foreign policy,

as well as to security studies in general. In the following pages, therefore, I want to briefly concentrate on three key issues. In the first place, I want to draw out the politics of knowledge and of expertise which are involved in American policebuilding efforts, paying particular attention to the purportedly 'neutral' nature of policebuilding defined as a form of technical assistance. Secondly, I want to emphasise the issues of hierarchy and trusteeship inherent in liberal security governance through policebuilding, and the parallels than can be drawn between contemporary American practices and earlier colonial modalities of rule. Thirdly, I want to interrogate what such a governmentality approach can bring to the analysis of American foreign and security policy.

Policebuilding and the politics of knowledge – the limits of 'rendering technical'

One of the central claims developed by Foucault in the course of his investigations is that power relations are dependent on, and in turn constitutive of, specific knowledges. In other words, programs and technologies of government rely on the creation and mobilisation of particular knowledges of the objects of government (e.g. Foucault 2000a: 59)¹²⁴. The level of dependence and complementarity between both concepts was such that Foucault sought to foreground it by coining the notion of knowledge/power. Knowledge/power – the insight that would later lead to the concept of governmental rationality or governmentality – makes intelligible what is to be ruled, and through what mechanisms, and is thus integral to the activity of governing individuals and populations (cf. Rouse 2005: 95-122). In keeping with this insight, one of the tasks undertaken in the previous chapters was precisely to highlight which specific forms of knowledge underpin American policebuilding processes. One of the key ways in which the power/knowledge nexus has historically constituted governmental programs and technologies – including those of American policebuilding examined here – is by rendering technical certain issues, as discussed in some length in chapter two.

Thus, liberal government has evolved to a large extent as a technocratic endeavour – that

¹²⁴ Nikolas Rose offers a succinct formulation of this: “the activity of government is inextricably bound up with the activity of thought” (Rose 1999: 8). He goes on to detail what kinds of thought become integral to governmental reason, how they mobilise truth claims in the process, and finally how since the 19th century these technologies of thought “have paid particular attention to the kind of truthful thought that ground themselves in 'veridical' discourses about human beings: discourses organised around scientific norms of truth and hence subject to critical correction” (9) – in other words, technical, expert forms of knowledge.

is, by identifying or constituting the objects of governmental intervention through the mobilisation of expert knowledges, and deploying such knowledges as part and parcel of legitimate technologies of governing life. There are many examples of this technification of government¹²⁵, and security – as a key set of technologies of rule – is no exception to this. Scholars working within the broad tradition of critical security studies have accordingly done much to highlight what Jef Huysmans refers to as the inherently “political nature of security knowledge” (Huysmans 2006a: 155). In the same vein, the previous chapters have touched upon several instances where security knowledge was integral to framing certain issues as security problems, and developing liberal governmental solutions to these problems. This was the case at the more abstract level of security discourse – as detailed, for instance, in the discussion about the rise of human security (ch. 1), or the modulation of state-failure as a key security concern for American policy-makers, and the attending notions of providing security assistance (in particular policebuilding) as a liberal governmental solution, as discussed in chapter four's analysis of the Bush administration. But this was also the case when discussing more specific and capillary practices of security buttressed by a set of specific technical knowledges – as in the case of the “metrics” developed to assess and improve the efficacy of American security assistance efforts in Iraq and Afghanistan (ch. 4), or the development of ‘capability milestones’ to establish and legitimise the goals of American police assistance to Afghanistan's National Police (ch. 5).

In all of these instances, my goal was always twofold: on the one hand, to highlight the nature and role played by such security knowledges in American policebuilding programs. On the other hand, beyond merely exposing these as vehicles for liberal government, I wished to highlight the inherently political nature of knowledge mobilisation, and of technical renderings of government. In light of the latter point, I now wish to discuss some of the important limitations of such technical renderings of governmental activity.

As Tania Li notes in a slightly different context, it would be tempting – but ultimately

¹²⁵ On a more historical note, several scholars have for instance pointed out the link between modern forms of state government and the birth of statistics (cf. Hacking 1984, 1990). More contemporary research on the mobilisation of technical, expert knowledge in the service of liberal government has touched upon the psy disciplines (Rose 1998), criminology (Ericson 1994), the biosciences and genetics (Elbe 2005; Rose and Novas 2005), demography and the movement of population flows (Salter 2003, 2004a, 2004b; Walters 2002), and technologies of biometrics and surveillance (Amoore 2006; Amoore and Goede 2005; Muller 2005) – to name but a few.

erroneous – to look at the history sketched here of American policebuilding processes and to see it as a gradual process of the “improvement of improvement” (Li 2007: 247-278). In such a view, the development of better mechanisms – more civilian in nature, better designed, more inclusive in their geographic and social reach – would render such American policebuilding schemes increasingly effective and benign. However, this would be misleading, and for a variety of reasons.

First of all, and to recover a theme treated in chapter two and then illustrated in chapters four and five, to look at the evolving regimes of American policebuilding as an example of improving development schemes is to render it once again technical. And to render policebuilding a technical field of development would seem to stress the neutral and apolitical nature of such programs. But this idea has little correspondence with the picture painted over the previous pages, where the nature and implementation of policebuilding regimes deployed by the U.S. is in powerful alignment with American governmental objectives. One clear example of this, which can be gleaned from reading chapters two and five, relates to the issue of centralisation. During the post-World War II policebuilding intervention in Germany, because the reform and rebuilding of the German police seemed inherently linked to the issue of reforming the undemocratic exercise of state power under the Nazi regime, American policy-makers insisted on a policy of decentralisation, whereby German police forces would be municipalized. Given Germany’s long historical tradition in a model of centralised police linked to the process of state-formation, this was widely resisted by the ‘host nation’. Nevertheless, the U.S. vehemently insisted, and proceeded to decentralise the German police. In post-war Afghanistan in 2003, on the contrary – with its long-standing tradition of tenuous centre-periphery relations and a powerful informal system of security governance in place – the U.S. government had modulated the ‘problem’ of the police as one related to state-weakness, not state despotism. Accordingly, it proceeded to promote, foster and defend an extremely centralised police force, under the firm control of the Ministry of Interior, and downplaying any schemes of local, informal, community policing for the most part of its policebuilding program – a trend again partially resisted by some sectors of the Afghan society and the international community.

In both cases, then, a series of expert knowledges were mobilised by American policy-makers to make policebuilding an intelligible task of government. Rendering the problem

technical, based on such knowledge, produced different solutions on both cases. This means that the modulation of an issue of a security problem effectively constitutes what can be devised and implemented as a governmental solution, but it also highlights the politics inherent in this process of mobilising security knowledges.

Secondly, such liberal programs of improvement and government through security often ignore – or at least downplay – the sources of instability they purportedly seek to combat, all the while emphasising the capability of foreign intervention, allied to schemes which mobilise local participation and empowerment, to achieve security for all parties involved. In the case of American policebuilding interventions, this trend is also quite evident. As chapter two points out, while intervening in the Caribbean, it was widely assumed by the U.S. that the ultimate sources of instability that had prompted American intervention – with its attending constabulary strategies – were a lack of civilisation or backwardness of the local populations, a claim which had the added benefit of providing a justificatory moral high ground. In other words, and as is absolutely apparent in President Roosevelt’s infamous Corollary to the Monroe Doctrine, local peoples were deemed as lacking the knowledges, capabilities or will to govern themselves properly, govern and perform their own security, or act morally and maturely in international society. As such, local governments and populations were construed as in need of appropriate supervision and incentive by the intervening American government in order to develop, among other things, appropriate security skills which would ultimately allow them to regain autonomy, self-government and stability.

However, such an account – which locates the sources of instability and insecurity in the character of their populations and the technical backwardness of their governments – is silent about the regional sources of insecurity (including the confrontation between the receding Spanish Empire and an expanding U.S.), or the legitimate grievances and aspirations of locals, or the issue of widespread poverty leading to banditism, or the oppression of peasants by landed elites through the police security apparatus as a source of social upheaval and rebellion. In summary, then, this was one of several instances where security was not framed as an inherently political question – where there are competing interests and legitimate grievances that need to be addressed through politics – but rather as a technical set knowledges and practices to be taught/inculcated into the locals. In short,

the issue of security governance, at least since those early policebuilding efforts, becomes framed as a governmental problem which merits a governmental intervention, and the deployment of a developmental solution – through technical assistance – aimed at the 'subjects of development', sometimes backed up by coercive power, or despotism in the Millian sense, towards those subjects deemed beyond the pale of liberal improvement.

In examining these examples, it becomes apparent that while the justifications presented by the U.S. government were couched in a technical language, the reason for choosing those paths is ultimately irreducible to technical issues related to the policebuilding process itself, and rather reveal the irreducibly political nature of policebuilding – a technology of government that seeks to expand liberal governmentality through a pedagogy of security.

By doing so, such an approach foregrounds issues of power and responsibility inherent in the discourses and practices of security experts, who devise, implement and manage very specific knowledges of security. Moreover, such knowledges, and the asymmetric power relations inherent in them, have very real consequences in the lives of the subjects of improvement. As such, to engage in a study of (American) liberal policebuilding – and indeed other similar technologies of security governance - through an analysis not only of institutions and policies, but also of knowledge production and the micro-practices of security agents, brings up a much richer sociological view of security. In so doing, it follows important earlier contributions that emphasise precisely the need for a more sociological understanding of the relationships between the effects of structures and the practices of agents in defining and instantiating security in the contemporary world (Bigo 1996, 2000a, 2000b, 2002; Huysmans 2006a; Williams 2007), including – but not limited to – the forms of knowledge which underpin, legitimise and enable biopolitical intervention.

The governmentalisation of foreign policy?

The picture painted thus far about the nature and implementation of U.S. foreign and security policies, especially as seen through the lens of evolving regimes of policebuilding, raises a series of important issues about power, knowledge and subjectivity. In doing so,

this dissertation seeks to make a small contribution towards a more sophisticated analysis of American foreign policy, especially in the area of security governance that has come to occupy such a prominent place in American 'national security'. Theoretically informed analytical frameworks for understanding issues of power and security in American foreign policy have of course evolved greatly over the last decades of scholarship. But even in recent overviews on the state of the art in US foreign policy analysis (cf. e.g. Hogan & Paterson 2004), a well-developed governmentality approach to studying American power remains a desideratum. Similarly, in academic overviews of American national security, the very idea of security is still treated in fairly unsophisticated terms (cf. e.g. Sarkesian, Williams & Cimbala 2008), the many contributions made by (largely European) critical security studies having made few inroads into mainstream security thinking, especially as far as policy-oriented accounts go.

But instead of looking at American foreign and security policy in merely negative terms – that, is, as the ability to adequately react to threats – it is useful to highlight the more productive aspects of American security policy, as it seeks to effect liberal governance, as well as foster and (re)produce specific liberal modalities of subjectivity abroad. In a sense then, all of this seems bears out the working hypothesis that security (understood here as effecting liberal government through apparatuses of security) and foreign policy have become heavily enmeshed, and that the US administration has understood and seeks to harness the power of security governance as a tool of a broadly developmental foreign policy, thereby seeking to promote, expand and manage liberal regimes of governing populations abroad

When reflecting upon the evolving dynamics of this same process in terms of domestic forms of government in Western states, Foucault rejects the idea that the driver of such liberal processes is the state as it seems to be conceived in so much orthodox security literature. Rather, he posited, “maybe what is really important for our modernity – that is, for our present – is not so much the etatisation of society as the 'governmentalisation' of the state” (Foucault 2007: 109). Foucault uses this idea – the governmentalisation of the state - to refer to a series of complex processes whereby the relationship between politics and the exercise of state sovereignty are gradually but radically reconfigured (cf. e.g. Dean 1999: 102-111). As a result, the state becomes a node of governmental practice, rather than

its primary enactor. In other words, the role of the state becomes that of a conduit for liberal forms of rule, including rule through technologies of security. As Foucault puts it,

the governmentalisation of the state has nonetheless been what has allowed the state to survive. And it is likely that if the state is what it is today, it is precisely thanks to this governmentality that is at the same time both external and internal to the state, since it is the tactics of government that allow the continual definition of what should or should not fall within the state's domain, what is public and what is private, what is and is not within the state's competence, and so on. (Foucault 2007: 109)

He goes on to posit that this process has been at the heart of transformation in the forms of the state, and its “economies of power”, from the state of justice, to the administrative state, to the state of government. The latter, as we have detailed in chapter two, is essentially defined not by its relationship to a bonded territory, but by its relation to population, “calls upon and employs economic knowledge as an instrument, [and] would correspond to a society controlled by apparatuses of security” (110).

This idea of a governmentalisation of the state has led scholars working in the Foucauldian tradition to some interesting developments in policy analysis, which one could call, tentatively, the governmentalisation of policy (cf. Raco 2003: 76). In other words, the governmentalisation of the state opens up an analytical framework that, in analysing a policy field or agenda, focuses attention on “the emergence of new and distinctive mentalities of government and governmental rationalities which involve a calculating pre-occupation with activities directed at shaping, channelling and guiding the conduct of others” (Hunt and Wickham 1994: 26, quote in Raco 2003: 76). Therefore, this allows us to rethink the nature and role of the state within advanced liberalism. The advanced liberal state thus acts upon a series of processes seen as external and independent from it, as a regulator (Dean 1999:194).

Given the latter point, and the focus that this process of governmentalisation is focused primarily on securing populations, it thus becomes possible to apply the framework of governmentality beyond the state's domestic writ, or to unhinge liberal governmentality from the relationship between a state and “its” civil society. This has led to an important extension of governmentality studies towards studying international, transnational and

global aspects of liberal governmentality. In that vein, studies have emerged which highlight liberal-governmental processes at play in the global realm, including the working of international organisations (Merlingen 2003; Alasuutari 2005), the nature and role of NGO's (Sending and Neumann 2006), the concept and practice of global civil society (Lipschutz and Rowe 2005; Bartelson 2006), and liberal states' conduct of war (Reid 2006; Dillon and Reid 2007) or building of peace (Debrix 1996, 1999a, 1999b; Merlingen and Ostrauskaite 2005). It is precisely within this trend that the present study has taken shape, by highlighting the processes of liberal governmentality at work in American policebuilding efforts, an important dimension of U.S. foreign and security policy.

Curiously enough, despite the odd academic attempt to theoretically analyse American foreign and security policy through a Foucauldian lens (Campbell 1998; Doty 1993; Lipschutz 2002; Reid 2009), there is little by way of an analysis that foregrounds and systematically explores the governmentalisation of (American) foreign policy. In other words, a sustained and systematic framework to analyse contemporary developments in American foreign and security policy from the vantage point of global governmentality, or the “governmentalisation of foreign policy”, has not yet fully emerged. The present study has thus tried to further open up this research agenda. Through the examination of American policebuilding regimes, the previous chapters have sought to highlight the governmentalisation of American foreign policy. This is apparent in its discourses of liberal security, America's focus on the security-development of distant populations, its discursive strategies to modulate certain issues as amenable to security technologies, and the U.S.'s deployment of police assistance programs.

A new trusteeship? Policing between pedagogy and paternalism

Another limit or tension apparent in American policies of security governance through policebuilding is that between the politics of improvement through security assistance (what I have term the pedagogy of security) and the limits imposed on it by difference – be it cultural, socio-economic or political. In other words, how do contemporary American regimes of policebuilding, intent as they are on instilling a particular performance of security, deal with competing paradigms that characterise the objects of intervention?

In fact, American policebuilding programs retain at their core the inherently liberal

problems of 'dividing practices' that make particular groups of subjects amenable to governmental intervention and an *ethos* of development. However, these dividing practices also bring to light the 'tyranny of benevolence' – Will Bain's felicitous expression to highlight the dangers inherent in liberal forms of trusteeship (Bain 2001). That is to say, in dealing with 'otherness' and 'difference', and in perceiving and performing security, American foreign policy as instantiated through policebuilding programs has tended to oscillate between two poles. On the one end, schemes of development and improvement designed to reconfigure subjectivities in the 'right direction' (pedagogy), and on the other end more coercive regimes which cover the spectrum from paternalistic tutelage (pastoral power), through to more forceful techniques of segregation, internment, or ultimately death.

The last point thus draws out an important link between contemporary practices of governing through security immanent in American policebuilding, and previous colonial regimes as they sought to mobilise security apparatuses to govern and improve subaltern subjects. The main difference may well be, as Hindess describes it (Hindess 2004: 34), a shift from conceptualising liberalism's Others as inherently and naturally incapable of self-governance (and, as such, in need of a paternal form of pastoral care and proper discipline), towards a post-colonial world where such distant populations are seen in equal need of improvement/development, but where the obstacles to their becoming mature, responsible and autonomous liberal subjects who perform their security and prosperity adequately no longer reside in climate, geography, or biological impediments, but rather in the structural limitations imposed on them by their faulty institutions¹²⁶. Therefore, what is needed is liberal governmental intervention that modifies such structural conditions and instils in such populations the skills to properly perform their freedom, and properly secure it.

In other words, contemporary liberal discourses about security – and particular those emanating from America – have increasingly linked conditions of insecurity for populations around the world, especially those living in "failed states", to a resurgence of interest in the idea of trusteeship (Bain 2006: 188-205). Noticing that contemporary

¹²⁶ I thank Andrew Linklater for raising this question and forcing me to think about the lines of continuity, but also the limits in establishing the parallel, between colonial and contemporary American regimes of security governance.

policebuilding (and other security sector reform efforts) often occurs in a scenario of international administration of war-torn territories (Caplan 2005), a growing amount of scholars have prompted policy-makers to learn from and/or re-enact previous arrangements of international trusteeship (Lyon 1993; Pfaff 1995; Caplan 2001, 2005, 2007; Wilde 2008). In fact, political scientists James Fearon and David Laitin have gone so far as to suggest that the international community in general, and the U.S. in particular, should seek to establish a regime of “neotrusteeship” (Fearon and Laitin 2004) in many post-conflict states. Such a relation of trusteeship, as intimated in chapter two, involves by definition an asymmetric power relation between trustees and their charges – it is not a contractual relationship entered into freely by co-equal partners, as classical liberal theory would suggest.

Those in favour of such a move often point out that trusteeship is not simply a form of exploitative and/or oppressive colonialism. As William Bain succinctly put it, “trusteeship is an idea that sanctions the rule of one man over another, in lands that are not his own, so long as the power of domination is directed towards the improvement of the incompetent and infirm” (Bain 2003: 23). It was thus a political rationality couched in ideas of responsibility and obligation, although towards subjects that were seen as inherently inferior – a theme which echoes with the analysis of (benevolent) despotism in chapter two. Others, while noticing the lines of continuity and the difficulty to establish clear demarcation between trusteeship and the politics of empire from whence it emerged, nonetheless point out the emancipatory potential that trusteeship brought along to subaltern colonial subjects – to enter an unequal dialogue, but to enter it nonetheless, and push for self-determination (Crawford 2008: 269-275).

Certainly, the analysis of American police assistance efforts attempted here – especially in its more contemporary, advanced liberal format as deployed in the wake of intervention in Afghanistan – shows that there is some validity to the points above. On the one hand, one cannot simply bracket out the issues raised by the growing militarisation of American policebuilding analysed towards the end of chapter five – as they powerfully remind us of the underside of liberal biopower, especially as it connects to the more illiberal practices of the ongoing 'War on Terror'. On the other hand, however, American police assistance remains couched in a language of empowerment, development, and political obligation

towards others, as can be seen in continued references in programmatic documents to goals of capacity building. Moreover, few critics of American policebuilding would disagree with the notion that conditions in post-intervention Afghanistan direly needed improvement, or that rebuilding a professional and democratic police force was not an absolute need. Afghans themselves have placed great faith in the powers of the international community – the U.S. more prominently - to help them achieve their security (Asia Foundation 2008). Moreover, in interviewing large numbers of American policy-makers involved in policebuilding, the dominant tone was indeed one of concern, responsibility and even benevolence. How, then, are we to think critically about the nature and desirability of such programs?

It is worth bearing in mind the words of critical development scholar Tania Li. In examining similar schemes of liberal improvement of distant populations, she similarly highlights that the ultimate objective of trusteeship – regardless of the actual implementation, which can be problematic - “is not to dominate others, it is to enhance their capacity for action, and to direct it” (Li 2007: 5). When analysing the actual practices of governmental experts engaged in such projects of improvement through trusteeship, she notes:

Their intentions are benevolent, even utopian. They desire to make the world better than it is. Their methods are subtle. If they resort to violence, it is in the name of a higher good – the population at large, the survival of the species, the stimulation of growth. Often, their schemes operate at a distance. They structure a field of possible actions. They modify processes. They entice and induce. They make certain courses of action easier or more difficult. Many schemes appear not as an external imposition, but as the natural expression of the everyday interactions of individuals and groups. They blend seamlessly into common sense. Sometimes they stimulate a more or less radical critique. Whatever the response, *the claim of expertise in the optimizing the lives of others is a claim to power, one that merits careful scrutiny*” (Li 2007: 5, emphasis added)

Carefully scrutinising the claims to power inherent in American policebuilding, as well as the relations of power that are spun by the strategies and practices of experts involved in delivering security governance abroad, were precisely the central aims of this study. Thus, and in light of the analysis developed in the previous chapters, one must confront the critical question that emerges from deploying a governmentality framework to analyse American practices of policebuilding: how should we deal with the liberal gift of security, especially when it is wrapped in unequal and potentially dangerous power relations?

Critique and the limits of security

Finally, I wish to conclude by offering some thoughts on the relationship between scholarly critique and the limits of security, articulated against the background of my previous analysis of American policebuilding and security governance schemes. In a recent book on exactly this topic of “critique of security”, scholar Mark Neocleous raises the issue that we need to critically rethink not only security itself – what it is, what it does, who is it for – but also its very desirability (Neocleous 2008: 3-4). Ultimately, Neocleous contends, most authors – even those working within the broad church of critical security studies – tend to agree on the desirability of security, and the need to maximise it, thereby shifting the debate to alternatives in better security provision, such as the Aberystwyth school's emphasis on emancipation (Booth 1991; Alker 2005; Wyn Jones 1999), or the Copenhagen school's emphasis on de-securitisation (Roe 2004; Weaver 1995). The function of a critique of security, which understands security as 'an anti-politics', Neocleous tells us, is to refuse it, and 'move beyond security politics' (Neocleous 2008: 185).

While I do not necessarily agree with all (or even most) conclusions Neocleous ultimately draws – informed as they are by a sort of neo-Marxism poorly translated through Foucault, caught in the false conceptual dilemmas of the 'real oppression' that inevitably lurks beneath the 'masks' and 'ruses' of security, a handmaiden to capitalism – I share the view that a critique of security through Foucauldian lens must in some way reject any simplistic search for better alternatives:

You see, what I want to do is not the history of solutions, and that's the reason why I don't accept the word *alternative*. I would like to do the genealogy of problems, of *problematiques*. My point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad. If everything is dangerous, then we always have something to do. So, my position leads not to apathy but to a hyper- and pessimistic activism. (Foucault: 1984: 343)

That said however, and contra Neocleous' simplistic reading of critical security studies, I do not think we must 'refuse the gift' of security, or 'move beyond' security politics – rather we must, as an exercise in reflexive pessimistic activism, to borrow Foucault's own

intimation, illuminate the politics inherent in security: in its discourses, its ethics, its technologies, its inclusions and exclusions, the micro-practices of its agents and experts. Indeed, perhaps the ultimate purpose of this dissertation is precisely to foreground the intrinsically and unavoidably political nature of governmental interventions, especially those enabled by discourses and practices of security governance, such as the policebuilding programs examined over the last five chapters..

As such, rather than classifying such security interventions as good or bad, or offering better alternatives, I would finish by echoing Foucault in pointing out that *defining* governmental problems, and devising the corresponding solutions, through the lens of security – in this case, liberal concepts of security as a form of pedagogy and improvement that allows for the formation and management of appropriately mature and moral subjects – is always inherently dangerous. More than offering (equally dangerous) alternatives to American practices of policebuilding, then, the dissertation has ultimately sought to underline their indeterminate nature, the contradictions inherent in them, and the spaces for hybridity and resistance that naturally open up as such programs are translated from the corridors of power 'into the field'.

In other words, a critique of security does not entail running away from a label and its consequences, nor ethically re-defining it. Rather, one should historicise more than (re)define, and insist on a better political sociology of security as a technology of power. A critique of security, in my view, is at its most productive when it entails three simple principles laid out by Foucault in one of his last interviews. First of all, it must embody “the refusal to accept as self-evident the things that are proposed to us”, secondly “the need to analyse and to know, since we can accomplish nothing without reflection and understanding” and finally “the principle of innovation: to seek out in our reflection those things that have never been thought or imagined. Thus: refusal, curiosity, innovation.” (Foucault 1980)

As an exercise in my own hyperactive pessimism, this dissertation has sought all along to exercise a critique of security by opening up such thinking space – primarily in the small field of American policebuilding, but with important implications for thinking about American foreign policy and its relation to global liberal governmentality, especially in its

manifestations as interventions abroad to rule and improve distant populations. The will to improve inherent in liberalism, as well as the attending techniques of governing through security, may well be inescapable features of our contemporary liberal world – they certainly seem ubiquitous in American policebuilding as analysed in the previous pages. It may well be that each new technique and programme to govern through security is benevolent in its origin, it may even bring ‘better’ ways of securing liberal life – but ultimately, as such governmental calculations translate into actual interventions in the field, they will generate hybrids suffused with unforeseen consequences, engender resistance, cause new problems and open up space for renewed governmental intervention.

Ultimately, however, one must bear the political responsibility of living, and participating in, such a world of liberal security. Without ‘refusing the gift of security’ – as Neocleous would have us do – one should instead strive to remain constantly aware of the nature and consequences of that gift, and insist on our ability to think and enact security differently.

Appendix 1

WHITE PAPER

The Clinton Administration's Policy on Strengthening Criminal Justice Systems in Support of Peace Operations

February 2000

Contemporary peace operations and other complex contingencies, though aimed at mitigating military conflict, often confront considerable civil disorder, violence, and crime. Time and again, we have seen that as military conflict ends (and armies demobilize), a security vacuum develops that indigenous law enforcement organizations cannot fill, at least initially. These institutions usually have been destroyed, rendered ineffective by the conflict or corruption, or become part of the conflict due to partisan behavior. In Somalia, for example, the police simply left their posts in 1991 when a new government failed to emerge after the Siad Barre government was deposed. In Haiti and Bosnia, the police were involved in the conflict and consequently were viewed as biased combatants rather than public servants by large segments of the population. Even before the conflict arose, the public safety forces in Haiti, as in many areas where peace operations are conducted, were the primary instrument for state-sponsored repression of the citizens.

The phenomenon of nonexistent, inept, or partisan police forces is not unique to peace operations. Similar problems occurred following the U.S. interventions in Grenada and Panama during the 1980s. Furthermore, in all these situations the other aspects of the indigenous criminal justice system, the judicial system, the penal system, and the law code, were in disarray and needed substantial reform.

Effective indigenous law enforcement and criminal justice systems are necessary for a society to achieve and maintain durable peace. Therefore, helping to reestablish an indigenous criminal justice system is often, and appropriately, a fundamental aspect of a successful peace operation or other complex contingency operation. The experience of the U.S. Government and the international community has demonstrated the difficulty and complexity of this task. In spite of the difficulties that have been faced, our experience also demonstrates that participating in both bilateral and multilateral efforts to reconstitute indigenous criminal justice systems, promoting public safety in the short term and developing responsive criminal justice institutions over the long term, can successfully and economically support American interests.

In addition to helping bring peace operations to successful completion, an effective and just criminal justice system in countries emerging from conflict serves other very important U.S. interests. In particular, it helps to deter the presence of criminals who seek to base their operations in areas where they can operate without fear of arrest and prosecution.

Such wrongdoers often include organizers of terrorism, illicit drug and arms trafficking, and international criminal syndicates.

Intent

The intent of PDD 71 is that the Executive Branch of the U.S. Government improve its capacities to participate in rebuilding effective foreign criminal justice systems by implementing the directives described in this white paper. Furthermore, together with U.S. allies the Executive Branch shall seek to improve the capacities of other organizations to participate in these activities. By enhancing U.S. capabilities and helping others to do the same, the U.S. will be better prepared to advance its national interests when those interests require the reestablishment of a criminal justice system overseas.

Scope of the PDD

PDD 71 is the third in a series of PDDs designed to promote U.S. interests by improving our ability to effectively manage or resolve inter and intra-state conflict. The other two documents, PDD-25, U.S. Policy on Reforming Multilateral Peace Operations and PDD-56, Managing Complex Contingency Operations, and this new directive should be applied together. This directive amplifies guidance given in PDD-25 concerning police and judicial dimensions of peace operations.

PDD 71 applies to U.S. Government processes dealing with peace operations and other complex contingency operations as defined in PDD's 25 and 56 respectively. The Peacekeeping Core Group (PCG) as described in PDD-25, under the review of the Deputies Committee, shall remain the primary interagency policy development body for peace operations, including the issues related to public safety and criminal justice addressed in this directive. Further, when an Executive Committee (ExCom) as described in PDD-56 is established, it shall be the primary interagency mechanism to conduct political-military planning and to coordinate the day-to-day management of U.S. participation in a specific operation.

This white paper is organized in four sections: improving U.S. Government organization and capabilities, improving capabilities of other organizations, activities at the operational level, and general policy guidance.

Improving U.S. Government Organization and Capacities

Create a Lead Agency: The State Department shall create an office, or modify an existing one, to assume lead agency responsibility for the full spectrum of issues related to U.S. Government involvement in the reform of criminal justice systems during peace operations and complex contingencies. This office shall be responsible for policy development, all aspects of provision and oversight of U.S. CIVPOL to field operations, development and implementation of training and technical assistance plans and programs for foreign police forces, and priority setting and coordination among other U.S. activities relating to the criminal justice system, among other tasks. Consolidation of these functions within the agency that has primary responsibility for foreign policy will enable the U.S. Government to be more responsive by clarifying responsibilities among the Departments of State,

Justice, and Defense and the U.S. Agency for International Development (USAID).

When the integrated planning processes described in PDD-56 are used, the lead agency shall normally lead development of the portions of the political-military (pol-mil) plan dealing with public safety and restoration of the criminal justice system. When related issues fall under the purview of another part of the Government, such as reform of the judicial system, which has traditionally been accomplished by USAID and the Department of Justice, the lead agency shall normally organize and lead an interagency working group of the various governmental organizations to coordinate and prepare products for the pol-mil plan. When the lead agency is developing policies and long-range plans for future programs and contingencies, it shall involve the Department of Justice and other interested agencies.

At the request of the Peacekeeping Core Group (PCG) or ExComm, the lead agency shall be responsible for developing and providing pol-mil planning advice and liaison on public safety and criminal justice issues in peace operations and complex contingencies to other organizations and countries.

At the request of the PCG or ExComm, the lead agency shall organize and lead an interagency criminal justice assessment team for a specific operation. The purpose of such a team shall be to gather information and facilitate development of a comprehensive plan for reform. Assessment teams could also be used to help develop benchmarks, measure progress against those benchmarks, and develop advice for mid-course corrections. An assessment team will normally be composed of a full range of criminal justice experts from throughout the U.S. Government, including persons from the Department of Justice, USAID, and federal law enforcement agencies. The Departments of State, Defense, Justice, Treasury, Transportation, Agriculture, Interior, and any law enforcement agencies under their auspices shall be prepared to participate in these assessment teams as needed.

It is appropriate for the lead agency to use contractor support to assist in its duties when cost effective, reasonable, and consistent with laws and regulations. Furthermore, the other Departments and Agencies shall consider providing various types of support to the lead agency, including seconding personnel to serve in the responsible office.

Since our efforts to help rebuild foreign criminal justice systems are usually a multiyear activity, the lead agency and other responsible agencies shall seek adequate, designated funding in subsequent years of a particular operation until our foreign policy goals are accomplished. Further, the Secretary of State and the Director of the Office of Management and Budget shall work together to ensure that programs conducted by or through the lead agent are funded at a level that reflects the high priority I give to these activities.

Enhance U.S. Government Capacity to Provide CIVPOL to Field Operations: Since 1994, which marked the initiation of the operation in Haiti, the United States has steadily increased its contributions of civilian police officers to peace operations. In 1996, the U.S. contribution was 154 officers in an average month; in 1997 the average was 275. By the end of 1999, the U.S. had more than 600 CIVPOL deployed. These contributions have been to operations in Haiti, the Former Yugoslavia, and East Timor. It will be in the U.S.

interest to continue to participate in and support CIVPOL activities. As always, future decisions on U.S. involvement in CIVPOL activities will be coordinated on a case-by-case basis through the Peacekeeping Core Group, as described in PDD-25.

The current process used by our Government to recruit, prepare, train, and deploy civilian police officers to CIVPOL operations is not adequate. The lead agency shall place special emphasis on making immediate improvements. Improvements should focus, in part, on improving the speed with which the U.S. is able to provide personnel for specific CIVPOL operations and enabling the U.S. to participate in UN Standby Arrangements with CIVPOL. The lead agency also should develop mechanisms to improve the discipline and accountability of U.S. CIVPOL officers deployed in UN missions, to include the possibility of a more formal affiliation with the lead agency. The lead agency shall identify any new legislative authorities that would be necessary to implement such improvements. Another broad area for improvement relates to the recruitment and preparation of U.S. CIVPOL.

In this regard, the lead agency, or another agency operating under its supervision, must develop training programs for U.S. CIVPOL that incorporate all aspects of service in a CIVPOL field operation. To further enhance the law enforcement expertise of the lead agency, the U.S. Secret Service and the U.S. Park Police shall consider providing, if requested, an individual with appropriate law enforcement and technical expertise to the lead agency to serve within the office responsible for the management of U.S. CIVPOL contributions.

The lead agency shall specify funds within its budget submissions to cover the costs related to the provision of U.S. CIVPOL to field operations, including reimbursement to the state and municipal law enforcement agencies for their participation and seek any additional implementing legislation, if necessary. Necessary reimbursement procedures shall be negotiated between the federal government and the law enforcement agencies. Given the organization of the U.S. law enforcement system, the majority of U.S. CIVPOL will likely come from state and municipal law enforcement agencies. Members of the federal law enforcement agencies should also be available for CIVPOL service on a voluntary basis similar to municipal officers, or via another appropriate method.

Enhance U.S. Government Capacity to Provide Training and Developmental Assistance to Foreign Police Forces: The U.S. Government should enhance its capability to train and develop foreign police forces during peace operations and other complex contingencies. The agencies involved in implementation must work from a common set of goals and must receive adequate institutional support, especially at the headquarters-level. Furthermore, they must devise programs that include mechanisms to ensure that human rights issues receive adequate attention and oversight.

To carry this out, the Secretary of State and the Attorney General, within four months of the signing of PDD 71, shall prepare a plan to implement this guidance and present it to the President through the Assistant to the President for National Security Affairs. In the plan, the Attorney General should specifically address measures by the Department of Justice which are necessary to broaden and strengthen ICITAP's capacity to engage in long-range planning to support the policy and planning development work of the lead agency, as well as ICITAP's capacity to both provide training and coordinate with CIVPOL activities in

support of peace operations and other complex contingencies.

Create an Interagency Partnership in Judicial, Penal, and Legal Code Developmental Assistance: In the increasingly global world, U.S. national security and other interests are inescapably linked to the effectiveness of foreign criminal justice systems. When such systems break down or are destroyed, the damage is felt in a variety of ways, ranging from economic interests, to humanitarian concerns, to the physical safety of American citizens. We must therefore continue to expand and improve cooperation and development activities with other countries, especially those emerging from periods of instability where havens of criminal impunity might otherwise develop.

To respond rapidly and effectively to emerging contingencies, the Secretary of State will call upon relevant departments and agencies to participate in operations pertaining to urgent and immediate interventions in the criminal justice sector. The Department of State, as lead agency, will harmonize and assure rapid response assistance, training and other necessary support to strengthen judicial and penal systems and legal code reform during complex contingencies and in their aftermath.

The Attorney General and the Administrator of the U.S. Agency for International Development shall establish a partnership that will include subordinate offices, including ICITAP, OPDAT, and the USAID's Center for Democracy and Governance, to improve the capability of the U.S. Government to develop and assure delivery of rapid response assistance. Working through the Center for Democracy and Governance, these offices will conduct contingency planning and develop emergency assistance programs, relying on analyses of ongoing and past assistance programs and resulting lessons learned to guide future actions. The Center will draw upon the expertise of USAID's Office of Transition Initiatives as well as the expert resources available within other departments and agencies as necessary.

During the planning and execution of peace operations and complex contingencies, the Center for Democracy and Governance shall coordinate its developmental assistance activities with the lead agency, which will retain overall responsibility for planning, overseeing, and coordinating U.S. actions to rebuild the criminal justice sector. Programs must be developed that enable the U.S. to respond quickly to help establish rudimentary judicial and penal capacity during peace operations and complex contingencies. These programs must at the same time lead to sustainable, credible, and legitimate state institutions necessary for long-term stability. Therefore, they should be implemented in the context of a broader criminal justice reform strategy.

The Secretary of State, the Attorney General, the USAID Administrator, and the Director for the Office of Management and Budget shall work together to ensure this initiative receives authority and funding that is commensurate with the high priority that I place on it. The operating costs of the Center shall continue to be borne by USAID while costs of DOJ's participation in the Center's contingency planning and program development shall be borne by the Department of Justice. The field operations conducted through it should normally be funded from foreign assistance appropriations and other sources as appropriate. None of these funds shall be used by other USAID or USG elements for judicial, penal, or legal code developmental assistance unless coordinated through the

Center.

Improving the Capacities of Other Organizations and Countries

Despite the critical importance of U.S. enhancements in these areas, U.S. Government capabilities should not become the international community's instrument of first resort whenever CIVPOL-related requirements arise. Many other countries and organizations have similar interests and responsibilities and should share the burden of these activities. Therefore, the U.S. Government shall seek to enhance the capacities of non-U.S. entities including those of other countries, international organizations, and non-governmental organizations. Furthermore, the U.S. Government shall seek to build and sustain the will of other countries and organizations to be involved in this type of activity and develop mechanisms for greater cooperation and coordination.

The UN is the international body with the most extensive experience and dedicated mechanisms focused on peace operations. Indeed, until the recent advent of the police role for the OSCE in Eastern Slovenia and Kosovo, the UN had been the only international or regional organization to mount a significant CIVPOL operation. Among international organizations, the U.S. Government shall focus its reform efforts for CIVPOL activities on the UN, just as we did for general peacekeeping reforms following PDD-25. At the same time, the United States shall continue to support efforts to improve regional organizations' peace operations capabilities, including those related to criminal justice systems. In particular, the U.S. will work to further develop the capacities of the OSCE to conduct these operations.

Because we can only advocate, rather than direct, specific policies and processes of international organizations, PDD 71 outlines general policy objectives. During the implementation phase, specific proposals and a strategy for achieving them shall be developed. To facilitate these policy objectives, the State Department shall seek like-minded states and organizations to serve as partners in our efforts to improve the capacities of the UN and other regional organizations.

Within the UN Secretariat staff, greater emphasis should be placed on matters related to the criminal justice system during peace operations. The current staff devoted to CIVPOL matters in DPKO is insufficient to accomplish the planning, coordination, and conduct of these operations. The United States shall advocate that DPKO strengthen its capabilities by installing an appropriate, senior-rank individual, with appropriate staff support, to oversee criminal justice matters. The United States will consider providing individuals with criminal justice expertise to serve within DPKO. Furthermore, criminal justice functions should be fully integrated with other peacekeeping functions in DPKO. Adequate planning capacity within DPKO should account for CIVPOL requirements, including a criminal justice element, before a new operation is initiated or a mandate renewed. Criminal justice planners should be integrated into UN assessment teams that deploy to sites of potential peacekeeping operations and CIVPOL capabilities of more member states should be entered into the UN Standby Arrangements system. The Standby Arrangements system enables the international community to respond more quickly to crises through rosters of pre-identified, screened and trained police experts from around the world who can be deployed on very short notice. Finally, other organizations or UN specified agencies should

develop means to take over the longer-term aspects of criminal justice development once the peacekeeping phase of a complex contingency is completed and peace-building activities have begun.

The U.S. Government will advocate that UN missions make use of a suitable mix of military and paramilitary forces to accomplish the assigned tasks of any new peace operation. Constabulary forces, that is, paramilitary forces that train for and conduct a law enforcement function in their home countries, should be deployed by the UN in appropriate circumstances. Such forces bring specialized skills, such as crowd control capabilities, that are not common to traditional military or civilian police organizations. These forces are most effective when deployed as units rather than individuals. Generally, constabulary and other paramilitary units should be placed under the operational control of the military force commander, like the Multinational Support Units (MSU) that have been part of the military forces in Bosnia and Kosovo. In some circumstances, it may be appropriate to place a constabulary-type force under the operational control of the UN police commissioner. When under the operational control of the military force commander, and when feasible and allowable under existing statutes, these elements should receive logistic, intelligence, and other types of support in the same manner as the regular military units.

The lead agency shall develop methods to provide specialized training to foreign civilian police and foreign gendarme or constabulary forces in order to enhance their preparedness for service in peace operations and other complex contingencies. The lead agency shall seek new legislative authorities, if required, and adequate funding to allow such activity. This new capacity will provide the U.S. Government a means to improve the overall performance of CIVPOL operations, by enhancing the quality of CIVPOL participants. The training should include standard operating procedures for field operations, which may need to be developed in concert with other countries, the United Nations, and other international organizations. Given the high priority the President places on human rights issues and risks involved in training foreign police forces, the U.S. will ensure appropriate mechanisms to guarantee that human rights issues are fully considered.

Improving Activities at the Operational Level

U.S. experiences in recent operations have shown that a number of operational level activities related to rebuilding the indigenous criminal justice system can be improved. The aim should be to have an indigenous public security and law enforcement network with trained, certified, and equipped police -- all of which are firmly embedded in a system of legitimate and credible justice sector institutions. A key measure of progress would be to assess the extent to which a self-sufficient and impartial law enforcement system is being established.

Enhance CIVPOL Headquarters Capacities: Currently, operational-level headquarters capacities for CIVPOL are generally deficient. If field activities are to be improved, this shortfall must be corrected. Ideally, the CIVPOL component should be capable of operating independently, since CIVPOL will not always be deployed with military forces, as was the case at the end of the Haiti operation. Headquarters capacity becomes even more important if the CIVPOL component is controlling some sort of special security unit

or a constabulary force. At a minimum, the headquarters should have the ability to conduct current operations, plan future operations, collect and assess field information, and manage its logistical support. The headquarters element should also have the ability to conduct liaison with elements of the host state and the other components of the peacekeeping force as well as other actors involved in rebuilding the criminal justice system.

Where appropriate, the CIVPOL headquarters should be capable of assuming responsibility to coordinate and oversee the overall reform process for the criminal justice sector. As more outside agencies become involved with this sector, the importance of coordination increases. The CIVPOL operational headquarters should incorporate a coordination mechanism akin to the Civil Military Operations Center (CMOC) used by the military and civilian agencies to synchronize their activities. When the United States is participating in a peace operation involving CIVPOL, but is not leading it, the PCG shall give special consideration to contributing qualified U.S. personnel to the operation to serve in the planning and coordination roles of the CIVPOL headquarters. Enhance Coordination and Synchronization: Just as CIVPOL and other peacekeeping functions should be coordinated at the strategic level, they must also be coordinated fully at the operational level. The United States Government shall advocate that military peacekeepers and CIVPOL shall, as feasible, coordinate activities to ensure maximum support of the overall objectives of the operation. Past operations have been successful by collocating headquarters, or colocating with the CMOC, or developing other effective liaison processes, to allow sharing of information on planning and execution processes. In addition, in every recent peace operation involving CIVPOL, the conduct of joint and/or parallel patrols consisting of indigenous police, CIVPOL monitors, and military peacekeepers has proven valuable in maintaining public safety and raising the effectiveness of the indigenous police. The first source for CIVPOL communications and logistic support should be from commercial sources; however, since the military component of a peacekeeping operation is more likely to have effective communication systems, logistic support systems, and intelligence or information structures throughout the area of operations, the military commander should consider providing the CIVPOL component access to and mutual use of these capabilities when feasible and allowable by law and when it will not interfere with execution of the mission of the military component. Independent CIVPOL support systems should be developed as soon as possible to minimize the dependency on military systems and allow full withdrawal of military forces as soon as the military mission is completed.

In some instances, military support to the CIVPOL component has proven essential to successful accomplishment of the overall mission. Such support might take the form of technical assistance resident in the civil affairs, psychological operations, military intelligence, or military police elements of armed forces. At the same time, we must avoid situations in which the CIVPOL component is completely dependent upon the military peacekeeping component. Such military support may not always be feasible, or allowable under existing statutes, and the military-unique aspects of the mission will likely be completed prior to the public safety related tasks. Any U.S. military equipment, services or supplies should normally be provided to CIVPOL on a reimbursable basis.

Enhance CIVPOL Competence: The United States will advocate that whichever organization is organizing a particular peace operation, be it the UN or a regional grouping

like the OAU or the OSCE, a military alliance such as NATO, or a lead state, will develop specific job descriptions and other standards for the various individual experts required in an operation, e.g., police monitor and mentor, police operations planner, penal system advisor, judicial system advisor, etc. The United States will urge that the organizing body abide by the highest standards for recruitment and have the authority to dismiss CIVPOL that fail to perform adequately. The U.S. lead agency will prepare template job descriptions and other standards that would speed the process of recruiting a CIVPOL force and share them with potential CIVPOL organizing bodies.

Training and preparedness of individuals and units being supplied to coalition peace operations should remain a national responsibility. However, international organizations or other organizing bodies may need to supplement national training from time to time. The U.S. lead agency shall maintain the capacity to provide tailored training packages to U.S. and international CIVPOL when requested by the organizing body or the contributing state and when appropriate U.S. funding or appropriate reimbursement is available.

General Policy Guidance

Constabulary Activities: As already described, in some cases indigenous police forces are unable to provide adequate public safety when peacekeepers arrive. In these cases, outside agencies may need to assist in ensuring basic public safety until this function can be accomplished effectively by newly strengthened indigenous police. Generally, outsiders should not be tasked to conduct law enforcement as there are significant complications to using outsiders to enforce the law of the country in crisis, with which outsiders may not be familiar. Furthermore, ultimate responsibility to conduct law enforcement should not be taken away from local police forces as this may breed dependency. Rather, outsiders may be given responsibility to carry out a more narrow range of activities to create and maintain a reasonable measure of public safety. Such tasks may include actions to regulate movements which may be necessary for the cause of safety; intervene to stop civil violence, such as vigilante lynchings or other violent public crimes; stop and deter widespread or organized looting, vandalism, riots, or other mob-type action; and disperse unruly or violent public demonstrations and civil disturbances, among other tasks. For the purposes of PDD 71, this general category of tasks shall be termed constabulary activities.

Military or paramilitary forces are best suited to accomplish constabulary tasks. International civilian police officers (CIVPOL) as they have been traditionally deployed to peace operations do not have the unit cohesion, training, or equipment to conduct constabulary functions. Generally, the United States shall prefer that constabulary functions, when they are necessary, be conducted by a paramilitary force such as exists in many other countries. However, suitable partners may not always be available, or a short lag time may occur before a civilian, paramilitary force becomes operational in a specific situation. Therefore, U.S. military forces shall maintain the capability to support constabulary functions abroad, and if necessary carry out constabulary functions under limited conditions for a limited period of time. For example, in Haiti, in operation UPHOLD DEMOCRACY, the U.S. military contingent temporarily conducted constabulary functions and other law enforcement-like activities until civilian organizations were able to conduct these tasks. Maintaining a constabulary capability in no way obligates the U.S. military to conduct these tasks in any particular operation or to

develop specialized constabulary units dedicated to this mission. As always, specific missions and tasks of any U.S. military elements serving in peace operations will be developed and approved by the National Command Authority.

Executive Authority: Generally, the U.S. Government shall advocate that CIVPOL not be given responsibility to enforce local law (executive authority) -- the responsibility for local law enforcement will remain with the indigenous police forces. In some instances, it may be appropriate to give monitors the authority (if not the responsibility) in their mandate to respond to local crimes when indigenous police are unable to take action. This authority may include the right to use detention and deadly force, for example, in an instance where there is a risk of death or serious bodily harm. In these situations, which place them at greater risk, CIVPOL officers should be given sufficient discretion over whether or not to exercise their authority. Where CIVPOL officers are granted such authority, their activities must be thoroughly coordinated with the military force commander to avoid the potential for conflict between elements of the overall peace operation force.

In some exceptional circumstances, such as those in Kosovo and East Timor where the international community is responsible for administration of a territory, CIVPOL might appropriately be tasked with full law enforcement responsibility and authority.

Protection of CIVPOL: CIVPOL, as other peacekeepers, have the right to self-defense. Appropriate measures therefore must be taken to ensure that monitors are adequately protected. In many cases, the prestige and respect imbued to monitors because of their affiliation with the overall peacekeeping operation provides sufficient safety. In the instances where monitors have been at risk, they were able to call upon the military component of the operation for support. Recently, in Haiti, this type of support was transferred from the military component of the operation to a civilian, paramilitary unit. Generally, this method of protecting CIVPOL monitors has worked well. However, in some instances, this method may be insufficient. In these cases, the United States shall consider advocating that the CIVPOL monitors be armed in order to facilitate their self-defense. The U.S. will generally not consider sidearms alone to constitute adequate defense for the monitors, as they often will be significantly "outarmed" by the civilian population and, in particular, criminals and other rogue elements. We must recognize that if CIVPOL monitors are armed, their training and preparation needs will increase. Nonetheless, in addition to increasing the personal security of CIVPOL, experience in Haiti suggests that, in some situations, an armed CIVPOL monitor is better able to mentor indigenous police if by being armed they are allowed to be present in the dangerous situations indigenous police face. Obviously, in those situations where CIVPOL are tasked to conduct law enforcement, they must be armed appropriately.

The Role and Limits of Military Support: Actions related to criminal justice are primarily civilian in character: military forces are not police officers. U.S. armed forces do not normally have inherent law enforcement authority overseas. Furthermore, using military forces for law enforcement tasks over an extended period may send inappropriate signals to civil authorities and the local population, may place U.S. forces in situations for which they have not been thoroughly trained, and may detract from other purposes of the military forces. We should use democratic civilian policing models as the basis for rebuilding and training indigenous police forces, and that is what we hope to build in recovering societies.

Nonetheless, the military component of a peace operation does have a vital role to play in the overall recovery of criminal justice capacities. Unless basic public safety is provided, the civilian organizations will be unable to conduct their tasks. If public safety is not maintained, the social fabric will not be ready for the assistance to be provided by the civilian agencies. In addition to the task of contributing to public safety, there are a number of supporting tasks that the military can conduct to hasten the progress of the civilian agencies dealing with criminal justice, as described above in the section on operational level improvements.

U.S. military personnel shall not provide formal training to foreign criminal justice systems unless authorized under existing authorities. However, this does not restrict U.S. military personnel from interacting with or conducting joint operational activities with elements belonging to the indigenous criminal justice system. In accordance with laws and regulations, the U.S. military may provide training and assistance to host state security elements that are part of the host state's defense establishment. Furthermore, DOD shall, if appropriately directed and on a case-by-case basis under appropriate legal authorities, provide assistance and support to the agencies providing training and developmental assistance to foreign police forces. Such assistance and support may include, inter alia, logistics, communications, transportation, and selected technical expertise.

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D. Interviews

In accordance with departmental and University research ethics guidelines, all interviewees have granted informed consent to participating in the interview process. However, their consent was dependent on their remaining anonymous. As such, the tables which contain their personal information, as well as the interview details and the anonymization key, shall not be formally included in the References or the Appendices. Should anyone be interested in this information, please contact the Department of International Politics at Aberystwyth, or the author directly (danielfrp@gmail.com).

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