Community Policing

International Patterns
and Comparative Perspectives

Edited by

Dominique Wisler and Ihekwoaba D. Onwudiwe

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Top cover image: Copyright: Suzette Heald. Taken in 2005, the picture depicts the disciplining of a *sungu-sungu* by the iritongo for dereliction of duty. They - the *sungusungu* - had wandered off the night before and those held on remand had managed to escape from the "cell" by making a hole in the roof.

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Foreword

Community-oriented policing (COP) has achieved an enviable status in the practices of policing. The model and ideology has become the almost unchallenged definition of good and democratic policing. The terms *community* and *community policing*, and the many themes that these terms imply—partnership, working together, responsiveness, service, accountability, transparency—are now standard admonitions on how to practice effective, democratic, or, more generally, good and professional policing. COP norms have found their way into transnational regimes on what constitutes policing, which respects professional and democratic norms. COP is the ideological and policy model espoused in mission statements, police goals, and reform programs by practically all policing forces, and by the vast number of transnational police assistance programs delivered through intergovernmental organizations (IGOs), nongovernmental organizations (NGOs), and corporate and private consultancy firms (e.g., Caparini and Marenin, 2004; Friedman, 1992; Lab and Das, 2003; Neild, 2002; for a more critical assessment, see Brogden and Nijhar, 2005; Ellison, 2007). To be modern, in tune with current thinking, open to new ideas, aware of domestic and global developments in policing, and committed to professional standards means being able to speak the language of community policing, or, at the very least, be comfortable in talking about the need to have the community involved in policing practices.

As happens with "universal" solutions to policy problems, COP is in danger of becoming a meaningless phrase because it can be and has been interpreted differently by various countries and policing forces. The police of quite divergent countries claim to practice COP or are seeking to move toward that ideology and model. The flexibility and vagueness of the term, the inability to clearly define the almost mythical notion of "community," the ability to portray (in the official rhetoric of policing) many existing practices as examples of COP, and scholarly disagreements on how to conceptualize and measure whether a policing system practices COP should cause reformers, advocates, scholars, critics, and the police to step back to rethink what COP looks like when implemented. What really constitutes COP, in relation to the work of the police and their relations with civic society? One way is to analyze police practices undertaken in the name of COP in order to clarify the concept, to limit it to practices that clearly differentiate COP from other

policing models, and thereby rescue the phrase from sinking into total ambiguity and vagueness.

The chapters in this book written by authors from different countries are an excellent start toward that rescue effort. The overall impression reached when reading these studies is that COP means whatever the police and political leaders wish to call their policing systems. The second impression is that policing, and attempts to change policing systems, does not occur in a political and social vacuum, but is heavily influenced by:

- Existing social and cultural traditions and structures.
- The conventional ways of doing policing.
- The cultural and ideological language and discourses that sustain those forms.
- The efforts and ability of entrepreneurs, including the police, to argue for or against new ways of doing policing.
- The social capital base found in civic society.

History and contexts will shape what policing systems can be developed, as they will with any major social policy agenda.

The third impression is that, no matter what the rhetoric says, the fundamental problem and goal for the state, the police, and civic society remains security, which is broadly conceived as less crime and more social order, more physical and mental safety, and confidence by people that they will be able to live and work knowing that they and their way of life will be protected. In the end, COP is still policing (a means for providing security) and when the police cannot do so because they lack resources, skills, effective organization, or commitment, engage in corruption or are subject to political influence, civic society (another "mythical" notion) and communities will turn to self-help forms of providing their own security. When the state and the state police cannot provide safety for individuals and communities, people will turn to other means, again influenced by the history and contexts in which they live. In the United States, that has meant, generally, arming oneself for protection; in Tanzania it means falling back or resurrecting forms of traditional social control; or in Nigeria, it is turning to vigilantism sponsored by economic groups (e.g., market associations) or ethnic segments of society to protect their real and perceived interests.

In short, there *is* no consensual model of community policing. The detailed analyses in the chapters from different countries make this absence of agreement perfectly clear. Instead, one finds various interpretations of what COP means and how it should be done to make it appropriate for the countries' political and cultural histories and contexts. At most, basic ideas and principles are used to justify changes or continuities in the policing systems of a country. However, the superiority of the COP model is not easily

accepted and will be contested, and the model will be reshaped by political powers and informal influences into a security system people, the police, and the state can accept. There are numerous institutional mutations of COP, which begin to undermine the notion that COP is a different policing ideology and compared of other types of systems.

In Tanzania, according to Suzette Heald in Chapter 3, the state co-opted and helped legitimate *sungusungu* groups even against its own legal, judicial, and policing establishments. The state, or Julius Nyerere (former president of Tanzania), initially used the state divided against itself at the local levels to help sustain informal social control to deal with cattle thefts and the trade in guns. In response, the state police and courts, seeing their influence undermined, arrested and prosecuted *sungusungu* members. The chapter also raises some profound questions about the classic Weberian definition of the nature of the state—that is the organization entitled to the monopoly of legitimate force—and the role of legitimate control of coercion in defining the state.

Chapter 11 on India presents cases from eight villages in Tamil Nadu and how these were dealt with by the traditional *panchayat* (local council) system and the modern police. In some cases, the police and the councils cooperate; in others, the police work against the councils. There is no consistent pattern of police–community relations, and in each village these relations are conditioned and shaped by the still powerful influence of caste, culture, and economic control. Most of the cases described are about how formal and informal control interacts within traditional norms and contexts, and the influence of modernizing values. These are fascinating anthropological studies, but it is difficult to see these events as community policing, except in the broadest sense that the police and the local notables interact.

In contrast, the Nigeria Police Force (NPF) has officially adopted, with international assistance, COP as its model and has established police vigilante liaison officers to interact with vigilantes (which in Nigeria have a good reputation, generally speaking) to, at least, know what these groups are doing and advise them on their limited legal rights and powers. The NPF has told the northern states, which have adopted Sharia law, that their religious police cannot enforce Islamic norms against non-Muslims or to protect Islamic sentiments, such as trying to prevent the traversal of trucks delivering beer through Islamic neighborhoods. The police have either accommodated vigilante practices, which they know will be done in any case, or asserted that only they have policing authority and powers while communal and religious authorities do not, to protect their legal monopoly on force.

In South Africa, after the overthrow of the apartheid regime, community policing became the basic goal of much needed police reforms. The specifics of police reforms were heavily influenced by a plethora of international

assistance programs offered by states and private consultants, resulting in numerous government white papers and pronouncements, a veritable "publication industry" (van der Spuy, 2007), and little progress. In the end, COP was overwhelmed by an exploding crime problem and the public's demand to get tough on criminals and foreigners.

Hugo Frühling's chapter (Chapter 12) on Latin America also stresses the international influences that promoted community policing as part of the larger democratization processes overtaking the authoritarian regimes of the region. He also writes of the specific and varied adaptations of the model in four cases studies in Brazil (two cases), Columbia, and Guatemala.

In Britain, the police have attempted to harness local community volunteers to enforce small violations of laws, local regulations, and public expectations by providing volunteers with limited legal powers, hence, protection from public complaints. In effect, the British police have attempted to shift, under the rhetoric of community policing, certain disagreeable and difficult to enforce decisions to the community, leaving them freer to concentrate on the "real policing stuff." In France, given the centralized history of the state and of the national police and the gendarmerie, efforts to promote locally controlled policing (city police) have been fragile, limited, and unsuccessful. There is very little foundation for the concept of COP in a society that is accustomed to being steered from the center. In Belgium, in similar fashion, attempts to promote proximity policing have faltered in the face of police, political, and community resistance, and the unstable political relationship between the two ethnic pillars of Belgian society. The chapter on Australia (Chapter 9), basically a case study of the Victoria police, depicts the changing conceptions of community policing held by the police as they struggle to adjust a managerialist language (consumers, service delivery) to the administration of a hierarchical bureaucracy and the rhetoric of professional norms that define their work. In the current incarnation, and the language of policy planners and consultants, the police have settled on a "fit for purpose" model of COP. Even within one local setting, exactly how to do COP has been organized differently over time, and continues to be subject to change.

In the United States, argue David Barlow and Melissa Barlow (Chapter 8), the basic functions of the police in a capitalist society—to protect those in power and control the threatening classes—has not changed. The introduction of community policing is a response to the crises of the postmodern capitalist system and state. Community policing has changed the rhetoric, is concerned with image control, and has achieved little of its rhetoric because policing in a capitalist society is not of that nature: to extend services and protection to those without power or influence.

The most interesting case is China (Chapter 10). In his fascinating chapter, K. C. Wong discusses how the Maoist notion of the mass line has become

wedded to local community self control, in a synthesis of top-down and bot-tom-up social control that is *sui generis*. The chapter is a succinct introduc-tion to cultural and legal traditions and thinking in China, not just to the police. Wang also argues that, for the public and the state, the police are a social resource to be used for one's own ends. What is interesting here is that he views the public as more powerful in activating the police for their own interests than most external observers would believe. Communist ideology was and still is (though its influence is slowly waning in policing ideologies) genuinely committed to empowering the people in those cases not touching on the security of the state or the ruling party.

In all cases, COP (or a related phrase) is the term used to describe what is being done, even though the specifics of policing practices and the interac-tions of formal and informal social control are unique and widely disparate from case to case. What to make of this?

The book, especially the introduction, raises a fundamental question: What should be the relationships between the police, who are employed by the state, and informal or self-help forms of providing security? The editors argue that COP can be viewed from the top-down as a state police-sponsored form of participation by communities that is controlled, steered, and guided (despite the rhetoric of partnership) by the police to protect and promote the goal and interests of the police. In contrast, COP from the bottom-up, includes all the civic society forms of providing security, be these commu-nity efforts, informal vigilantism, or even corporate and private security. Whether top-down or bottom-up, all of these are forms of policing and are based on various political justifications and influence. The question is this: How do these two basic categories meet, or how do the police deal with infor-mal policing structures, and how does the community deal with the formal state police? Since informal policing exists everywhere, in forms that reflect history and contexts, top-down and bottom-up will always meet, clash, or cooperate, and have to be reconciled politically.

On a slightly critical note here, it is not clear that a bottom-up form of social control should be called policing. That widens the conception of what constitutes policing so broadly that policing itself becomes undefined. A more distinct language, which incorporates, but also differentiates, state-provided policing from informal social control, could use the language of security as a field of action populated by many actors having different pow-ers, legal status, and goals.

The chapters as a whole provide extensive empirical analyses of the polic-ing problems and changes faced within their case study countries, as well as sophisticated theoretical ruminations on the nature of this set of practices called "policing," of what constitutes "community," and what constitutes the "state." It is a solid contribution to the expanding, and now vast, literature on COP, as well as a useful and necessary corrective to the assumption that

community policing can be understood in a general way without taking into account the contexts that shape how values, ideologies, and goals will transform patterns of policing.

Otwin Marenin

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Rethinking Police and Society
Community Policing in Comparison

DOMINIQUE WISLER
IHEKWOABA D. ONWUDIWE

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Introduction

The book reunites contributions of authors who are rarely encountered in the same workshops and conferences. The first are criminologists, lawyers, sometimes ex-cops (studying criminal justice processes), and police. The second are anthropologists, ethnologists, and social movements researchers focusing on informal ordering processes situated at community or civil society level. Both groups usually ignore each other despite the fact that they are quite often interested in the same issue: strategies of approaching security and crime.

The former group studies top-down policing. Core topics of their inquiries are legal and constitutional frameworks of policing and doctrines as well as police bureaucracies and their praxis in responding to crime and disorders. The latter group describes bottom-up communities' strategies mobilizing their own resources to deal with insecurity when the state appears distant, unresponsive, and sometimes partisan, inhospitable, and oppressive. Core

topics of this group of researchers are culture, social networks and social movements, customary laws and justice systems, and informal strategies.

Where the nation-state is fully developed, as is the case in liberal democracies, criminologists find themselves quite at home. Informal strategies of communities seem to have largely vanished as a result of the progress of the state as well as the rule of law and social modernization. In the developing world and less institutionalized states, anthropologists are more at ease as their object of inquiries seems ubiquitous, popular, even though, at times, excessive. From a state-building point of view, bottom-up policing initiatives may appear to be anachronic interlopers in the modern world. From a community point of view, however, informal policing can prove quite popular and a rational response to growing insecurity and it always expresses a deep mistrust in the state.

The community policing movement, which started decades ago in liberal democracies and rapidly became a global movement, has rendered the dialog between the two groups much more likely than before and, as this book intends to demonstrate, this dialog is potentially fruitful. With the advent of what is labeled the "community policing era" in police history books, police and society have entered into a new intimate relationship calling for both groups of researchers to help redefine the relationship between the two. This dialog might be necessary to rescue community policing from becoming a marketing slogan rather than designating a fundamental paradigmatic change in the relationship between police and society.

From the police end, efforts have been undertaken to establish a bridge to communities. The doctrine of community policing in liberal democracies manifests the intention of closing the gap that had been created between police and society by the rise of the classical model of policing. In the United States at the end of the nineteenth century, so-called progressive leaders had erected an institutional wall between police and society as a means to insulate the police from corruption and political and other outside influence. Professionalization, bureaucratization, and the crystallization of the "classical" or "traditional" model of policing consolidated the trend. In this process, as discussed by Kam Wong (Chapter 10), the police response to demands for services became anonymous, generic, and fundamentally lost touch with the citizens' feelings and expectations. Calls for a rapprochement between the police and society grew louder in the 1970s after a decade of civil rights movement, social protest against the Vietnam War, and, more generally, the rise of new social movements. The formula of "community policing" carried the project of removing portions of the wall separating police and society or, rather, called for a radical transformation of the relationship between police and society. Community policing moved to the front burner of the police reform.

In the Anglo-Saxon world, opinion, ideas, and theories on how to transform this relationship started burgeoning in police and academic circles.

Local police departments and national police units embarked in highly publicized reforms that intended to reinvent the police–society relationship. The movement reached continental Europe in the 1980s and, with the wave of democratic transitions after the fall of the Berlin Wall, it became a slogan for the democratization of police forces around the globe and a tool for the reconciliation between police and society in former totalitarian or authoritarian regimes. The movement became so pervasive that even nondemocratic regimes today adopt the community policing rhetoric as an emblem of their capacity to respond to popular demands. Most powerful instruments of domination and coercion are thus wrapped up in a package seemingly beyond critics.

The elasticity of the community policing denomination and its recuperation at the opposite end of democratic regimes substantiates a thesis of Barlow and Barlow (Chapter 8) made in this volume that community policing is a public relations tool that "evokes positive images" with the ultimate aim of insulating the police from critical analysis. The appropriation of the community policing rhetoric by nondemocratic political regimes turns on its head the original project of bringing communities and police closer together. This development is not likely to benefit the community policing doctrine that, after a peak in the late 1990s, seems today to have lost its seduction capacity and, in many countries, is on the decline. Where the confusion and lack of clarity has not led community policing to implode at national level (as in South Africa, for instance), it has been a key factor in explaining how community policing has taken very different national paths, as we will see in the country analyses proposed in this book.

From the society end, community policing or, we should say, informal policing or self-policing is not something new. During the apartheid regime in South Africa, the lack of formal policing in black neighborhoods led many communities to police themselves. Self-policing was also promoted by the British colonial system (Deflem, 1994) in rural areas and, in India, as discussed in Chapter 11, customary institutions had the ability to reproduce order until the recent wave of social modernization. Informal policing might be vanishing in some countries, but is reappearing in others, such as Tanzania, South Africa, Nigeria, and Kenya. These initiatives seem to respond to a situation of growing insecurity, a weak and nonresponsive state, and may use opportunistically culture and traditional resources to strengthen their legitimacy. If Buerger (1994), reflecting recently on the history of community policing reforms in the United States, could rightly deplore the fact that community policing has often been mostly "a unilateral action of the police" promoting community self-rule, in these states the contrary is true. This is what anthropologists and sociologists are telling us and have substantiated with astonishing evidence and vivid analyses. The reports from these states underline the existence of new informal policing movements

whose vigorousness contrasts sharply with the decline of community policing sometimes observed in the very same countries. Under conditions to be discussed in this book, imported top-down-style community policing might be less attractive, less legitimate, and less efficient for communities than bottom-up community policing. We believe that gaining a better grasp of informal policing initiatives, through a case study approach, and reflecting on their conditions of emergence, describing carefully the practices involved, as well as the modalities of interactions with the state and the insertion in local governance mechanisms, should open up the discussion and hopefully resuscitate community policing from an unexpected end.

Case Studies

The case studies proposed in this book will provide students of community policing with unique insight into national trajectories of community policing, whether top-down (state-led) or bottom-up (society-led). Country contributors discuss the rationales of the community policing reforms, their contents, how they developed and why, and what is left of the initial reform today. Each contribution deciphers—generally at national level, but sometimes at a more local level—what definition of community policing has been adopted and how the doctrine has been implemented empirically.

The states selected in this volume range from liberal democracies to the China of Mao, passing by developing and transitional states. Within the liberal democracies category, centralized and federal states were chosen to reflect upon the influence of state constitutional settings on community policing. For reasons that will be discussed, federal states are a more fertile ground for community policing initiatives than strongly centralized states. Liberal democracies are paradigmatic illustrations of a top-down community policing approach with communities left to play a small role. Tanzania and Nigeria were selected as examples of developing states where community-policing initiatives originate unilaterally from society. In both of these states, informal policing is highly popular. In Tanzania, village self-policing was promoted by the state ideology, while in Nigeria informal policing is an unwelcome appearance from the point of view of the central government. India, South Africa, and Latin America witness some coexistence of the two forms of community policing (state-led and society-led) in a context of social and political change and democratic transition. China, in this volume, occupies a specific position. The information on China offers more than an insightful view on the relationship between the people (the masses) and the state in Mao's doctrine of policing. The author of this chapter (Kam Wong) suggests a radically new theory of policing, which profoundly modifies our past understanding of the relationship between police and society.

The Ambiguity of Community Policing: The Issue of the "Model"

As deplored by Smeets and Tange in Chapter 6, there is no "model" of community policing or, to use Thomas Kuhn's precise vocabulary, "community policing has not reached the status of a univocal and coherent 'paradigm.'" A new paradigm, in Kuhn's view, implies a new ontology: it postulates "entities" or "things" and assigns them with specific "roles" (Kuhn, 1962). In the community policing literature, apart from the postulate that communities exist (see Kalunta-Crumpton's critical discussion in Chapter 7), competing views on the role that communities should perform in the policing framework have been coexisting and the lack of clarity on this issue has been responsible for misunderstanding, frustrations, and confusion when it came to implement community policing reforms concretely.

In one view, communities are understood as auxiliaries of the police and, in this role, can fulfill several functions. The "classical model" of policing has been criticized for its relative inefficiency in solving crimes as police officers are kept away from the main source of intelligence: social networks and local communities. Community policing, therefore, has often been understood as a new strategy of the police to produce better intelligence through, for instance, community forum, *îlotage* (or an officer based permanently in one neighborhood), *koban* (Japan-style police ministations in neighborhoods), and "sector policing" with the same patrols assigned in one neighborhood. The acclaimed problem-solving approach of Hermann Goldstein (1979) has staged communities in the role of potential partners in producing long-term solutions to the cause of public order incidents and crime. Goldstein's departure point is also the lack of productivity of the police. Instead of responding iteratively to the same incident, police should turn their attention to the problem at the origin of repeated incidents and, with the help of other stakeholders, identify permanent solutions to recurring problems. Problem-solving policing is a strategy of the police that might include communities in elaborating solutions for incidents as a means to reduce the workload of the police.

The other view of community policing assigns a very different role to communities. The arrow of the relationship points to the reverse direction. Communities, in this approach, are meant to have a normative say on how they are policed. Community policing is a philosophy of policing that opens up the police agenda locally to the influence of grassroot communities' expectations and priorities. Community policing is understood as a philosophy, not a strategy. Communities are not an "instrument" or an "auxiliary" to the police, but an end to which police are accountable. Community policing is about governance and accountability, not internal reorganization of police to

increase productivity (Goldstein) or a democratic camouflage (Barlow and Barlow critical analysis [Chapter 8]).

The ambiguity of "community policing" and the fact that different groups had conflicting expectations when the community policing reform was initiated in South Africa led to dysfunctions, frustrations, and the progressive (unofficial) abandonment of the reform. Anthony Minnaar, in Chapter 2, shows that when community policing forums were established as an emblem of the democratic reform, communities expected the police to conform to the views of residents expressed in these forums, whereas the police interpreted these forums as an instrument for gaining better intelligence on neighborhood crimes. The competing views resulted in the subsequent disaffection of these forums by communities. Resisting the "democratic paradigm," the South African police called these forums a "necessary evil" as they helped legitimize the police action. As a sign of mistrust and a response to high insecurity, communities in poor black neighborhoods resorted to informal policing, using a form of self-policing that was common under the apartheid regime in townships. Community policing degenerated as simple "window dressing" and an empty democratic rhetoric.

Wong's theoretical essay, in Chapter 10, offers some fresh thoughts on how police and society could be reconciled. The bureaucratization of policing led historically to a transformation of people's problems into a universal administrative/legal language where the original individual meaning or intention of those who resorted to the police is often lost. Based on anthropological accounts of people calling the police, Wong doubts that the influential view of Egon Bittner (1970) of the role of the police as defined by their potential use of force is on target. Rather, he argues, police is seen as an agent in a position of authority to legitimate the "point of view" of the caller. A citizen-centered theory of the police would stage the police as a legitimizing resource of the people to solve their problems or conflicts. This might or might not involve the use of force. The author acknowledges the breakthrough of Goldstein who invited noncore classical activities into the police institution and repositioned police officers as problem solvers. However, Wong goes much farther and, indeed, turns Goldstein's theory on its head. While Goldstein maintains that problem solving is a strategy that would help the police in becoming a more efficient organization, Wong argues that solving the problems of the people is not a strategy, but the core mission of the police as a resource to the citizen.

Wong's pertinence might be illustrated by using opportunistically a case discussed by Mouhanna in Chapter 5 on France. Mouhanna reports on an incident involving guests in a Paris restaurant terrace calling the police to stop a young crowd from playing football next to them. To their surprise, the police arrested the youngsters rather than, simply, issuing a warning. Police

had been called upon not for coercion, but for legitimating the point of view of the guests. This episode was followed by an altercation between the police and the guests infuriated by the disproportionate display of force.

The Lack of a Community-Policing Paradigm as a Handicap

There is no doubt that the ambiguity of community policing and the lack of consensus over the role of communities have been a handicap for the diffusion of the concept and, in some cases, a factor explaining its extinction. Smeets and Tange's contribution in Chapter 6 shows that the reform of the police in Belgium preceded the official formulation of a community policing doctrine. Key reform decisions, therefore, remained imprisoned in a classic view, which stages the police in the role of authority involving the potential use of force. Those activities, which did not imply a potential use of force (neighborhood policing, problem-solving activities), were discarded as non-essential and transferred to nonpolice services. What was pushed outside the field of police, in fact, was essential to community policing. Should community policing have been theorized better and earlier in Belgium, this might not have happened.

In the already much discussed case of South Africa in this introduction, the conflict and confusion over the concept led to the disaffection of community forums by frustrated communities. With this retreat of communities, the doctrine of community policing lost its substance and ended up being an empty shell. Officially, as discussed by Minnaar in Chapter 2, community policing was never abandoned in South Africa; in reality, there is not even a vestige of this doctrine in the current policing approach in the country (see also Burger, 2006).

Several contributions in this volume have identified internal organizational competition between police services or external competition with other security providers as a key element explaining the early stages of a community policing reform. Community policing, it is shown, has been historically promoted by national police agencies, sometimes even military-status police (gendarmerie), as a means to counteract the emergence of stronger municipal police forces (Belgium) or as a strategy to preempt the communalization of police (France). Auxiliary police (community support officers) were created in the United Kingdom to counteract the growing private policing industry (Kempa & Johnston, 2005).* However, in most instances, the threat proved short-lived. Municipal police—when they are allowed to grow—are often too small and lack the resources to innovate, experiment, and theorize. Given the

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* Kempa and Johnston (2005).

lack of a preexisting coherent and robust community policing model, small municipal police forces have proven unable to innovate and to become the avant-garde of the community policing movement. These municipal police, as private security companies, aspire generally to resemble the national police and are readily keen to accept classical policing as the ultimate model.

Intermediaries and the State

Community policing is, in a sense, the story of the return of the subject (the citizen) in the constitution of policing. It is a bold attempt to socialize the state or, as such, it is more likely to be successful in some states than in others. In the French, strong state philosophy, and social characteristics, such as religion, gender, race or ethnicity, are discarded as anachronic remnants of ancient regimes and not allowed to disturb the direct and face-to-face relationship between the state and each individual citizen. To socialize this relationship implies the introduction of inequality, privileges, and distinctions. Mouhanna (Chapter 5) argues convincingly that this overall state philosophy has precluded a significant development of the community policing doctrine in the French police.

While community policing is essentially foreign to the French state, it seems burgeoning in the United Kingdom, the United States, and the Netherlands, where communities are legitimate parts of the state. Arendt Lijphard (1980, 1984) coined the term *sociological federalism* to describe a type of state, which not only recognizes social groups' legal existence, but also decentralizes policy decision-making or implementation to social groups rather than territories. In most of the twentieth century, the so-called "pillars" (socialists, secularists, and Christians) in the Netherlands have run their own state-sponsored schools, media, and insurance and pension systems. Sociological federalism, funded in communities, creates the legal constitutional space for community policing to flourish.

Federal (territorial) states might practice community policing more like the bourgeois gentlemen of Molière, who spoke in prose without being aware of it. They may be practicing community policing unintentionally. Federal Switzerland, Belgium, Germany, and the United States have a plethora of local police forces and the politics of the police is mostly decided at the local level. Some federal states are further decentralized and, as in a number of Swiss cantons and the United States, the police system is fragmented into a mosaic of municipal police forces. In Belgium, police districts are composed of one or an association of municipalities: the so-called ZIP or interpolice zones. All these police forces are inserted into a local system of governance with municipal authorities defining police priorities at the local level.

Not surprisingly, reformers in Belgium have designated these municipal police forces as the substratum of the new community policing philosophy while, as they understood, the federal police would have to concentrate on specialized and professional policing functions. Local municipal authorities and the police force they control are an interface between the national state and citizen allowing the politics of the police to be defined locally. The degree of autonomy of local police forces varies depending on the type of federal state. While in Belgium or in Germany, the federal level often defines the standards of policing countrywide, these standards are entirely defined at the local level in Switzerland with minimal or no influence from the federal level.

Political modernization is associated with the loss of political power of intermediaries and, often, the elimination of the latter by the rising state. In India, as shown by Vincentnathan and Vincentnathan (Chapter 11), political modernization is closely linked to social change and what the authors call "social modernization." Social modernization is defined as the advent of new egalitarian values (rejecting castes, classes, and social markers) in society—a phenomenon calling for political modernization and new governance structures. The traditional courts system, whose function was to reproduce an ancient and consensual order, lost its capacity to solve conflicts. With the growth of egalitarian values, traditional courts progressively disappeared in contemporary India. This process has left individuals directly facing a state under construction, still poorly institutionalized, and not necessarily able to respond unequivocally to new claims from society. While a layer of intermediaries disintegrated, the modern state had not gained the full authority, coherence, and legitimacy necessary to absorb social change. In an open attempt to fill the vacuum, the state has resorted to "pseudo" *panchayats* (traditional courts and ordering mechanism) taking the form of "friends of police" committees which, in the last analysis, proved to function more as information agents and early warning committees than as problem-solving and social control actors for their communities.

While the disintegration of the intermediary layer of the *panchayats* is a consequence of social modernization and, if we want, a bottom-up process, political modernization can take place too soon, be too ideological, precede social change, and provoke disorders. In Western Sudan, for instance, the poorly institutionalized and highly under-resourced central state removed traditional power structures during the Numeri era in the 1970s, but proved unable to replace them with functioning modern state institutions. This process created a vacuum of power. Bureaucrats did not replace traditional leaders. Informal or traditional institutions were not replaced by formal institutions. In a context of growing desertification, underdevelopment, marginalization, and changing patterns in the economy, groups' competition in Darfur increasingly took a violent turn in the vacuum of governance that had been created (Flint & de Waal, 2006).

Tanzania and Nigeria—to take two examples from the book—have tried to revive or create new intermediaries. Heald (2007) shows how villages in Tanzania and the Kuria region in Kenya, facing a surge of insecurity, organized themselves and took policing in their own hands. There is often a combination of the old and the new in the organizations created in these circumstances. Traditional leaders may play a role, but the initiative can also be taken by "new men." The Tanzanian *sungusungu* and its equivalent in Kenya are cases of production of new social intermediaries that have the trust of the communities and appear to be highly efficient in restoring security.

The Bakassi Boys in Nigeria and the Pagad in South Africa are new social movement organizations that have even less to do with traditional leaders than the *sungusungu* in Kenya and Tanzania. In short, they are the products of modern civil society rather than emanations of traditional society. The Bakassi Boys, for instance, were originally associated with traders' associations organizing themselves against violent theft and growing insecurity in market places. The tradition of self-policing predating colonization and promoted under the native administration in British colonies may play a role in the contemporary development of many of these movements in Africa, but more as a resource than a cause.[*] The Nigerian Bakassi Boys and similar formations should be conceptualized as social movement organizations (CSOs) responding rationally to a situation of insecurity and a vacuum of policing rather than as traditional organizations anchored in a premodern world.

Institutionalization of Informal Policing: Defining the Frontier

The frontier of competencies that separates policing intermediaries from the national police is constantly moving and the status of the intermediaries is often precarious. In highly decentralized Switzerland, the reforms of the past decade have resulted in successfully disbanding many municipal forces or reducing their competencies.[†] In highly centralized France, the trend is the reverse: municipal forces have grown significantly in the past 10 years and their claims for more policing competencies have been more vocal every year.

Recognition by the state is critical for informal policing, as the state is not likely to welcome the phenomenon and the police consider informal

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[*] *Cf.* the concept of "frame resonance" of David Snow and Robert Benford (1988) discussed in the context of informal policing by Wisler and Onwudiwe (2008).

[†] In Zurich, for instance, the criminal municipal police was recently merged with the cantonal police; in the canton of Berne, municipal police were disbanded in exchange of the police to decentralize its services in four regions of the canton; in Vaud, the canton seems to progressively absorb municipal police.

policing groups as illegal competitors. Members of these groups might be prosecuted if something goes wrong. In the longer run, informal policing groups might lose steam if some retribution does not acknowledge the security services they provide to their communities. Some level of institutionalization might be sought and wished from both ends. When this happens, the frontier between the central state and society is redesigned.

Ideally, the institutionalization of the informal may take place in a process of decentralization. In Nigeria, decentralization is one of the main demands from states' governors who maintain local police forces without having the constitutional basis to do so. The advantage of decentralization is that policing is inserted in a readily available, functioning, and modern governance structure. This, we would say, is a top-down response to the question of institutionalization of informal policing. There are, however, other ways to harness informal policing into the rule of law framework. One may think of laws formalizing mechanisms of accountability as this is done, for instance, for the private security industry. This is the path that Tanzania has chosen to follow and it certainly provides for an alternative model to rule the informal. Traditional mechanisms of governance can be strengthened by the legislative framework and this path, we would argue, corresponds better to the bottom-up approach of informal policing. Finally, at the far end of the options, informal policing can be inserted in a framework of a legal pluralism as discussed by Heald for the second generation of the *sungusungu* movement (Chapter 3).

South Africa is a case of "state resilience" to informal policing even though the South African state's response to informal policing is rather selective, oscillating between repression and toleration depending on the group level of violence (Minnaar, 2001). While informal policing is strongly opposed by the police and academics, its survival in South Africa is largely due to a receptive African National Congress (ANC) party. More than anywhere else, informal policing in South Africa is linked to class issues and a high segmentation of society. Responding to insecurity, richer, often white, communities hire private security companies or sponsor the police in their neighborhoods (funding a police station, for instance), while the poor black neighborhoods resort to informal policing. Informal policing has tradition in South Africa, as black townships were systematically underpoliced during apartheid and people resorted to self-policing (Chabedi, 2005; Nina 2000).

Standing between the two opposite ends—institutionalization and repression—an informal *modus vivendi* is a third option. Heald (2007) shows that informal policing faces a rather tolerant state in parts of Kenya; at the beginning of the 2000s, the leaders of the *sungusungu* movement in the Mara region were able to reach an informal agreement with regional authorities that stated that thieves arrested by members of the *sungusungu* would be handed over to the police for prosecution. The *modus vivendi* helped to stabilize the situation

of informal policing which, however, as in the early days in Tanzania, remains in a precarious equilibrium state. Institutionalization and, to a lesser extent, the *modus vivendi* option are platforms for negotiation with policing groups to eliminate the most controversial aspects of their practices.

The "grey" area in which informal groups can be maintained is not without danger for them. Meagher (2006) has discussed one case of instrumentalization by the political authorities. The Nigerian Bakassi Boys movement, she argues, was manipulated for political purposes. In exchange for toleration, the informal group was hijacked to fulfill the personal political ambitions of the state governor. Once this happened, the Bakassi Boys degenerated into a militia-type of movement and was even involved in political assassinations. Discussing the Kenyan case, in Chapter 3, Heald (2007) asserts that the *sungusungu* movement in the Mara region showed little interest in entering into negotiation with state authorities precisely to avoid any instrumentalization of their movement by the state.

The Risks of Informal Policing

Informal policing is believed to carry many risks. Researchers, the international community, public opinion, and leaders are divided when facing the reality of informal policing. South African criminologists are almost unanimous in denouncing informal policing as a threat to the rule of law, while Nigerian criminologists provide much more positive accounts of the phenomenon. Anthropologists are also less concerned with what is described as unacceptable by criminal justice researchers. Human rights advocates usually denounce the abuses of informal policing while development agencies start considering informal policing as an option. A 2004 United Nations Development Program report emphasized that people in Africa are more likely to resort to customary justice institutions than modern state formal courts (United Nations Development Program, 2004) and acknowledged the importance of traditional justice mechanisms in producing order and stability.[*]

The main issues at stake in this dispute are governance, rule of law, and human rights. Informal policing, argue the critics, moves essentially outside the framework of the rule of law and, often, is brutal, excessive, and fundamentally ignorant about basic human rights. Informal policing is associated with images of angry crowds beating to death suspects, summary executions, and all kind of human rights abuses and horrifying practices of "jungle justice." *Vigilantism* is the favorite term to depict these practices. Interestingly enough, the same criminologists who are appalled

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[*] See also United Nations Habitat's positive account of the *Sungusungu* movement in Tanzania (United Nations-Habitat, 2000).

by informal policing are far less critical of private policing. Private policing is viewed as more orderly, legitimate, and easily regulated by law. While they see private policing as one key element of *nodal policing* (a term coined by Clifford Shearing (1997) underlining the fact that policing has ceased or should cease to be the monopoly of the police according to neoliberal views), they do not seem to acknowledge informal policing reemergence in societies as a rational response to insecurity problems by poor or traditional communities.

Another risk often associated with informal policing is radicalization. Radicalization can occur if the state represses informal policing. Terrorism, for instance, seems to have been the answer of the Pagad movement in South Africa (Dixon & Johns, 2001; Minnaar, 2001). Social movement researchers have amply discussed the relationship between repression and social movement violence finding that the relationship is curvilinear (see, for instance, Tilly, 1978).

Anthropologists have provided more positive and reassuring accounts of informal policing. The notion that informal policing occurs outside of governance structures can be disputed based on ethnological accounts of informal policing. In the cases discussed by Heald in Tanzania (Chapter 3) or in Kenya (2007) or the Igbo case in Nigeria as discussed by Okerafoezeke (2006), informal policing is well anchored in community-based governance structures. The *Iritongo* in Tanzania and Kenya is a general assembly of the village that gathers generally in times of crisis and function as village court for serious criminal cases. It is the *Iritongo* who decided the creation and control of the *sungusungu* in Kenya by, for instance, electing its "managing" committee. In India, village courts or *panchayats* were well anchored in cast-based society. Vincentnathan and Vincentnathan (Chapter 11) show how judgments are passed in the *panchayats* based on consensus in popular assemblies that are not dissimilar to the town meetings of the early days in America, the conseil général in Swiss cities, or the landsgemeinde of Alpine Swiss cantons (Wisler, 2008). Dramatic media images of angry and uncontrollable crowds contrast with the direct democratic nature of the Indian *panchayats* or the Kenyan *Iritongo*.

The account of Heald (2007) provides evidence that information gathering techniques employed by the *sungusungu* in the Kuria region of Kenya are poorly compatible with human rights standards: beating the suspect for extorting confession from him is a "normal" practice in the examples she provides. Heald notes *en passant* that excesses of informal policing have little to envy to the practices of the national police in Kenya who use the same means to extort confessions from suspects. Confession-based evidence methods—a widely spread practice in statutory policing around the globe—is known to entail the risks of abuses that only the development of a forensic science investigation is likely to reduce significantly. Punishment decided during the

Iritongo ranges from fine, restitution, banning, and, for thieves, *legeza*, which means locking the ankles of the thief so that he cannot run again. In the *Igbo* tradition in Nigeria, shaming and banning are regular practices to enforce traditional justice.

Importation of Models

If the type of policing mirrors the development and features of the state, importation in dissimilar state contexts might simply result in failure. As discussed earlier, even within the set of democracies, community policing does not seem to travel well from one state to another. The ambiguity of the community policing rhetoric and the lack of a coherent paradigm per se are, as Smeets and Tange rightly assert in Chapter 6, a handicap. But, more fundamentally, strong states, such as France, remain constitutionally impermeable to community policing while other states, such as federal states, are institutionally much more receptive to the doctrine.

The question of importation takes a new interesting twist with the emerging global doctrine of community policing as an essential component of democratic policing, a view carried out by development agencies and United Nations police missions when addressing the issue of restructuring police forces in transition and postconflict countries. This view has become even more important as United Nations missions are increasingly involved in "restructuring" police forces as per Security Council resolutions, and community policing is one key pillar of these reforms.

Minnaar in Chapter 2 shows that while community policing might have had a few advocates within the South African police at the beginning, the reform was driven mainly by outside democratic political forces importing Western ideas. In the case of South America, Frühling (Chapter 12) shows that the international community has played an important role in funding community policing pilot schemes. When external funding stopped, projects were often discontinued. One of the constraints faced by reformers in most importing countries has been the internal resistance found in the police organizations themselves. Frühling underlines that, in Latin America, lower rank officers have been less favorable to community policing than higher ranks, while, in South Africa, community policing has been viewed at best as a "necessary evil" (Minnaar, Chapter 2) and, more generally, as a failure by police management (see Burger, 2007).

Given the fundamental ambiguity of the rhetoric, community policing might be understood very differently and in irreconcilable ways by the various groups who promote the reform. The South African national police viewed community forums as a tool for intelligence gathering, while black neighborhoods hoped to gain through them a better control of the services

delivered to them. Similarly, in India, "friends of police" committees have been established to provide the "modern" police with information on local developments while *panchayat* were reproducing a social order when it was consensual. The "friends of police" concept resulted in the creation of schools in Iraq and, in the summer of 2008, the city of Basra created, under the community-policing banner, its first "friends of police" committee, which was made up of personalities of the city. The committees—composed only by "friends"—are of delicate use and it remains to be seen whether they will be used as intelligence-gathering tools, instruments for mobilizing social support for the police, or tools for a better control of policing by communities in the neighborhoods. There is a high risk of misusing community forums for mobilizing society to become friends of the state rather than having the police become friends of the people. In deeply divided societies, community policing is a difficult thing to put in place. A key reason why Mozambique resisted efforts by the British to import community policing in the 1990s was the fear that community forums could be manipulated for partisan reasons. The government believed that the development of a professional police following the "classical" model of policing was necessary to avoid claims that, by being too close to the public, the police would follow partisan lines.[*]

Importation of community policing Western-style might fail for structural reasons or, in other words, for reasons that are not easily "fixable." Corrupt police officers will never be good community policing officers. When the state is distant, under-resourced, weak, corrupt, or partisan, police are likely to be a poor performer and the relationship with communities will be inherently irreconcilable with community policing. As a matter of fact, public opinion surveys usually identify police as one of the most vulnerable institutions to corruption in almost any state. In under-resourced states, corruption is rampant. In repressive states, police are used as an instrument of the state, not a service to the communities. What has been sometimes described as substitutes for community policing—auxiliary police in Uganda, Sudan, and many other states—are, in fact, tools of the state to better control society. The *shurta shabia* (or popular police: a voluntary local popular police force) in Sudan is more a militia serving the government than a resource to the communities (Salmon, 2007).

Suzette Heald is a pioneer in her claim that informal policing is superior to any top-down and state-initiated community policing projects in corrupt states: they have popular support, are inserted into local governance structures, and are more efficient than the statutory police. Because of the unfixable nature of the state, the importation of community policing top-down as promoted by the international community

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[*] Observations collected in 2002 during a field mission in Mozambique by Dominique Wisler.

today is due to fail in these states. The strength of the *sungusungu* lies in the fact that thieves are sentenced by the community, whereas, in the past, "they were obliged to hand them over to the police and courts for sentencing, inviting the usual response, with the thieves simply bribing their way out. On their return to the community, they were once again in a position to terrorize, most especially those who had been brave enough to mount an accusation" (Heald, Chapter 3). Her claim is a strong call for a profound revision of the development agencies' agenda in the internal security sector.

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