Success factors for police reform in post-conflict situations

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working papers

Foreword

The field of security and police reform is a critical factor for reconstruction in post-conflict countries and has become a prominent policy issue discussed globally along international efforts to rebuild a functioning police force in Afghanistan.

This Working Paper is the Master of Public Policy thesis which Johannes Loh successfully defended at the Hertie School of Governance in May 2010. It is dedicated to identifying conditions which can determine the success and failure of police reform in post-conflict countries based on a thorough comparative analysis of the quite distinct experiences with police reform in Sierra Leone and the Democratic Republic of Congo.

By reconciling the practical findings from these case studies and existing theory about police reforms, Johannes Loh has entered a territory that has so far been largely unchartered. A special strength of this work is the interesting and fertile synthesis of public policy and change management literature and concepts.

Viewed from an academic perspective, this work is a step towards a better understanding of the dynamics of police reforms in post-conflict countries and the actors pursuing it. In practical terms, it may help those engaged in police reform identify possible pathways and triggers for a successful implementation. The work presents concrete policy implications and recommendations which could contribute to designing more successful post-conflict rebuilding initiatives of police forces in other contexts as well.

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Master Thesis

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0. Executive summary

Political context

Current debates focusing on police reform have taken center stage again today. The failure of rebuilding a functioning police force in Afghanistan is being discussed globally. Policy makers seem to be looking for recipes for how to overcome the enormous challenges posed by police reform in unstable environments. This work is dedicated to identifying conditions which can determine the success or failure of police assistance by reconciling existing theory about police reforms with the findings of the case study.

Case Study Comparison

By means of a two country comparison, contrasting two cases of police reform in post-conflict situations, this work analyses which framework conditions have a high impact on the outcome of reform. The success story of police reform in Sierra Leone is juxtaposed to the negative experience in the Democratic Republic of Congo.

Key Findings

Sierra Leone shows a distinctive trend in police development starting in 1999. The government was more successful in coordinating international police assistance; the police leadership introduced change management practices to the national police and successfully refurbished its reputation. In stark contrast, the DR Congo shows no trend at all; rather its police development can be considered a standstill.

Policy Implications

Key factors from both case studies are identified and translated into concrete policy implications. While further research is necessary to refine the approaches suggested here, the outcome can help designing more successful post-conflict rebuilding initiatives of police forces.

> ➢ Strong drivers for reform: in Sierra Leone the president took a personal interest in the fate of the police service.

> ➢ Institutionalized change management: the inspector general of the Sierra Leone Police introduced change management and built up local managerial capacity.

> ➢ Integration of lower rank officers into the reform process: to overcome institutional resistance; to motivate; and to enable staff from all strata of the institution to become part of the reform.

> ➢ Systematic interaction with civil society: public relations capacity combined with a deliberate media strategy are key to refurbishing the image of a formerly brutal and corrupt police force.

> ➢ Long-term sustainability of police assistance: expensive-to-maintain equipment provided by donors misses the intended outcome. Assistance has to envision transition to self-funding from the very beginning.

1. Introduction

The field of security is gaining importance as a critical factor in the development strategies of both partner and donor countries. Development agencies such as the German Technical Cooperation (GTZ) have recently been venturing into security-related projects in post-conflict countries. The objective of undertaking such projects is to support partner countries in building effective and democratic security forces. The United Nations (UN) Peacekeeping Missions which set precedent in this field only included limited civilian police components or monitoring tasks until well into the 1990s. Today, civilian police as part of large-scale post-conflict reconstruction have become much more relevant (Meyer, 2006). Currently, more than 12,500 UN Police are deployed in 17 field missions mandated with responsibilities ranging from advisory and training tasks to institutional reform (UNPOL, 2010).

In post-conflict countries the deficiencies of the national police forces are often overwhelming, which makes effective reforms without financial and material assistance from donors very difficult. However, even in post-conflict countries with robust UN Missions and extensive donor activities, security sector reform has produced mixed results (Peake, Scheye & Hills, 2006b). In the short run, security sector reform is aimed at enabling a country's institutions to provide basic security, while, in the long run, it pursues the ambitious goal of reconstructing a state's governance to ensure the army and the police serve the interests of society (ibid.). Often, the police force is perceived to be "the face of the executive" towards the citizens thus the role it plays in successful transformation cannot be underestimated (Meyer, 2006: 255).

Donors are often faced with the challenge of bridging a security gap during the transition period (Marenin, 2000). Since the challenges posed by police reform in post-conflict situations have not been systematically studied, this work will undertake to look at how framework conditions affect the outcome of police reform efforts. Specifically, what are the decisive factors for success or failure of police reform prior to and during an intervention?

The first section reviews the existing literature on the role of the police in the overall effort of post-conflict reconstruction. Further, a theoretical approach to designing police reform and overcoming obstacles to police reform is presented and discussed.

The second section focuses on the analysis of two cases. The different framework conditions in Sierra Leone and the Democratic Republic of Congo (henceforth DR Congo) will be assessed with regard to their impact on the outcome of the respective police reform projects. The analysis will focus on the decisive factors that contributed to success or failure. In the concluding section, the theoretical insights will be applied to the two cases. Then, policy implications will be drawn from the reform experience in Sierra Leone and the DR Congo.

Based on the results of this assessment this thesis suggests recommendations for future post-conflict reconstruction missions. The aim is to identify the most important success factors in order to inform decision-makers with regard to when and how it would be advisable to launch a project in this sensitive policy field.

2. The State of the Art

Due to the relatively recent venture into police promotion in post-conflict countries, literature on police projects is scarce. There is an extensive body of work on police reform and the transformation of rigid police forces into open and accountable police services in developed countries. With regard to post-conflict situations, research has focused on nation-wide security and stability mainly looking at military capacity. In a publication by the RAND cooperation nation-building is defined as

> "the use of armed force as part of a broader effort to promote political and economic reforms with the objective of transforming a society emerging from conflict into one at peace with itself and its neighbors."
>
> (Dobbins et al., 2007: xvii)

The role of the police is mentioned only in passing, neglecting the significance of the police as the link between the executive and society. Few lessons can be learned from specific post-conflict experiences with rebuilding the police, but a comparative study is lacking.

2.1 The role of the police in post-conflict environments

The "role of the police" is a multi-faced concept: police in general have a primary justice function of ensuring basic law and order; this primary justice function may be fulfilled through a combination of domestic, international, and local police or security agents; and the establishment of basic law and order is a necessary condition for sustainable reconstruction, in particular for rebuilding the population's trust in state institutions.

In the context of post-conflict reconstruction the role of the police has to be the securing of basic law and order immediately after the end of the conflict (Meyer, 2006: 140). If the local police are unable to fulfill this task, UN civilian police can try to fill this void. Under ordinary conditions the police are responsible for the prevention of dangers for public security and order, that is, they ensure a peaceful living-together of society (Meyer, 2006: 253). Of course, the state police are not the only actors responsible for public security; on-state institutions such as community guards, neighborhood watches and private security augment the provision of security. All actors taken together perform what is commonly referred to as policing (DFID, 2002). In sum, the police should act as a social authority regulating social conflicts under the framework of the rule of law.

If local police forces in post-conflict situations cannot fulfill this function, international civilian police can take over multiple roles. They face not only the challenge of preserving law and order, but they also serve as role models for local police to illustrate how a democratic and constitutional police operates (Meyer, 2006: 258). On the one hand, learning by doing serves a training function; on the other hand, it can become useful in proving to the population that change is under way.

This exemplary function including police reform is especially important when the condition as a national institution is catastrophic. Weak local governance, a lack of security and stability as well as a history of unaccountable and repressive police behavior lead to abysmal confidence in executive state organs. Moreover, due to the enforcement gap crime rates typically surge after armed conflict has ended and can lead to a "climate of impunity" (Stanley, 2000: 120). Thus, police reform plays a crucial role in reestablishing confidence among the citizens. As Stodiek points out gaining the confidence of the public cannot succeed without success in fighting crime (Stodiek, 2006).

The role of the police as an institution is not only to guarantee security and prevent relapse into internal conflict, but it also to improve conditions for reconciliation and reconstruction. The former has been termed securing *negative peace* while the latter is understood as building *positive peace* (Mani, 2000: 21). Only if this dual role is fulfilled can police regain the trust within society.

In addition to these more visible policing efforts, the police are also the "principal accountability institution" (DFID, 2008: 4). What the UK Department for International Development (DFID) means is that the population interacts most with the police in terms of contact with the justice system. The citizen's understanding of the rule of law is shaped through this regular interaction.

2.2 Obstacles to police reform

Unfortunately, the citizen's expectations and the police's capacity are very often in mismatch, especially at the beginning of post-conflict reconstruction. While many developing countries have a police/population ratio of 1:1000, the recommended minimum requirement by the UN is 1:450 (DFID, 2008). Since the police components of UN peacekeeping missions are not designed to bridge this gap, training and reform of the local police have to be undertaken as quickly as possible. Bridging the human resource gap is only one among many obstacles. In the field of police reform the UN and donors operate in a sensitive environment as it "touches the heart of a state's sovereignty and its monopoly of coercive means" (Hansen, 2004: 176).

After conflict, police planners face seemingly insurmountable challenges. The old police may be corrupt at all levels, salaries may be sufficient to provide for a family and the institution might have lost its mission and purpose during the civil war or be perceived as partisan. The police, as such, are not perceived as a moral authority, but rather as an instrument of the state for suppression and exploitation. Many former policemen have been fighting either for the government or for one of the rebel factions for years, having lost touch to what it means to police a community (Robins, 2009). These issues have to be tackled early on in the reform process, often however, with limited man-power, lack of infrastructure and meagre financial resources.

In a survey among police officers, OSCE police instructors and UN police in Kosovo identified low salaries as a factor that had a negative impact on the morale of local police as the biggest obstacle (Stodiek, 2006).

The second most important problem reported was undue influence by political parties, followed by the lack of acceptance of the new police force by the population. Lack of training was rated as a relatively less important issue by respondents (ibid.). Stodiek also points out the disastrous financial and infrastructural situation of the local police at the launch of the UNCIVPOL mission in Kosovo. Many police stations had been destroyed, office space was lacking, the police commanded poor communication technology and had only very few vehicles.

The constraints that have to be tackled by reformers exist on different dimensions. Firstly, there is a human resource constraint: How many capable police officers are available? How many new recruits can be trained in how many months?

Secondly, material and infrastructural deficits put a cap on overall capacity of the police. In addition, a rural-urban discrepancy with respect to equipment and personnel can complicate the picture. How should officers be allocated? Which regions will require relatively more and relatively less police presence?

And lastly, the organizational structure of the police can be inadequate for the (re)building of a new democratic and accountable police. How to inculcate a new organizational culture which provides guidance and motivation for the new institution?

In post-conflict countries paramilitary models of policing are predominant. Governments often instrumentalize the police as a tool for defending their interests. Thus, policing is often characterized by a reactive, authoritarian approach based on deterrence and enforcement (DFID, 2002). The public loses confidence in the police while little emphasis is placed on crime prevention. Under such conditions rural communities suffer particularly as they are neglected due to their remoteness (ibid.).

The UK Department for International Development identified some prerequisites necessary for reform undertakings. The chosen policing model has to be at least partly based on the existing police culture. Even if foreign experts consider their 'developed police system' as the best it is often not locally applicable (DFID, 2002). Ziegler and Nield even speak of "waste" that occurs if donors do not adapt their reform programs to local circumstances (2002: 69). Local police traditions might provide boundaries, certain unchangeable elements, which will define what is achievable with police reform (Bayley, 2008).

Moreover, the separation of police and military must not be given up due to civil unrest; that is, the military should not take over policing tasks such as road checks, raids and arrests.

Lastly, foreign assistance cannot initiate reform if the host government is not committed or is even opposed to a restructuring of the police (DFID, 2002). Ideally, assistance for rebuilding the police would be requested from the highest level, creating some kind of political leverage. Without this political leverage in the host government reform will be unlikely to succeed (Dobbins et al., 2007: 52).

Going one level lower, local police and local administrations also have to sign on to the reforms. The Handbook on UN Multidimensional Peacekeeping Operations, published by the Department of Peacekeeping Operations (DPKO), points out that officials at the local level can perceive police reform as "unwelcome interference" while their cooperation is "critical to success" (2003: 89). The handbook merely concludes that sufficient leverage over affected parties is necessary to overcome the resistance. Where this leverage is supposed to come from or how to overcome this kind of defensive behavior against reform initiators is left unanswered. In Mozambique police personnel mistrusted the police promotion initiative for fear of losing their jobs and managed to delay the security sector reform agreement by almost two years (Lalá & Francisco, 2006: 169).

Organizational change within the police may not only trigger resistance from within but may also cause some societal actors to become "spoilers" because they are afraid to lose privileges (Brzoska, 2006: 6). Brzoska argues that security sector reform in any country will meet the strategic and reactive behavior of domestic actors which will almost always change the outcome intended by international actors. He further raises the central question of whether and how incentive structures of affected actors can be altered in favor of post-conflict security sector reconstruction. This question will be readdressed in the next section when the design of reform programs is discussed.

Peake, Scheye and Hills have suggested that security institutions are generally characterized by organizational inertia as they see change as "direct challenge to their power, livelihood and working practices" (2006a: 252). In their analysis they come to the conclusion that for overcoming organizational resistance in the security sector, no international organization or donor has documented best practice examples. Moreover,

they argue that international efforts to restructure the security sector are usually too ambitious. Due to short-term donor cycles, the assistance provided usually attempts "to do too much too quickly" (ibid.: 252). Peake, Scheye and Hills describe what others have described as lack of coordination as "too much governance and not enough management" (2006a: 252).

A related obstacle to successful reform is a shortfall in pledged donor resources three to five years into the reconstruction (International Peace Academy, 2003). Whereas in other sectors multi-year budget commitments have become more common, the politically sensitive field of police promotion is always at risk of falling prey to short-term donor cycles. The post-conflict environment typically attracts donor supports when the security situation is unstable. However, once the goal of stabilization seems to be achieved donor fatigue becomes a serious risk (Law, 2006). Police reform requires long-term commitments in order to ensure sustainable changes and an orderly transition from assisted reform to complete local ownership (ibid.). Even when long-term commitment is secured, however, implementation poses further challenges.

There is a dilemma between rapid deployment pressures apparent in unstable post-conflict environments and resulting standards of performance for fresh police recruits (Dobbins et al., 2007). An example where too rapid deployment has caused problems is provided by the case of police training in Iraq. A fast-track programme trained recruits for only eight weeks and left the new police insufficiently equipped for their mission (ibid.).

The international community is facing a "double institutionalization challenge" when attempting to build a new police service capable of democratic policing (Marenin, 2000: 106). Firstly, the institutionalization of policing itself has to be performed. But, secondly, the institutionalization of the context which shapes, supports and constrains policing including public legitimization, social development and education about rights and duties has to be managed in the right direction (ibid.). Given the complexity of this task it becomes clear that the success of police reform is determined not only by decisions taken directly with regard to the police. Rather, a comprehensive strategy for post-conflict reconstruction addressing the needs of state institutions as well as other non-state societal actors is required if the aforementioned obstacles are to be overcome.

Often, police reform suffers from a significant discrepancy between policy prescription and operational reality (Peake, Scheye & Hills, 2006a). The assumption is made that

social change can be imposed externally by social engineering necessary for reform (DCAF, 2009). However, police may "accommodate, manipulate or subvert", and in rare cases such as in Sierra Leone, welcome reform measures (DCAF, 2009: 6). Thus, the potential for spoilers should not be underestimated when delineating the envisioned outcomes of police reform. Marenin addresses the difficulties by pointing out that:

> "Police reform in transition periods is difficult to organize, hard to implement, and practically impossible to assess. All the same, it must be attempted if peacekeeping is ever to turn into peacebuilding."
>
> (Marenin, 2000: 109).

In the next section the issue of how to design police reform initiatives in order to tackle common obstacles prevalent in post-conflict environments will be addressed. A central issue will be the question of overcoming institutional resistance.

2.3 Design issues for police reform

Police reform is part of a larger effort of reforming the security sector. The concept of security sector reform was developed by some donor agencies in the late 1990s. It refers to a holistic approach with a "range of objectives […] covering all security sector institutions" (Brzoska, 2006: 2). The term reconstruction of the security sector refers to the reestablishment of the legitimate monopoly of force. The term reform emphasizes the need to alter the governing principles of domestic security institutions (ibid.). In the case of the police this pertains in particular to crime control and crime prevention with regard to the monopoly of force and addresses aspects of human rights, professionalism and accountability mechanisms with regard to governing principles.

According to Brzoska security sector reform has three main objectives: first, the consolidation and provision of security which requires a functioning police and army as well as functioning court and prison systems; second, the governance of the security sector requires a set of norms, most importantly transparency, accountability and professionalism; and third, the security institutions have to perform effectively and efficiently (ibid.). While Brzoska sees a certain merit in the theory of comprehensive reform, his critique is that the holistic nature of security sector reform confronts the actors with the issue of policy priorities. Despite numerous post-conflict reconstruction

efforts to date, no international organization or donor country has managed to present a convincing doctrine of police reform (Ziegler & Nield, 2002).

2.4 Mode of coordination

Most if not all post-conflict situations require outside-inside assistance by the United Nations and bilateral donors. A UN peacekeeping operation is initiated committing blue helmets and civilian police under UN command to the post-conflict situation. The subsequent security sector reform is usually not implemented by the UN alone. The reform can be UN-lead and coordinated as was the case during the United Nations Operation in Mozambique (ONUMOZ) (Lalá & Francisco, 2006). The coordination can be performed by the UN together with a lead nation as in the case of the United Nations Mission in Sierra Leone (UNAMSIL) with the United Kingdom as lead nation (Horn & Olonisakin, 2008). Or the context produces a piecemeal approach in which the UN is only one actor among many others which often results in an unsystematic and disjointed reform effort (Law, 2006). The latter case might best be reflected by the predominant conditions during the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

In the past, police assistance focused heavily on monitoring while little money was spent on local law enforcement agencies (Hartz, 2000). Hartz criticizes police assistance in post-conflict environments as too fragmented. Each donor provides some assistance ranging from infrastructure, to training, to capacity building, but all without a central plan. Restructuring and training local police is a multi-year effort which necessitates "more systematic and institutionalized" approaches if reform is to be successful (Hartz, 2000: 61). The institutional security gap can only be filled with serious commitment to sustainable institution building (ibid.).

The traditional design of a UN police mission used to follow the SMART model; that is support, monitoring, advising, reporting, and training (Greener, 2009). This approach reached its limits when the operational requirements of peacebuilding missions became more complex, causing the UN civilian police taking over executive policing functions and responsibility for rebuilding and reforming the local police (ibid.). According to Greener the UN has ventured far beyond the SMART model. UN police are now required to fulfill tasks referred to as the 'Three R's' reform, restructuring and rebuilding. Thus, UN police has become active as peacebuilders rather than merely peacekeepers (ibid.). The increased responsibility is reflected in the growth of the

Civilian Police Division within the UN Department of Peacekeeping Operations from nine to 35 staff over the period from 2000 to 2009 (ibid.).

In contrast to UN missions the United Kingdom follows its own approach to security sector, and in particular police reform. According to DFID an effective safety and security strategy consists of three components (DFID, 2002: 27):

    i)   it contributes to the improvement of core functions of the state police such as patrolling, receiving charges from the public, detection, and preparing prosecutions

    ii)   it is capable to mobilize a wide range of stakeholders (including non-state security providers)

    iii)   it integrates the police into the wider system of justice creating links between the system and civil society.

The aspiration of such a comprehensive reform effort usually differs from what is realistically implementable. Drawing on the aforementioned three models of cooperation during police reform, only the lead-nation model stands realistic chances of coming close to DFID's ideal "effective strategy". It can be argued that the model with the UN as the central coordinator will suffer from scarcity of resources and lack of capacity for the overall effort.

Utilizing scare resources and limited capacity, a choice has to be made between proper training or rushed workshops for new recruits, which influences the speed with which the security gap can be closed (Stanley, 2000). In order for the reform to have an impact the donor country is dependent upon serious commitment to the intended measures by both the host government as well as the local police itself (DFID, 2002). Furthermore, post-conflict environments usually demand major police reforms which cannot be implemented within one or two years (Stodiek, 2006). Hartz estimates that a typical police reform project would take approximately five years, not precluding ongoing organizational reform (2000). Additional issues arise if legal and judicial reform lags behind police reform. The new strengthened police might succeed with arrests and transfer the criminal to the prison system only to see him walk free the next day due to corrupt prison guards or dysfunctional courts (Stodiek, 2006). Such experience can lead to a feeling of impunity among the population and frustration among the police who might eventually turn to illegal practices or self-justice (ibid.). Therefore, the integration of legal and judicial reform with security sector reconstruction should be

carefully considered by donors and the necessary political pressure on the host government to deliver results should be applied early on. Marenin suggests minimizing the temptations to fall for corrupt practices by, firstly, ensuring sufficient pay for police officers and, secondly, establishing effective accountability mechanisms (2000). Zero tolerance for abusive behavior, especially by setting rank-and-file members of the police an example coupled with higher leadership structures and innovative whistleblower procedures can help to prevent a climate of secrecy (International Peace Academy, 2003).

2.5 Engagement gap

Donor-driven reform design can be problematic when the local police are not adequately involved in the process. In their case study, police reform in the Solomon Islands, Dinnen, Mcleod & Peake found that strategies designed to encourage participation such as workshops and written feedback were poorly accepted (2006: 100). They argue that stark differences in operational culture between reformers and those reformed as well as the lack of integration of rank-and-file members by police leadership were responsible for an "engagement gap" (2006: 100). The failure to engage officers on all levels of hierarchy can lead to even stronger organizational inertia. Public institutions are often resistant to reform pressures, especially if changes threaten those who rose to influential positions in the old system (Pierson, 2000: 262). In order to overcome this organizational resistance and to make reform successful, a great deal of change management skills are needed (Peake, Scheye & Hills, 2006b). The next section deals with the challenge of leading change in the police and is inspired by management literature from the private sector.

2.6 Leading change in the police

In a study on large scale reform efforts in the United States Bayley found that significant reform has always been top-down and outside-inside (2008). The exclusion of rank-and-file members of the police regularly caused dissatisfaction and resistance (ibid.). Toch argues that reform will be effective only if police officers are integrated in the design and implementation, and thus become change agents (2008).

The people affected by change will consider the reform as a zero-sum game where they will lose and others will gain (O'Neill, 2005). To circumvent this frequent obstacle

O'Neill suggests that reformers take advice from John Kotter[1], a leading change management scholar. Kotter suggests eight major steps to transforming an organization (see table 1). After creating a sense of urgency and forming a powerful coalition he recommends creating a vision.

Table 1 Eights steps to transforming an organization

Steps during change process	Implications for police reformers
1) **Establishing a Sense of Urgency**	Raise awareness about pressing issues among internal and external stakeholders.
2) **Forming a Powerful Guiding Coalition**	Secure top-level political support and financial commitment for reform; involve lower rank officers as well as civil society representatives.
3) **Creating a Vision**	A vision can motivate and help members of the police to stay the course.
4) **Communicating the Vision**	Reach out to the general public and establish channels of interaction (Media Department).
5) **Empowering Others to Act on the Vision**	Build local management capacity and a higher training curriculum.
6) **Planning for and Creating Short-Term Wins**	Design impact measures (e.g. perception surveys); record positive media reports and organize local events to motivate the rank-and-file members.
7) **Consolidating Improvements and Producing Still More Change**	Ensure sustainability of assistance; avoid over-reliance on donor support for equipment.
8) **Institutionalizing New Approaches**	Institutionalize change management (e.g. through change management department).

Left column taken from Kotter (1995)

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[1] Kotter, JP 1995, 'Leading Change: Why Transformation Efforts Fail', Harvard Business Review, vol. 73, no. 2, pp. 59-67.

The Sierra Leone Police gave itself a new vision at the beginning of the reform progress labeled "A Force for Good" which worked as motivation and reminder for all ranks where the change was directed (Sesay & Hughes, 2005: 82).

In the sixth step, Kotter aims at creating short-term wins: if progress is not visible within the first 12-24 months the institution itself as well as the general public will lose confidence in the envisioned change. Short-term wins could, for example, represent better contact between local communities and police, better and/or adequate equipment or advanced training courses (O'Neill, 2005).

Moreover, it is important to consolidate the improvements and make a relapse into old practices impossible. It will also build credibility to change structures and policies that do not fit the vision (Kotter, 1995). In the final step the new approaches should be institutionalized in order to make the reform sustainable and prepare the ground for continuous organizational learning. If successful the change process ensures leadership development and continuity in the case of succession (ibid.). Table 1 lists examples of how to translate the eight steps into the context of police reform following Kotter's framework.

Police leaders can become effective innovators if they build leverage for reform not only from the top-down but also from the bottom-up (Wood, Fleming & Marks, 2008). Police reform programs are challenging in nature but there is a lot at stake. The success or failure of police reform has implications far beyond the security sector. Kotter acknowledges that "in reality, even successful change efforts are messy and full of surprises" but following his eight phases can prevent some of the gravest mistakes during the process (1995: 67). In the end a positive change of the interaction between police and society can contribute a great deal to the overall reconstruction effort. Or in other words, the way in which "the police interacts with the people and enforces the law will delineate the face of peace and justice" (Mani, 2000: 22).

2.7 Evaluation of reform: from output to impact measurement

To determine the success and failure of reform programs adequate evaluation tools are needed. Unfortunately, donors have not developed evaluation tools which measure outputs and outcomes of security sector reconstruction in a comprehensive and informative way (Ziegler and Nield, 2002). The lack of systematic evaluation measures, however, has triggered some suggestions from academics as how to measure the performance of security sector reform.

David Law applies seven criteria to assess the effectiveness of security sector reconstruction (2006). Law's criteria include

    i)   the impact of the reconstruction effort on violence levels,

    ii)   the effect on Gross Domestic Product (GDP),

    iii)   the effect on ethnic relations,

    iv)   democratization and local ownership,

    v)   regional integration of former conflict zones and

    vi)   (financial) sustainability.

The author presents quantifiable indicators for only three of the seven criteria: violence levels are measured partly by crime statistics and partly by qualitative assessments of status reports about the improvements of the security situation. The change of GDP is measured before and after reform efforts have been undertaken, no justification is given how exactly the security sector impacts GDP. The financial sustainability of reform efforts is measured by the amount of external funding for reform relative to the host government's budget. However, no assessment for acceptable ratios of assistance to government budget is provided. The other criteria are assessed with qualitative indicators without revealing detailed information about the evidence used. While the criteria appear to be important for the success of reconstruction, they are not based on measurable indicators. The heavy reliance on qualitative evidence is most likely caused by the lack of quantitative data on security sector reform.

Michael Brzoska argues for a different set of criteria for evaluation of post-conflict reconstruction. In his theoretical paper, he proposes a number of indicators for the measurement of "imminent risks" during reform measures in post-conflict situations (Brzoska, 2006: 9). Brzoska's indicators include

    i)   the proliferation of warlords (power, size and areas under their control),

    ii)   the size of borders without legitimate control,

    iii)   the number of illegally held weapons,

    iv)   the degree of militarization (number of men in uniform per capita),

    v)   ethnicization or other forms of clientelistic bias,

    vi)   corruption (measured over time and in comparison to other countries), and

    vii)   professionalism of security institutions (public credibility & accountability).

Despite the fact that all of Brzoska's indicators in theory are somehow measurable, he admits that most of the indicators are in practice difficult to measure and often the required data is not collected systematically or access is highly restricted (Brzoska,

2006). The latter raises the issue of usability of indicators and leaves the question of how donors can measure their reform efforts with relative ease.

The solution to this problem is the use of quantitative output measures. Bajraktari et al. criticize that the degree of internal security has been measured by the number of police officers who completed training, the amount of equipment provided and the infrastructure (e.g. number of police stations rebuilt) which has been reestablished (2006). Instead impact measures such as the quality of training or the improvement of security (perception by population as well as violence levels) should be applied (ibid.). DFID suggests a positive example of five performance indicators for state police measuring reform impact (2002). The indicators are supposed to measure

    i)   core activities such as reassurance of community (public perception survey),

    ii)   response to community (public satisfaction with police response to calls),

    iii)   prosecutions (percentage dealt with within target time),

    iv)   crime management (number of violent crimes per 1000 inhabitants) and

    v)   crime detection (percentage of offences detected per officer).

All of these indicators are relatively easy to measure and provide a fairly good assessment of the effectiveness of police reform. Despite the managerial ability to apply such an evaluation not all of the indicators have been implemented in ongoing DFID security programs. One issue here consists of the requirement for base line data "as a yardstick" to establish progress (DFID, 2002: 34).

It has been acknowledged that there is an "inherent difficulty in measuring the impact of police performance" as a result of which donors rely too often "on a mixture of anecdotes and ad hoc reports" to evaluate their reforms (Bajraktari et al., 2006: 10).

A typical example is UNPOL Sierra Leone, where police mentors randomly check police stations to control police notebooks and the station's documentation. With a follow-up visit a couple of weeks or months afterwards they 'measure' progress (ibid.).

Bajraktari et al. have developed a tool for monitoring success and failure in police reform called Police Reform Indicators and Measurement Evaluation (PRIME). They claim that PRIME is a "forward looking diagnostic tool" that allows examination of police reform outcomes in a "more comprehensive and systematic way" (Bajraktari et al., 2006: 5). Overall 16 core indicators across four main dimensions are applied. These are *Performance and Effectiveness*, *Management and* Oversight, *Community Relations*, and *Sustainability* (ibid.).

The PRIME methodology requires extensive in-field research including up to 50 formal and informal interviews in each country case and the authors complement their findings with official documents and reports. PRIME was released in 2006 and has not yet been implemented in whole or part by the UN or donors for unknown reasons. Despite the impressive comprehensiveness of PRIME the suggested indicators necessitate enormous in-field capacity by donors in addition to significant obstacles to access to information in the case of several of the qualitative indicators. The immense effort required by the PRIME method may be one reason why managers of reform programs are reluctant to implement it and continue to rely on other easy-to-produce output measurements.

Even if some of the aforementioned indicators are too ambitious to measure or too costly to produce, donors and host governments alike should reconsider the use of purely output-based performance measurements. At least the impact of the new police service on crime and on the police-societal relations should be included in standardized evaluations. Annual crime statistics by region and a representative survey among the population measured against the relative output of reform would already greatly enhance insights for the question to what degree the undertaken police reform has been effective. In trying to explore possible methodologies it is useful to look at actual cases of police reform.

3. Case studies

This part of the thesis will focus on two cases, police reform in Sierra Leone and police reform in the DR Congo. After a concise overview on the country's conflict history and the origins of police development, the case of police reform will be analyzed in detail. The two case studies will be followed by a discussion of the findings preparing the ground for developing policy implications from the two case studies.

3.1 Research methodology

The research method used is a two country comparison. While, the study of police reform in the two cases is descriptive in nature and tries to assess the outcome of the reform efforts undertaken, the analysis is exploratory since it attempts to identify factors (independent variables) with high leverage on the outcome of the dependent variable. The dependent variable is the *relative success of police reform efforts.*

With some limitations the comparison is based on the logic of Mill's method of difference (see van Evera, 1997). The post-conflict situations in both countries share similar background characteristics such as weak local governance, completely dysfunctional police institutions, widespread corruption, a climate of impunity and a lack of oversight mechanisms. Both countries have hosted UN peacekeeping missions starting from 1999. In addition, both civil wars were declared to be over in 2002. Thus, security assistance started in the same year and no country had a head start for reform measures under peace conditions before 2002.

With regard to the dependent variable the cases differ significantly: in Sierra Leone the reform of the police is generally appraised as one of the few successful cases of post-conflict reconstruction in the security sector, whereas the DR Congo shows only marginal improvement with regard to the functioning of the police. Since the study variable is characterized by extreme within case variance the analysis will focus on phenomena that covary with the study variable standing out against the more similar case background (van Evera, 1997).

3.1.1 Case selection

The two country case study comparison in the field of police reform had to fulfill certain requirements. The choice of cases was restricted due to limited amount of post-conflict situations which share a similar time period and subsequent international post-conflict reconstruction efforts of the security sector. Moreover, the research design necessitated extreme variance in the dependent variable. An internship at the African Police Programme at the GTZ, facilitated the assessment of the sample of post-conflict countries with police reforms for differences. Sierra Leone and the DR Congo were chosen because they appeared to present the widest difference in the outcome and thus offered most variance in the dependent variable.

By contrasting two post-conflict police reform efforts with different outcomes in the dependent variable but with comparable base conditions, it becomes possible to identify potential conditions responsible for the performance differences of police reform between the two cases. The comparison will inform the identification of framework conditions for successful police reform.

3.1.2 Measurement

In terms of measurement no systematic and comprehensive evaluation tools are available which could serve as data sources for the comparison of police reform successes or failures (Ziegler & Nield, 2002). The typically collected data on reform inputs and outputs such as number of police officers trained, vehicles supplied and amount of equipment provided is sometimes available from donors, however, only in an ad-hoc manner. Moreover, very few post-conflict countries have the capacity to record and analyze crime data in order to credibly proof that they have impacted crime (ibid.). In consequence, direct output measures fail to capture the outcome of reforms. Thus, they would not be particularly helpful in determining failure or success factors of the reform programs.

Instead, there is a need to measure the impact of the inputs and changes made to the police as an institution. As proxies for the wider impact of police reform seven indicators pertaining to security, to the rule of law as well as to the overall management capacity of the host government will be used. Table 2 summarizes the set of indicators drawn from the three established rankings: Bertelsmann Transformation Index, the Failed States Index and the Mo Ibrahim Index of African Governance.

Table 2 Proxy indicators for the impact of police reform

Index name	Selected Indicators	Underlying methodology
Bertelsmann Transformation Index	International Cooperation Steering Capability Rule of Law	Qualitative analysis & subjective expert assessments
Failed State Index	Security Apparatus Operates as a "State Within a State" Arbitrary Application of the Rule of Law Delegitimization of the State	Software assisted content analysis of news and other information sources
Mo Ibrahim Index of African Governance	Safety and Rule of Law Indicator	"Poll of polls" using quantitative data from 21 external institutions

The choice of these indicators follows the assumption that the overall effort with regard to security sector reconstruction is reflected in the composite scores of the Failed-State Index by the Fund for Peace, the Mo Ibrahim Index for African Governance and the Bertelsmann Transformation Index (BTI). All three evaluation tools are based on different methodological approaches. Findings can possibly be substantiated by triangulating the three sources.

The Bertelsmann Transformation Index relies on quantitative analysis and expert assessments to arrive at standardized scores for their composite measures (BTI, 2010b). The score for each indicator results from a number of questions which are rated by experts from 1 (worst) to 10 (best). This allows including also hard-to-measure concepts such as the degree of international cooperation or the steering capability of the government (ibid.).

The *International cooperation indicator* captures to what extent the country's political actors are willing to cooperate with outside supporters and organizations. It includes questions such as "to what extent does the government act as a credible and reliable partner?" or "to what extent does the political leadership use the support of international partners to implement a long-term strategy of development?" (ibid., 2010b: 21). It is thus a useful indicator for the ease of access to the host government.

The *Steering capability* indicator reflects whether the political leadership manages reform effectively and whether it can achieve its policy priorities. It covers questions such as to "to what extent does the political leadership set and maintain strategic priorities?" or "how effective is the government in implementing reform policy?" (ibid., 2010b: 21).

The *Rule of Law* indicator pertains to the state's institutions' ability to check and balance one another and ensure civil rights. It assesses issues such as "to what extent are there legal or political penalties for officeholders who abuse their positions?" or "to what extent are civil liberties guaranteed and protected?" (ibid., 2010b:17).

The Failed State Index employs a powerful data-collection system based on the CAST software (Conflict Assessment System Tool) which analyses local and international media reports, other public documents, and independent studies (Fund for Peace, 2010).

The software indexes and scores each article with regard to content relevant to the 12 indicators. The results are reviewed by internal and external experts (ibid.).

The *Security apparatus operates as a "State within the State"* covers amongst others elite emergence operating with impunity, state-supported private militias that terrorize political opponents and the emergence of an "army within an army" (Fund for Peace, 2010).

The *Arbitrary Use of the Rule of Law* indicator is based on news about the emergence of authoritarian, dictatorial or military rule in which constitutional and democratic institutions are suspended or manipulated, the outbreak of politically inspired violence, and the abuse of legal, political and social rights (ibid.).

The *Delegitimization of the State* is indexed, for example, through news on endemic corruption, resistance of ruling elites to transparency, accountability and political representation and the widespread loss of popular confidence in state institutions or the growth of crime (ibid.)

The Mo Ibrahim Index of African Governance can be considered a "poll of polls" as it consists of data from 21 external institutions (Mo Ibrahim Foundation, 2010a). The data is normalized and scaled from 0 (worst) to 100 (best). The *Safety and Rule of Law* Indicator is calculated from a vast number of reliable sources such as the economist intelligence unit, international organizations and governments (ibid.). Amongst others it includes data on violent crime, social unrest, dispute settlement, accountability of public officials, corruption, domestic armed conflict and domestic tensions (ibid.).

Given that the Mo Ibrahim Index covers the longest period starting from 2001 as opposed to only 2005 and 2006 for Failed State Index and the Bertelsmann Transformation Index respectively; and given that it is the only index which uses extensive quantitative data for its composite score, the Mo Ibrahim proxy can be considered to come closest to measuring progress in the policing sector.

The results of the indicator-based comparison are complemented by surveys pertaining to the reputation and the confidence in the police held by the population.

3.1.3 Limitations

Two main obstacles limit the validity of results of this study to some extent: firstly, due to the limited choice among comparable post-conflict scenarios, a research design strictly according to Mill's method of difference could not be fully realized. Therefore, the validity of a clear-cut induction of conditions responsible for reform success is lowered.

The wide range of variables characterizing the post-conflict situation in Sierra Leone and the DR Congo makes a clear-cut most-different approach difficult to set.

Secondly, *data availability* is highly limited for police reforms as such and the African situation specifically. Police data from the DR Congo, for example, is ad hoc and not systematically collected. Even donor organizations do not have access to comprehensive data on the state of the Police Nationale Congolaise (PNC).

The chosen proxies do not measure police development but a wider societal and institutional framework including, for example, the justice system and general governmental capacity instead of institutional capacity of only the police.

With regard to impact measurement there is no comprehensive survey data available, neither from Sierra Leone, nor from the DR Congo. This heavily restricts opportunities for over-time comparison of developments such as trust and confidence in police.

3.2 Case One: Democratic Republic of Congo

The DR Congo is one of the largest countries on the African continent with about the size of Western Europe. It has an estimated population of 64 million people and a Gross National Income per capita of US$ 150 (World Bank, 2008).

For a short period from 1884 to 1908 Congo was ruled under Belgian King Leopold II who exploited the country's rich natural resources through forced labor (International Crisis Group, 2010). When his notorious regime came under pressure from the international community the territorial control was transferred to the Belgium government and the name was changed to Belgian Congo (ibid.). The Belgians did not differentiate between army and police creating a single *Force Publique* with dual function of providing domestic and external security (International Crisis Group, 2006).

On 30 June 1960 Congo became independent after rising tensions from anti-colonial movements (Gambino, 2008). Within few days the military revolted which led to rebellions and general insecurity into the mid 1960s.

From 1960 to 1964 the first large-scale United Nations Peacekeeping mission ONUC (Opération des Nations Unies au Congo) helped restoring political independence and protecting territorial integrity (ibid.).

Only one year after ONUC's departure the Colonel Joseph Desire Mobutu supported by then-president Kasavubu who was later ousted by the United States, started his thirty-two year reign (International Crisis Group, 2010). Under Mobutu three distinct police forces were created: local police, Gendarmerie and the traditional Chief's Police (ibid.) With the exception of the Gendarmerie the police was inefficient and underpaid (ibid.). In 1972, the president changed his name to Mobutu Sese Seko and renamed the country Zaire. Mobutu's regime was supported by a number of Western countries, including the U.S., France and Belgium, using the pretext of preventing the expansion of communism in Central Africa (ibid.).

After the end of the cold war international assistance dwindled while Mobutu took little interest in the governance of the country (Gambino, 2008). In 1997, the minority rebel leader Laurent Kabila, with the backing of the Rwandan and Ugandan army, conquered the capital ending the thirty-two year long dictatorship (ibid.). The new president recreated a National Police which, due to the militarized state of the country, was marginalized from the beginning (International Crisis Group, 2006). When Kabila demanded the Rwandan military to withdraw completely and threatened to remove all Tutsi from the government, Uganda and Rwanda invaded (ibid., 2010). Zimbabwe, Angola and Namibia intervened on Kabila's side and the ensuing conflict caused approximately five million deaths from 1998-2002 (BBC News, 2010a). Despite the negotiated Lusaka ceasefire agreement in 1999 and the subsequent deployment of the UN mission MONUC, the country was trapped in a civil war between the government and two rebel groups (Gambino, 2008). The armed conflict ended in December 2002 when all belligerent and political groups signed the Sun City peace agreement (International Crisis Group, 2010). The transition government of national unity ruled the country until the 2006 elections. With significant assistance from the United Nations and bilateral donors the elections were reasonably free and fair resulting in the presidency of Joseph Kabila who gained the majority of votes (Onana & Taylor, 2008). In the absence of effective security forces the government has been unable to re-

establish stability in Eastern Congo and the region remains highly insecure (Gambino, 2008).

3.2.1 Reform cornerstones

Since law enforcement activities were taken over by the military or did not take place at all during the civil war, the police remained unarmed and became largely marginalized (Davis, 2009). Due to the former police's insignificant role in the conflict, police reform was prioritized neither by the Congolese transitional government nor by donors (Rauch & van der Spuy, 2006). The Sun City agreement focused mainly on demobilization and the army while the structure and reform of the law enforcement sector was merely touched by negotiators (Davis, 2009). The overall strength of the police is unknown due to the lack of a formal accounting mechanism; it is estimated to amount between 90,000 to 120,000 police officers (International Crisis Group, 2006). To achieve police strength according to UN recommendations[2] the Congolese police would need to command over approximately 142,000 trained officers.

The biggest group among the national police is the Police National Congolaise (PNC). Its structural organization resembles the military and it "operates in a military style" (Rauch & van der Spuy, 2006). Most of the Congolese senior police leaders are former army commanders and have received purely military training (ibid.). The operational culture fostered by this kind of leadership makes the brutal and abusive behavior of lower ranking officers all the more likely.

Until 2007, the Congolese police force was headed by a "brutal, corrupt crony" of former president Laurent Kabila (Gambino, 2008: 15). His successor, former Air force commander John Numbi, does not share the donors' understanding of the police and began reemphasizing military style training against the explicit recommendations by donor organizations (Davis, 2009). The leadership issue is further aggravated by the fact that the Inspector General has been stripped of much of his authority by the Minister of the Interior (International Crisis Group, 2006). New appointments have to be approved by the Minister, but he has chosen to ignore most of the Inspector's suggestions instead appointing his own candidates. This practice has created a de facto dual chain of command (ibid.).

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[2] The recommended ratio lies at about 1 police officer per 450 inhabitants (see DFID, 2008).

The police are regularly accused of abuse of powers and corruption for enrichment (Rauch & van der Spuy). Contributing factors to the bad morale are the poor living and working conditions of ordinary policemen, such as very low, irregular pay as well as a lack of the most basic equipment (International Crisis Group, 2006). The state of the Congolese security institutions has been described by Gambino as "minimally effective" (2008: 6). The police, in its current state, are incapable of investigating crime and UN observers have encountered many officers sitting around their police stations instead of patrolling the district (Davis, 2009). The traffic police are referred to as "bras tendus"[3] because they are known for systematically extorting bribes from private vehicles and public transport operators (International Crisis Group, 2006: 5). The low morale among the rank-and-file police is reflected in the lax political will to initiate change on a more senior level. Davis criticizes not only the lack of political will amongst the Congolese political establishment but also the nonexistence of an overall vision for security sector reform (2009: 18). It is a grave disillusionment that the government has taken no steps to visibly "improve the overall performance of the army or police" (Gambino, 2008: 15). Prior to the 2006 elections resistance to institutional reform may have stemmed from leaders of the diverse security institutions in order to "preserve their ability to respond with force" in case the results do not match their expectations (International Crisis Group, 2006). Due to the lack of coordination among donors and their problematic relationship with government officials, political leverage to overcome this politically motivated institutional inertia could not be gathered (Rauch & van de Spuy, 2006).

The EU, MONUC and a number of bilateral donors have tried unsuccessfully to reform the police for a number of years (Gambino, 2008). In the transition period training focused heavily on election requirements like crowd control while basic investigation techniques were neglected (Davis, 2009). The responsibility for failure lies only partly with the Congolese security institutions, as bilateral donors develop and decide on their police assistance strategies without joint strategic planning (ibid.).

Police reform in the DR Congo can only be characterized as ad-hoc and policy measures follow each individual donor's preferences and willingness for commitment

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[3] „Bras tendus" means „outstretched arms" and refers to the extortion of bribes from drivers

rather than being based on a comprehensive needs assessment (International Crisis Group, 2006).

MONUC's police component rose from initially less than 100 civilian police to 1216 police officers by 2010 (MONUC, 2010). The European Union has deployed 18 police trainers in Kinshasa to train about 1000 Congolese officers. In addition, a EUPOL mission dedicating 30 European civilian police officers for monitoring and demonstrating best practice policing has been launched (European Security Review, 2005). Overall costs of this mission for 12 months amount to just below €5 million (ibid.). The mission has been upgraded to 53 international police experts and extended until June 2010 (EUPOL, 2009). Given the fact that the majority of local police have undergone no training for more than ten years with many never having received any kind of formal training, the training capacity of the international community is much too low (International Crisis Group, 2006). While training for senior level has proceeded somewhat efficiently, the capacity to comprehensively train the skills of lower ranks is highly insufficient (ibid.). Due to the decision by the government to abandon the national integration of the police, the institution remains in a "balkanized state" and forces reformers to proceed in a decentralized and scattered way (ibid., 2006: 4).

The disappointing outcome of police reform measures in the DR Congo is worsened by the standstill in rebuilding the justice and penal system. The deplorable state of the country's prisons and widespread corruption foster a climate of impunity (Davis, 2009). Davis points out that police reform will remain unsuccessful if it is not integrated with improvements to the justice system (2009). However, there are tentative indications by donor organizations that security sector reform in DR Congo requires more attention and resources. For the period 2008-2012 DFID has allocated £ 40 million alone for police reform (DFID, 2008).

The lack of a central coordinating organ for security sector reform might be one of the reasons why progress has been so limited eight years into the post-conflict reconstruction effort (Davis, 2009). In 2008, five years after the establishment of the transition government, a reform committee, Comité de Suivi de la Réforme de la Police

(CSRP)[4], was build to monitor and coordinate the police transformation (Davis, 2009). Office space, equipment and support for the preparatory work have been provided by the European Community. However, a year after the committee began meeting it is still trying to define its exact role in the complex web of reform efforts (ibid.).

3.2.2 Performance measures

Due to the fact that even simple output measures such as the number of officers trained per year or the ratio of officers per inhabitant cannot be provided by the government, the indicator-based analysis will focus only on the seven proxy indicators from the Bertelsmann Transformation Index, the Failed State Index and the Mo Ibrahim Index of African Governance.

3.2.2.1 Bertelsmann Transformation Index

The three selected indicators, *International cooperation, Steering capability* and *Rule of Law,* are rated on the basis of quantitative analysis and subjective expert assessments (BTI, 2010b). Ten indicates the best/ideal score and one signals the worst.

The international coordination score drops from initially moderate 4.7 in 2006 to 4.3 and 4.0 in 2010 as shown in Figure 1. This downward trend reflects the aforementioned lack of political commitment to real change. A possible explanation is that the Congolese administration is so entangled in turf struggles that it cannot provide the required capacity for cooperation with international donors. It is important to note, that the indicator captures the administration as a whole. *If there was a score for the Ministry of the Interior the outcome might be even lower as security issues are particularly sensitive to outside interference.*

The management indicator, steering capability, shows light improvement over time: however, with 3.0 in 2010 it is still at the low end of the scale. The low score illustrates the difficulty of Congolese authorities to act as coordinators of international assistance due to their lack of capacity even if in rare cases the political leadership is willing to do so.

The closest proxy for an impact of police reform would be improvements in the rule of law. The BTI indicates a weak upward trend from 1.7 to 2.8 over a four-year period

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[4]The CSRP is the Committee on Follow-up to the Reform of the Police

(see Figure 1). The fact that rule of law is assessed to be in such a bad state almost eight years after the signing of the Sun City peace agreement reflects the poor performance of police reform as reported by scholars and international organizations.
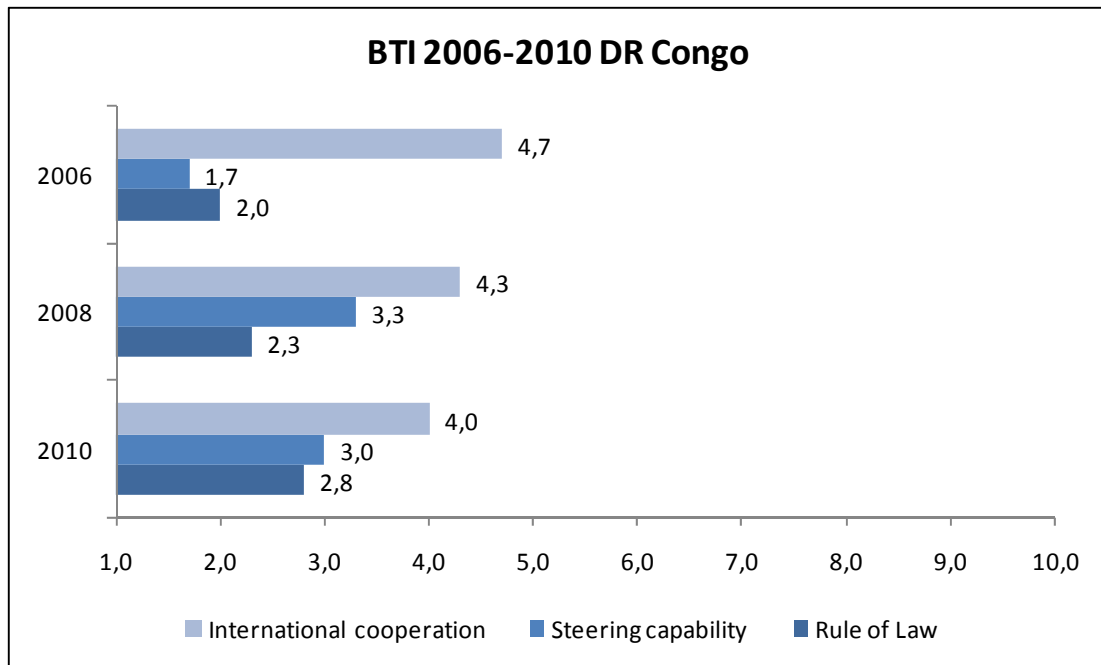

BTI 2006-2010 DR Congo

Year	International cooperation	Steering capability	Rule of Law
2006	4,7	1,7	2,0
2008	4,3	3,3	2,3
2010	4,0	3,0	2,8

Figure 1: BTI 2006-2010 DR Congo (Data Source: BTI 2006, 2008, 2010a)

3.2.2.2 Failed State Index

The sub-set of indicators from the Failed State Index includes the *Security Apparatus Operates as a "State Within a State*, the *Delegitimization of the State*, and the *Arbitrary Application of the Rule of Law*. The scores assigned are based on a software based computer analysis of a range of sources and verified by expert assessment (Failed State Index, 2010). The scores range from 0 (low intensity of conflict) to 10 (high intensity of conflict).

The indicator on *Security Apparatus* is consistently high with only one significant change between the year 2005 and 2006. The state of the security apparatus worsens from 8.7 to almost maximum intensity of 9.8 and then stabilizes around 9.6 (see Figure 2). The extremely high score illustrates the lack of control over the army and police exerted by the Congolese government. Commanders of the security institutions are often loyal to the highest bidder rather than the political leadership (International Crisis Group, 2006).

Similarly, the *Delegitimization of the State* remains consistently high over the measured period ranging from 9.0 to 8.0 without observable trend. Abuse of official positions, corruption and organized crime take their toll on the functioning of the state institutions including the legitimacy of the police.
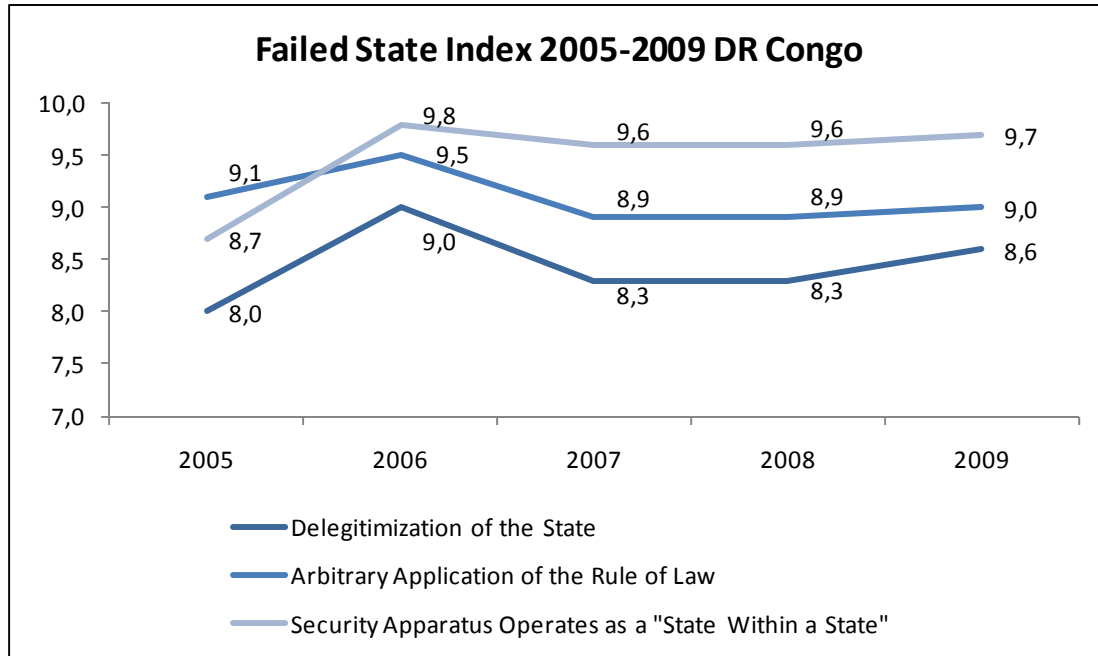

Figure 2: Failed State Index 2005-2009 DR Congo
(Data Source: Fund for Peace, 2005, 2006, 2007, 2008, 2009)

Finally, the *Arbitrary Application of the Rule of Law* shows critical levels of intensity between 9.5 and 8.9. It is disillusioning that despite sizable investments in police reform, the impact on the overall rule of law seems to be negligible (see Figure 2). It would be interesting to observe the development of these indicators throughout the next years if reform efforts became more outcome oriented and coordinated.

3.2.2.3 Mo Ibrahim Index of African Governance

The *Safety and Rule of Law* indicator by the Mo Ibrahim Index of African Governance draws on empirical data from reliable sources (Mo Ibrahim Foundation, 2010a). The data is used to compile a composite index on a scale from 0 to 100.

Figure 5 (see page 39) illustrates both the trend of the rule of law indicator in Sierra Leone and the development in the DR Congo for the period 2001 to 2008. The score for the DR Congo fluctuates around 30 never rising above 31.9 points. According to this indicator the security sector reconstruction has not had any significant impact on the effective implementation of rule of law in the country. In conclusion, this observation is

indicative of the poor performance of the diverse police reform programs in the DR Congo.

3.2.2.4 Additional survey evidence from the DR Congo

Police are perceived as violators rather than protectors by the Congolese population (Vinck, Pham, Baldo & Shigekane, 2008). Only 45.4 percent of respondent gave a positive reply when asked whether they felt safe or very safe meeting policemen (ibid.). Indicative of the reputation of the police is also the question about whom the citizens see as protectors. To the question "In your opinion, who protects you?" 37.8 percent replied National Congolese Army, 31.3 percent answered with God/Jesus and only 11.3 percent answered police (ibid.). Only one answer was allowed. The weak outcome for police illustrates how little confidence the Congolese have in their law enforcement agency as of 2008.

In sum, the state of the Congolese police is still disastrous by any measurements and no observable improvements can be reported eight years into the reconstruction process.

3.3 Case two: Sierra Leone

The Republic of Sierra Leone is a coastal West African state bordering Guinea and Liberia. It has an estimated population of 5.6 million people and a Gross National Income of US$ 320 per capita (World Bank, 2008).
In 1787, Sierra Leone was founded by British philanthropists as a settlement for repatriated and rescued slaves with its capital in Freetown (BBC News, 2010b). For more than 150 years it was ruled as a British colony and finally gained independence modeled on the Westminster style democracy in 1961 (Rauch & van der Spuy, 2006).

In 1967, Premier Siaka Steven was ousted in a military coup marking the beginning of a slide towards increasingly authoritarian rule (BBC News, 2010b). However, Siaka returned to power with the All People's Congress (ACP) in 1968 establishing a one-party state under a repressive rule (Rauch & van der Spuy, 2006).
The 1978 constitution proclaimed the ACP as the only legal party reinforcing its grip on power (BBC News, 2010b). Throughout its 30-year rule the ACP was responsible for a process of degeneration of all government institutions including the military and the police (Hough, 2007). Completely alienated by Siaka's successor Major-General Joseph

Momoh, the former army colonel Foday Sankoh founded a rebel movement called Revolutionary United Front (RUF) in order to oust the government (ibid.).

In 1991, the agitation by the RUF, which had started to capture towns on the border of Liberia, represented the beginning of a civil war (BBC News, 2010b). During the civil war, which would last until 2002, 50,000 people were killed and 600,000 were internally displaced (Rauch and van der Spuy, 2006). The Sierra Leone Police lost around 900 officers, at the time about ten percent of overall staff (ibid.). The conflict was characterized by atrocities on both sides. The RUF proved to be extremely brutal by "hacking off the limbs of men, women and children" in response to the government's campaign 'the future is in your hands' (Hough, 2007: 12).

On 7 July 1999, all parties to the conflict signed the Lomé accords which included a ceasefire agreement and the request for more assistance from the United Nations (UNAMSIL, 2010). The Security Council authorized the deployment of 6,000 military and 260 observers within the United Nations Mission in Sierra Leone (UNAMSIL) (ibid.). When RUF was increasingly pressured to disarm, they killed seven UN peacekeepers and abducted 500 more; effectively cancelling the Lomé Accord (Hugh, 2007). The United Kingdom had to intervene with 650 Special Forces to free the blue helmets and reestablish security (ibid.). Subsequently, UNAMSIL was upgraded and its mandate considerably expanded encompassing disarmament, assistance with holding national elections and rebuilding the Sierra Leone police force (UNAMSIL, 2010).

In January 2002, the UN reported the process of disarmament to be completed and the ten-year long civil war was declared over (BBC News, 2010b). Since then, the country's security situation can be considered relatively stable and safe. Five years after the launch of the peacekeeping mission, the last UNAMSIL troops withdrew from Freetown at the end of 2005 (ibid.).

3.3.1 Reform cornerstones

Into the 1990s the Sierra Leone Police (SLP) was known for corruption, nepotism, and oppressive policing; actions which completely denigrated its reputation among the population (Meek, 2003). Meek states that Sierra Leone, by 1999, had a police institution which lacked the "confidence of the public, […] the equipment, skills and training to provide security in the country" (Meek, 2003: 106). During the civil war

RUF rebels had intentionally destroyed much of the police infrastructure which left the institution with minimal capacity (Robins, 2009).

A senior government official summarized the condition of the SLP around 1996 as "a demoralized force, lacking in basic equipment, logistics, accoutrement and resources, inadequate […] accommodation, and a deplorable working environment" (as cited by Horn & Olonaskin, 2008: 111). Police presence around the country was highly insufficient due to high losses in personnel and infrastructure during the conflict (International Crisis Group 2008). In addition to the shortage of police stations around the country, even functioning stations were lacking the most basic equipment such as minimum stationary (Horn & Olonaskin, 2008).

Major support was provided by the United Kingdom who enabled the Sierra Leone Police to install a communication network and initiated the rebuilding of police stations throughout the country (Meek, 2003). The SLP's basic capability to oversee internal security was quickly reestablished through external assistance by the Commonwealth (ibid.). The police were provided with basic transportation and communication equipment, uniforms and additional resources for acquiring stationary for key activities (ibid.). A joint UN/DFID project was set up to construct or rehabilitate 15 police stations spread out in the whole country (Sesay & Hughes, 2005).

In 1998, the United Kingdom received a request from Sierra Leone's President Kabbah to lead the coordination of assistance efforts that were under way to enhance the effectiveness of the police (Horn & Olonaskin, 2008). From the very beginning the reform enjoyed top-level political support and commitment to change (ibid.). This is also reflected in the president's decision to appoint a British national, Keith Biddle, as the Inspector General of the Sierra Leone Police in 1999 (Gbla, 2006). There was a dual purpose rationale behind the appointment of an outsider who would be politically neutral, and provide hope to initiate the development of "a new generation of leaders" (ibid., 2006: 86). The overall reform process was coordinated by the Commonwealth Community Safety and Security Project (CCSSP) which held regular meetings involving the UN, donors and the inspector general Biddle (Horn & Olonaskin, 2008).

Keith Biddle's leadership is seen as a crucial factor in inspiring young officers and in helping them to develop confidence for future challenges (Albrecht & Jackson, 2009).

Moreover, a new motto for the police was adopted under Biddle's leadership. The restoration of the SLP's reputation was guided by the slogan "a force for good" (BBC News, 2003). According to Meek the biggest organizational challenge for the police was (re)creating a "culture of management" (2003: 114). Many of the Inspector General's changes to the police service reflect an understanding of the lack of management skills among SLP senior officers (ibid.).

The Inspector General also created a Change Management Department which was tasked to prepare senior officers to manage the police's affairs efficiently and productively (Gbla, 2006). One of the most important decisions taken by Biddle was the redesign of the rank structure which foresaw a reduction in the number of SLP ranks from 22 to 10 (Albrecht & Jackson, 2009).

Early on the reformers tried to also involve low-ranking officers in the reform process (Horn & Olonaskin, 2008). This effort was met with enthusiasm by many officers who were "motivated, educated, and demonstrated a commitment to changing their poor public image" (ibid., 2008: 113). The reconstruction process included the creation of a Complaints and Internal Investigations Department, the Family Support Unit and the Media and Public Relations Unit (PR Unit) (Sesay & Hughes, 2005). In particular, the Media and PR Unit proved a valuable tool in reestablishing a positive image of the police as well as in representing a link for interaction with the public (ibid., 2005). The entire reform process was accompanied by a new media strategy educating the public about the new Sierra Leone Police service and furthermore seeking to rebuild the lost confidence among the population (Horn & Olonaskin, 2008).

After the withdrawal of UNAMSIL the Sierra Leone Police had to take over more responsibilities; a change which is not reflected in recent budgetary allocations to the service (Robins, 2009). A few years into the reform a preliminary deterioration of donor sponsored capital equipment became observable. Many of the SLP's sponsored vehicles broke down due to lack of money for maintenance or replacement (Horn & Olonaskin, 2008).

Another reason for concern is the persistent corruption among the Sierra Leone Police. The factors contributing to corrupt practices are low salaries and poor conditions of the service (African Human Security Initiative, 2008). The newly gained capacity of the

police will certainly be threatened if the issue of endemic corruption is not solved in the near future.

The current strength of the police force is 9,652 and this falls well below the UN recommended ratio of one police officer per 450 inhabitants (Robins, 2009). Were the SLP to grow to the recommended strength, it would have to command close to 12,400 officers at current population levels. In conclusion, the reform efforts have without doubt changed things positively. Horn and Olonaskin argue that the "operation may well have been successful, but the patient, for now, remains profoundly weak." (2008: 122).

3.3.2 Performance measures

The reform of Sierra Leone's police service is generally considered to represent a successful post-conflict transformation. The indicator-based analysis will assess to what extent this qualitative assessment by scholars and practitioners is reflected in the three indices used for the analysis in this study. The analysis of results is complemented by survey data collected and disseminated by the Justice Sector Development Programme funded by DFID.

3.3.2.1 Bertelsmann Transformation Index

Besides its ranking and score tables the Bertelsmann Transformation Index provides country reports which put the numbers in perspective. The Sierra Leone country report states that there is still a high level of impunity with regard to arbitrariness, misadministration and corruption (BTI, 2009).

As seen in Figure 3 Sierra Leone shows a slightly negative development on the international coordination indicator which drops from 8.0 in 2006 to subsequently 7.3 in 2008 and 2010. However, a score above 7 can still be considered to reflect advanced levels of coordination with international donor organizations.

The measure of steering capability indicates that the Sierra Leone score changes from 5 in 2006 and 2008 to 6.0 in 2010. This upward movement could reflect a trend of improved managerial skills across the administration. However the developments in future years have to show whether the increase by one point constitutes a trend or a one-time jump.

If there was a measure purely for the steering capability of the police service, the qualitative analysis of police reform would predict a modest to strong upward trend in the early 2000s. After UNAMSIL's withdrawal a consolidation of managerial abilities would be a likely development.
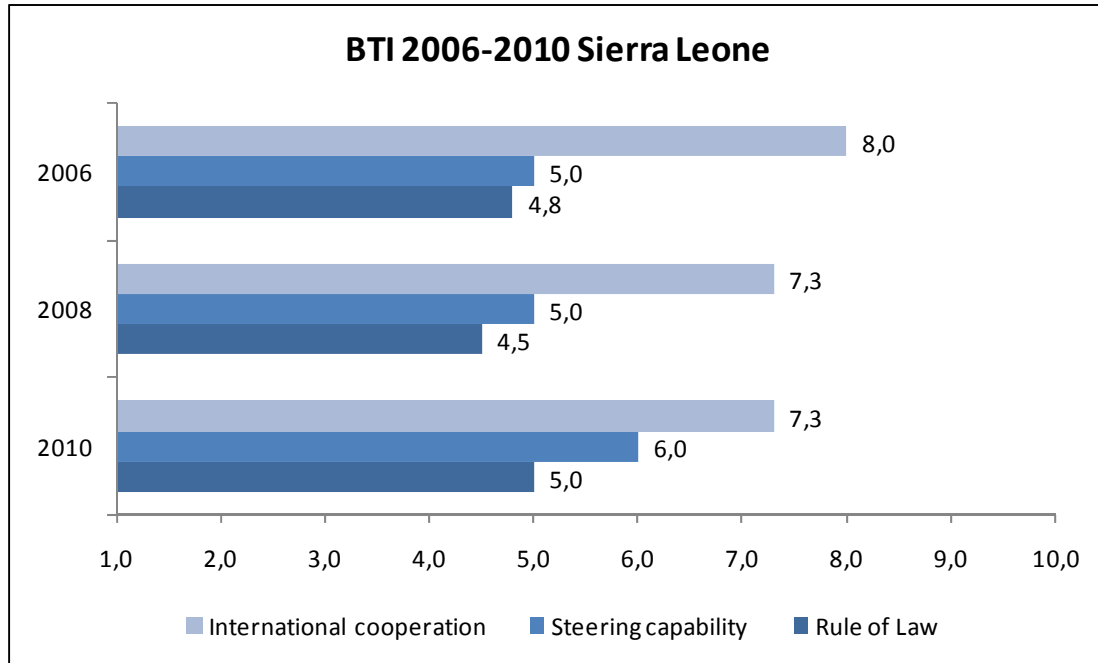

Figure 3: BTI 2006-2010 Sierra Leone (Data Source: BTI 2006, 2008, 2010)

This explanation is substantiated by the modest development of the steering capability measured by BTI 2006 onwards.

The rule of law score fluctuates slightly below 5 which indicates no improvement to the overall law enforcement environment between 2006 and 2010. As major improvements to the police took place well before 2006, it is possible that those are not captured by the Bertelsmann Transformation Index.

3.3.2.2 Failed State Index

The sub-set of indicators from the Failed State Index includes the *Security Apparatus Operates as a "State Within a State*, the *Delegitimization of the State*, and the *Arbitrary Application of the Rule of Law*. Figure 4 illustrates the trends for aforementioned indicators for Sierra Leone for the period 2005 to 2009.
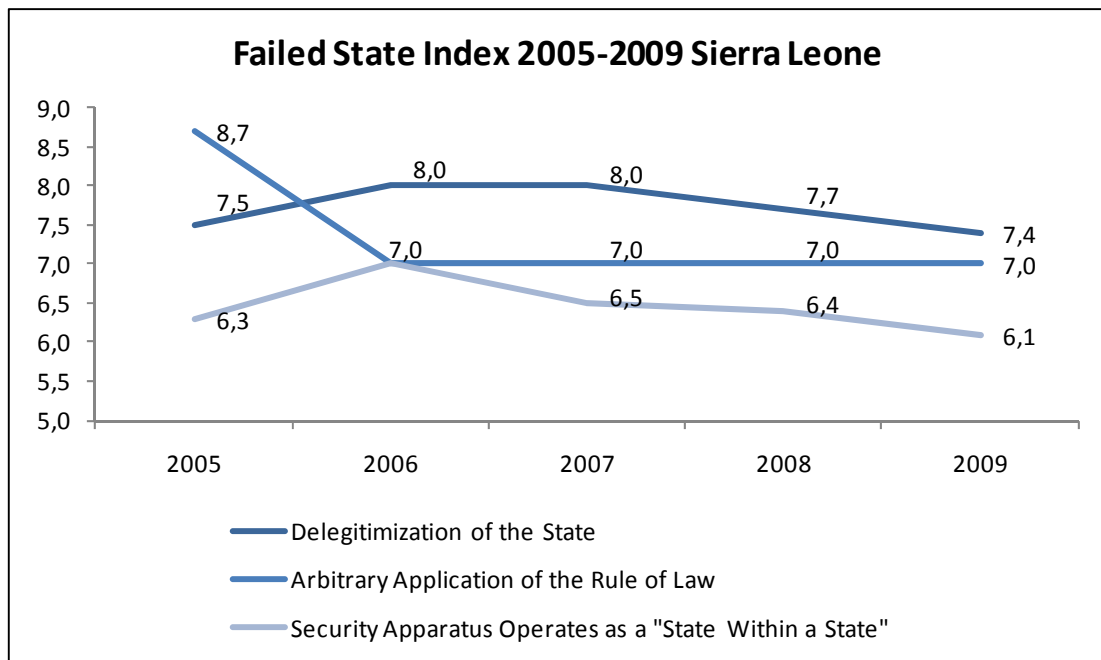
Figure 4: Failed State Index 2005-2009 Sierra Leone
(Data Source: Fund for Peace, 2005, 2006, 2007, 2008, 2009)

The measure on the security apparatus ranges between 7 and 6 indicating high levels of elite formation with moderate to high levels of impunity. Over the period from 2005 to 2009 no improvements to that situation are reflected in the data.

A similar development can be observed for the *Delegitimization of the State* with initially rising values until 2007 and then subsiding to 7.7 and 7.4. The data is inconclusive with regard to the continuation of a downward trend in the future. The persistence of endemic corruption in the Sierra Leone administration and, in particular, within the police matches with the high scores on this indicator.

Finally, the *Arbitrary Application of the Rule of Law* starts off from an alarming 8.7 points and then decreases to 7.0 where it remains stable until 2009. The measurement here is consistent with the BTI rule of law trend which indicates no significant improvements to the rule of law after 2006.

3.3.2.3 Mo Ibrahim Index of African Governance

The *Safety and Rule of Law* indicator by the Mo Ibrahim Index of African Governance for Sierra Leone shows a steady upward trend with a flat section at 41 lasting from 2003 to 2006 and subsequently rising further to 52 in 2009. Overall the indicator features an increase of 20.1 points from 32.3 to 52.4 within a seven-year period. It is interesting to

note that among the three indices the indicator (Mo Ibrahim Index) closest to measuring impact in the law enforcement sector monitors the most significant jumps in rule of law. Moreover, it is possible that the methods applied by BTI and Failed State Index, expert assessment and content analysis respectively, capture a different impact than the Mo Ibrahim Indicator based on quantitative data. In sum, the strong upward trend on the *Safety and Rule of Law* indicator seems to confirm the findings from the qualitative assessment of police reform in Sierra Leone.
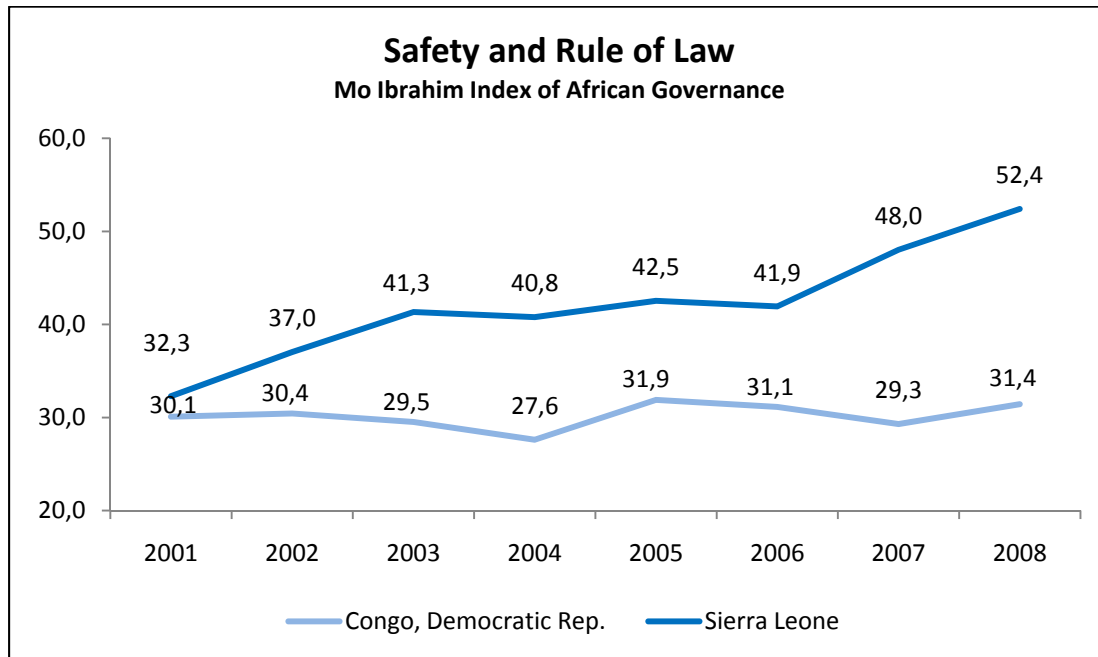

Figure 5: Safety and Rule of Law (Data Source: Mo Ibrahim Foundation, 2010b)

3.3.2.4 Additional survey evidence from Sierra Leone

The findings from the previous section can be substantiated with data from a 2004 survey by the Sierra Leone Police and further surveys by the Justice Sector and Development Programme commissioned in 2006 and 2008 respectively.

The survey results show moderate degrees of improvement in the area of corruption. In 2004, 85 percent of respondents thought that police are corrupt (SLP, 2004), whilst in 2007 only half of respondents reported the same (JSDP, 2008). Moderately encouraging is also the fact that only about 24 percent of respondents reported personal experience with police misconduct (ibid.). A positive sign is the response to the question about satisfaction with police visibility, 66 percent of respondents are satisfied or very satisfied with police visibility (ibid.). Although, there is almost no change from the

satisfaction level in the 2006 survey, here 63 percent rated the visibility as satisfying (JSDP, 2006, 2008).

When asked about the security situation in their community a majority of respondents (51.4 percent) felt fairly unsafe or very unsafe in 2004. Two and three years later the group of respondents who felt unsafe had shrunk to 31 and 17 percent respectively. In consequence, more than two thirds of respondents felt safe in their community in the latest survey from 2007 (see Figure 6).
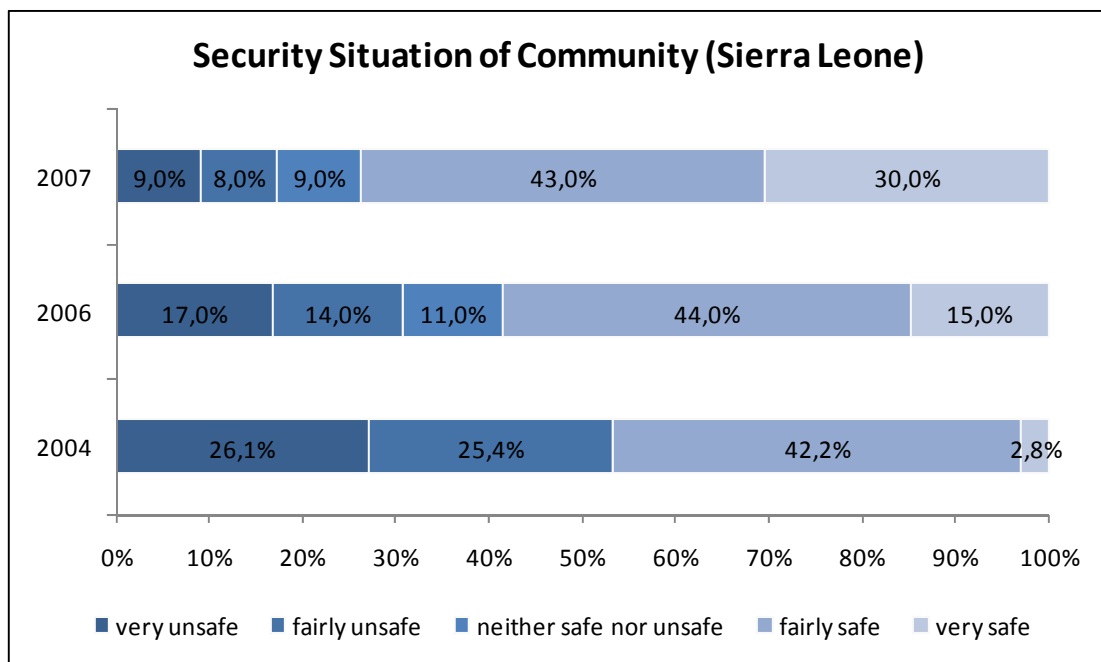

Figure 6: Security Situation of Community (Data from: SLP, 2004; JSDP 2006 & 2008)

The apparent shift from a majority feeling unsafe to an absolute majority feeling safe in their community can be interpreted as a success for the Sierra Leone Police. Problems remain with regard to endemic corruption and also to police misconduct. Nevertheless, police reform appears to have made a positive impact.

3.4 Comparison of case studies

First, the results of the indicator-based analysis are put into perspective and compared to each other. Then, conditions crucial to the success or failure of the reform efforts in the cases under comparison are juxtaposed.

3.4.1 Comparison of results from indicator measurement

Both cases are characterized by stagnation in several of the indicators. Neither the DR Congo, nor Sierra Leone show sizable improvements on the operation of the security

apparatus and the delegitimization of state institutions. However, Sierra Leone features slightly better on both aspects. Since the reform of the military was not subject to this study whilst the military apparatus is included in these indicators, no qualified assessment of the underlying reasons can be made.

Significant differences with bearing on the implementation of police reform become apparent in the trends on international cooperation and steering capability. Whilst the DR Congo fares badly on both indicators, Sierra Leone shows a relatively high score on international cooperation and an upward trend on steering capability. Again, it is important to note that the functioning of the whole administration is captured by these indicators. Thus, in the DR Congo the fragmented and unsystematic approach to police reform does not seem to be an exception because, otherwise, the cooperation score would have stood in contradiction to the qualitative assessment presented earlier. For Sierra Leone, in contrast, it is likely that police reform is not the only undertaking with moderate or strong success. In particular, the rebuilding of managerial capacity does not seem to be an isolated incident in the case of the Sierra Leone Police.

Most striking is the discrepancy apparent in the comparison of the Mo Ibrahim Safety and Rule of Law measure. In both cases the initial score lay in the lower thirties, 30 and 32 for the DR Congo and Sierra Leone respectively. Whilst the DR Congo does not show any improvement for the entire seven-year period, Sierra Leone's score rises up to 52 points in 2009 on the scale from 0 to 100. Against the backdrop of the differences found in the descriptive part on police reform in both countries, this discrepancy substantiates the case for a positive impact of police reform in Sierra Leone.

The sparse survey data from DR Congo does not allow for a systematic comparison of changes in the perception of personal security over time, but it illustrates how little the Congolese population trusts its police force. In Sierra Leone, the picture is split: on the one hand, the survey findings reveal persistent problems with corruption and abuse, on the other hand, they indicate growing confidence in the SLP and feelings of safety among Sierra Leone's citizens. The trend apparent in figure 6 does not prove but is at least indicative of a positive impact of the SLP reform measures.

3.4.2 Comparison of results from qualitative case analysis

It can be argued that the experience of successes and failures from Sierra Leone and the DR Congo presented in the respective case study section coincide with a number of conditions. Table 3 is by no means to be understood as an exhaustive list but includes the most relevant and most frequently mentioned conditions that had an impact on the outcome of police reform in the respective country. Each condition is categorized either as present or not present even if in some cases "in-between" might be more adequate. This dichotomous order is chosen for illustrative purposes.

Neither of the two countries has a systematic impact measurement in place which was one of the challenges for this thesis to overcome in determining the impact of reform in both countries. As can also be seen from the table all conditions, with exception of long-term sustainability and anti-corruption, are present in Sierra Leone.

Table 3 Juxtaposition of conditions relevant to reform

Condition	Present	Not present
Top-level political commitment	Sierra Leone	DR Congo
Strong driver for reform	Sierra Leone	DR Congo
Institutionalized change management	Sierra Leone	DR Congo
Promotion of local managerial skills	Sierra Leone	DR Congo
Integration of lower level officers into the reform process	Sierra Leone	DR Congo
Media outreach (interaction with civil society)	Sierra Leone	DR Congo
Early coordination of stakeholders	Sierra Leone	DR Congo
Long-term vision	Sierra Leone	DR Congo
Secured long-term sustainability of modern/expensive equipment		Sierra Leone/DR Congo
Effective fight against corruption		Sierra Leone/DR Congo
Systematic impact measurement		Sierra Leone/DR Congo

The picture is reversed in the case of the DR Congo. None of the conditions considered to have a high impact on reform success are present or implemented so poorly that they do not justify an allocation as "present".

In sum, the development in the DR Congo is disillusioning. The reform efforts undertaken by various donors appear to have almost not impacted at all. Despite the absence of comprehensive impact measurement tools, Sierra Leone seems to be on the right track. The findings here are at least moderately encouraging.

4. Conclusion

Returning to the core question of how framework conditions of reform affect the overall outcome of police performance, the review of literature showed that tools for systematic evaluation of police reform have not yet been developed by donor and international organizations or are too burdensome for large-scale implementation. The subsequent analysis of police reform efforts in two country cases allowed pointing to a number of conditions which can be essential for reform success.

4.1 Policy implications

Resulting from the covariance of conditions with the relative success/failure of the reform efforts in Sierra Leone and the DR Congo, central lessons for future police reform programs will be summarized here. The following policy implications have been developed on the basis of the theoretical contributions presented in section one of this thesis.

4.1.1 A strong driver for reform

Without political backing from either the responsible ministry or the president of the country, as was the case in the DR Congo, initiating reform will be very difficult. Top-level commitment is instrumental in overcoming institutional resistance. In the case of Sierra Leone the existence of a dominant player, the United Kingdom, which acted as the lead-nation to drive and coordinate the reform greatly enhanced the prospects of success. If no player is willing to be the lead-nation, a functional forum for donor coordination is absolutely critical. In the DR Congo, such a committee was established much too late.

4.1.2 Institutionalized change management

The lack of capacity to manage comprehensive change processes can quickly diminish the impact of reform efforts. The building up of local managerial skill and ideally the institutionalization of change management, as it came into being in the case of the Sierra Leone Police's Department for Change Management, are necessary to steer large-scale reconstruction efforts in post-conflict situations, such as police reform from point zero.

4.1.3 Integration of lower rank officers into the reform process

The marginalization of large parts of the police during the reform can alienate lower level officers and lead to indifference towards new ways and practices. Thus, lower ranks have to be integrated into the reform process early on in order to instill curiosity and build up motivation for change. The Inspector General of the Sierra Leone Police, Keith Biddle, has shown how to avoid marginalization of lower rank members of the police through effective integration.

4.1.4 Systematic interaction with civil society (Media)

Since close contact with civil society is of high importance for any functioning police institution, a media outreach campaign and a contact point for the population should be established as part of the reform process. The typically scattered public image of the police in post-conflict situations can be better refurbished if accompanied by a deliberate public relations strategy. In the case of Sierra Leone, the Media Department has been given credit for spreading and consolidating the new image of the Sierra Leone Police.

4.1.5 Long-term sustainability of police assistance

The provision of modern and high-maintenance police equipment, vehicles and infrastructure can create significant problems for local police organizations. After development assistance is withdrawn or reconstruction programs get phased out, the cost of maintenance are often beyond the means of host nations. Thus, equipment either breaks or remains unused as is the case with vehicles in both, the DR Congo and the relatively more successful Sierra Leone, due to lack of fuel. Often, a local solution with admittedly lower visibility will last longer than imported gear from donor countries. A balance between aspects of long-term sustainability and cutting edge equipment has to be struck when donors choose the kind of assistance they provide.

4.2 Remaining issues

The lack of available data on police reform in post-conflict situations stands in contrast to the political and financial stake attached to the outcome of the overall reconstruction effort. In this context, the research design of this study is not as robust as one would otherwise wish for. Nonetheless, the findings can contribute to an underdeveloped field of research with decisive consequences for practical applications.

4.3 Outlook

Annual impact measurements such as basic perception surveys or more advanced but harder to collect crime statistics are required to document short-term wins (or losses). This information can be used to secure top-level commitment for further reform and sustain funding for higher budgetary needs due to increased responsibility of the police. Furthermore, a documented impact of reform would help convincing reform critics and motivate staff on all levels to stay committed.

In the future, donor organizations as well as national police institutions in post-conflict countries would be well advised to develop basic impact measurements early on during the reform process to recognize negative developments and document progress made. The insights gained from such evaluation tools will be invaluable for the design of future police reconstruction programs.

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