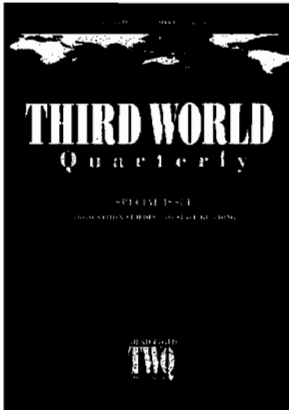


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Transnational Police Building: critical lessons from Timor-Leste and Solomon Islands

ANDREW GOLDSMITH & SINCLAIR DINNEN

ABSTRACT In this paper we begin by defining and examining the concept of police building. Its historical precedents and contemporary forms are briefly reviewed, showing a variety of motives and agendas for this kind of institution building. We argue that police building has been a relatively neglected dimension of nation- and state-building exercises, despite its importance to functions of pacification and restoration of law and order. The emerging literature on international police-reform and capacity building tends to adopt a narrow institutionalist and universalistic approach that does not take sufficient account of the politics of police building. This politics is multilayered and varies from the formal to the informal. Using two case studies focusing on events in 2006 in Timor-Leste and Solomon Islands, the reasons for the fragility of many current police-building projects are considered. In both cases, we argue, police capacity builders paid insufficient attention to the political architecture and milieu of public safety.

Transnational police building is taking place around the world on an increasing scale (Goldsmith & Sheptycki, 2007; Bayley, 2006; Jones *et al.*, 2005; Marenin, 2005). It can be observed in more places, involving more police, in different capacities, than ever before (McFate & Jackson, 2006; Perito, 2004). Australia, which has had long involvement in this kind of activity, is developing its international police-building capacity on a number of fronts simultaneously. Surrounded by an expanding 'arc of instability', it has substantially increased its engagement in its immediate region with programmes in Solomon Islands, Papua New Guinea, Timor-Leste, Vanuatu, Samoa and Nauru. Having spent just AU\$30 million on policing, law and justice programmes in the Southwest Pacific in 2002–03, the Australian government had increased this to \$119 million in 2004–05.¹ This is despite a lack of know-how about how such capacity-building activities should proceed. And, as we shall detail below, despite some technical

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advances, not all is going well. The politics of police building is under strain in both Timor-Leste and Solomon Islands. Such stressful moments, we argue, provide a valuable analytical opportunity to examine police building in greater depth. 'When political systems are placed under severe strain, we can see much more clearly what they are made of and what they are capable of' (MacIntyre, 2003: 53).

International police-building programmes cover a wide range of activities. Most instances are part of larger state-building exercises in fragile or post-conflict states. The objectives can vary from humanitarian to strategic and operational, and are reflected in the diversity of approaches to police building. More will be said shortly about the various pretexts for police building. However, against the background of burgeoning and diverse police-building activity, we want to ask a simple question: are such ventures as presently conceived and implemented worthwhile? While perhaps a heretical question to 'true believers', the demonstrated results of transnational police building (hereafter, police building) in recent years are decidedly mixed at best (Donais, 2005; Hood, 2006; Clegg *et al*, 2000). It is thus important to examine the rationale, form and practical outcomes of different police-building practices.

In particular, we propose to look at some of the obstacles to successful implementation of police-building programmes. We do this through an analysis of recent developments in Timor-Leste (or East Timor as it used to be known) and Solomon Islands. Despite Australia's major role in assisting local police, since April 2006 there has been significant civil strife, public order breakdown and political turmoil in both countries. These events provide reason to reassess the adequacy of externally led efforts to 'build police forces'. Moreover, they cast doubt upon the efficacy of current institutional 'lessons learned' approaches popular among donor governments and agencies. These case studies are used to advance our key thesis: most police-building exercises flounder or fail because of their narrow technical focus and of an inadequate understanding of the environmental and political contexts in which they occur.

We suggest that the analytical and practical failings occur at three levels: local, regional and international. While international police-building literature has increasingly made reference to the importance of local context and the political character of policing (eg Marenin, 2005; Bayley, 2006), detailed analyses of the specific settings in which the politics of police-building are revealed remain few in number. Furthermore, police-building has long been shaped by regional and international agendas around crime and security issues (Goldsmith & Sheptycki, 2007). The two case studies chosen here illustrate the operation of the three levels. They also point to the informal nature of political authority relations in many non-Western societies and how these affect the goals, tasks and achievements of police building. While their presence can readily appear as 'weakness' or 'fragility' from a state-centric governance perspective (Chandler, 2006), the 'pathologisation' of these contexts as part of Western state-building agendas can seem threatening or offensive from a local perspective. Few of the 'lessons learned'

approaches emerging in police building engage sufficiently in the multiple contexts that critically affect the 'success' or 'failure' of external police building.

This paper is divided into four sections. In the next section we define the key conceptual issues, and locate police building with respect to wider activities of state building and peace building. We also outline the key features of police-building perspectives as reflected in the 'lessons learned' literature. The third looks at police building in Timor-Leste. It provides an example of a United Nations peacekeeping mission that evolved into a longer-term police-building programme involving a number of bilateral donors as well as the UN. The fourth section examines Solomon Islands, where Australia leads a regional police-led mission to restore security and rebuild a functioning state in the aftermath of internal conflict. Finally, we summarise the principal shortcomings of police-building efforts and suggest ways of deepening the analysis needed if operations of this kind are to succeed or, at the very least, avoid doing harm (Anderson 1999).

Understanding transnational police building

Definitions

We use the term 'transnational police building' to refer to a range of internationally assisted police-related activities in post-conflict, fragile and so-called 'failed' states. The latter classifications are by no means precise and their application is often highly contested. Police-building activities include:

- reconstruction, strengthening or reform of police forces where the local police suffer major capacity deficiencies (typically through development assistance to 'weak' states (Goldsmith, 2003);
- peacekeeping activities (the monitoring of peace agreements in post-conflict situations);
- providing advice to local police where they already exist;
- executive policing (taking over the day-to-day policing responsibility where there is no effective or acceptable local capacity);
- construction of police forces from the ground up (where total regime collapse follows internal conflict).

Our use of the term is broader than, for example, Peake and Brown's (2005), for whom it represents 'reforming and rebuilding a police system' (2005: 520), or Bayley's, for whom it refers to 'police reconstruction and reform' (2006: 11). One problem with these narrower formulations is that the settings in which external police building is attempted vary enormously. Police assistance also varies across national and regional contexts and over time, as well as often undergoing significant change over the course of a single intervention. The shift from an operational policing role in peacekeeping operations to the advisory role adopted in capacity-building phases is the prime example of this latter kind. In some cases operational and advisory

roles are provided simultaneously or switch from one mode to the other according to changing circumstances. Our meaning includes the establishment of police forces from scratch (ie their construction), such as in (then) East Timor, where in 1999 the policing system established under Indonesian occupation had effectively ceased to exist. We also include substantial reconstruction, a term more apt in Solomon Islands, whose police had seriously fractured but not 'failed' as a result of a larger ethnic conflict. Our inclusion of peacekeeping within police building reflects the growing prominence of police within international peacekeeping operations as well as the significant level of modelling it has provided for longer-term capacity-building activities.²

We see a clear link here to current understandings of state building (Fukuyama, 2005) (or nation-building—Fukuyama, 2006)³ and peace building. Each term has an institution-building focus and, while analytically distinct, they can all be viewed as interrelated aspects of post-conflict reconstruction. Despite the fact that 'almost every post-conflict reconstruction during the previous decade and a half, from Panama to East Timor, has been characterized by the collapse of local police authority and the ensuing disorder' (Fukuyama, 2006: 11), these broader literatures have had little to say on policing. More generic recognition of the need for the 'establishment and safeguarding of a state monopoly of force' (Hopp & Kloke-Lesch, 2005: 7; Paris, 2004) has not yet matched the Brahimi Report's call for 'the modern role of civilian police in peace-building... to be better understood' (UN, 2000: 7). These cognate perspectives lead to the door of police building, but rarely enter.⁴ This deficit has not been assisted by the limited previous engagement of policing scholars with transnational, comparative and developmental issues (Goldsmith & Sheptycki, 2007; Ellison, 2007).

Police building in historical context

Police building in some forms has a long history. Its origins lie partly in colonial annexation and administration (Anderson & Killingray, 1992) and partly in inter-country technical assistance on narrowly focused security concerns (Goldsmith *et al.*, 2007). Its more recent manifestations commenced with donor-funded technical assistance provided to newly independent states in the second half of the 20th century (Nadelmann, 1993; Bayley, 2006). The colonial legacies of many police forces in the developing world have contributed in various ways to their current difficulties (Hills, 2000). Following independence, many developing countries of strategic importance to Western nations have received technical assistance, primarily through training, in areas such as criminal investigation and intelligence operations with mixed results.

Over time 'pull' and 'push' drivers have been apparent. Police professionalisation, as well as local law and order agendas, have created a demand for various kinds of capacity building domestically (Deflem, 2002). However, strategic considerations on the part of international donors ultimately determined the direction and shape of many of these exercises. The Cold War

played a critical part in fostering interactions of this kind (Huggins, 1998; Gill, 2004), a trend further accentuated during the 'war on drugs' in the 1990s and, most recently, in the post 9/11 'war on terror' (Andreas & Nadelmann 2006). Current concerns among Western powers with 'failed' and 'failing' states (Chesterman *et al*, 2005) has meant that, while once donor countries were troubled primarily by state political orientation, today they are as likely to be concerned about state political and economic viability. State building, in other words, has become a strategic response to security fears about transnational crime and terrorism. International development perspectives are also affected by the new strategic agenda, resulting in a progressive securitisation of development (Duffield, 2001; Chandler, 2006).

A highly diverse and dispersed pattern of police-building activity reflecting a range of agendas is the result. While police-building agendas have continued to be driven mainly by the strategic interests and priorities of donor states and of their own police forces rather than by those of their ostensible beneficiaries (Bayley, 2006: 47; Hills, 2006), the story of transnational police building is often more complex. Substantial engagements have often been precipitated by humanitarian responses to major internal crises, typically in the form of peace keeping. However, even well intentioned interventions do not ensure local-level acceptance; moreover, differences between local and international priorities can quickly emerge. Local communities did not readily embrace community policing in Timor-Leste, a society long accustomed to treating the police with deep suspicion (Chesterman, 2004). In the Pacific rudimentary concerns with interpersonal security are a far more pressing concern to indigenous communities than the transnational crime and security agendas of Western countries.⁵ These differences, which abound in police-building stories, are not yet adequately documented or understood. Nor are they sufficiently addressed in the current development and capacity-builder preoccupation with 'lessons learned'.

Limits of 'lessons learned' and institutionalism

It has been alleged recently that "[the dirty little secret of nation building is that *no one knows how to do it*" (Payne, 2006: 606). Certainly, as the record attests, even in the previously designated nation-building 'success stories' of Kosovo and East Timor (Jones *et al*, 2005: xv), many mistakes were made (Chesterman, 2004). The track record and knowledge about police building share many similar shortcomings with other aspects of nation-building. A lack of historical as well as contemporary understanding of reform settings is perhaps the primary shared deficit (Dodge, 2003). Recent lesson-drawing around police building (Marenin, 2005; Bayley, 2006; Mobekk, 2005), while suggestive and of some practical value in some contexts, needs to reflect more upon the fundamental rationale and priorities of police reform agendas in recipient countries. While institutions undoubtedly matter, they need not always come from the state. Nor can a donor commitment to a Western governance perspective substitute for deeper concerns over land, access to resources, and struggles over power and identity at the local level. The most

Local predicaments may suffer from, rather than benefit from, universal prescriptions and reform projects lacking context-sensitivity. Prescriptions such as that police should be accountable to law rather than governments (Bayley, 2006: 145) are unduly simplistic in their institutional and normative connotations, and may ride roughshod over local political and cultural understandings of political authority. As our case studies suggest, effective policing also requires the establishment of a political architecture of public safety, a complex of justice-oriented governance mechanisms that links policing agencies not just to prosecutors, courts and corrections, but also to the exercise of ministerial power and planning and control of resources by bureaucrats. Moreover, such an architecture also needs to connect to existing community resources and mechanisms that provide the most immediate and accessible source of safety and security for most citizens in predominantly rural and village-based societies such as those in Timor-Leste and Solomon Islands. These are crucial elements of effective police building, yet are often missing in the design and delivery. In furthering our analysis, we use the case studies to identify some significant dimensions of political and social context that can derail or frustrate external police-building projects.

Timor-Leste

After more than six years of multilateral and bilateral police building, during May 2006 the Policia Nacional Timor-Leste (PNTL) effectively imploded. A deteriorating internal dispute within the ranks of the Timor-Leste Defence Force (F-FDTL) in March had led to a series of political protests against the government in the last week of April. In these events police fired on crowds and a police officer was attacked and seriously injured. Tensions continued to mount in the following weeks, with growing divisions within the security forces. Several firefights and skirmishes occurred during May between the F-FDTL and irregular units of ex-military personnel, disaffected police and armed citizens, as well as between the F-FDTL and police. During this time, it has since become clear, the Minister of Interior and the Police Commander were engaged in irregular issue of police weaponry and uniforms to civilian groups (UN, 2006b: 60). Fearing for his life in a threatened F-FDTL attack, the Police Commander abandoned his post on 24 May, literally taking to the hills outside Dili. By this point PNTL had completely lost any senior command presence. The situation culminated on 25 May 2006 with a group of F-FDTL personnel shooting a group of unarmed PNTL officers near police headquarters in Dili, the national capital (Callinan, 2006). Nine police died either immediately or as a consequence of their injuries; more than 20 other police were injured, many of them seriously.

Since late 2006 the United Nations has been back in Timor-Leste, once again engaged in executive policing as well as capacity building (on the UN's earlier engagements, see Chesterman, 2004; Hood, 2006). Under Security Council resolution 1745, it is mandated to remain there until at least 26 February 2008. The fundamental problem, we will argue, was not that police capacity building *per se* failed. Ironically, not long beforehand, Timor-Leste

had been claimed as a 'success story' of modern state building (Jones *et al*, 2005; Chesterman, 2004). Rather, we suggest, a particularly narrow institutional approach to police building, one that in the past has focused on issues such as transferability of policing models and the problems associated with coordinating a multilateral exercise in this area (Chesterman, 2004; 2001; Hood, 2006), was inadequate in the circumstances. The current United Nations Integrated Mission in Timor-Leste (UNMIT), in our view, runs the real risk of reprising many of the shortcomings of earlier UN missions.

Before analysing the implications for police building, the recent events should be put in broader context. State building in East Timor (as it was known before independence in May 2002) began soon after the restoration of order following the withdrawal of Indonesia in September 1999. As well as providing transitional administration, including executive policing, the United Nations Transitional Administration for East Timor (UNTAET) had an explicit police-building mandate and mission from early 2000 onwards (Hasegawa, 2006 ; Mobekk, 2001). Police capacity-building programmes have also taken place more recently on a bilateral basis (Government of Timor-Leste, 2005). For example, Australia, with some funding support from the UK government, has established the Timor-Leste Police Development Program (TLPDP), a police capacity-building programme. It commenced in 2004 and was due to run for four years, but was suspended in May 2006 in response to the crisis. During mounting tensions in the early months of 2006 and with the gradual abandonment of their posts by many police, Australian police officers and private sector consultants continued to work with PNTL personnel on the TLPDP.

Despite six years under multilateral and bilateral supervision. Jose Ramos Horta (at that time Foreign Minister) could observe by June 2006:

The police are very factionalized with too many weapons, and more than 3000 police with so many areas of expertise, like the border police, the rapid response unit, the special force. I don't know how we managed to have all these different units for such a small nation. (SIIA, 2006)

The institutionalisation of divisions within the PNTL along special unit (border patrol, rapid response, reserve) lines had taken place with multilateral and bilateral support or acquiescence as well as at the behest of elements within the Timorese government. These special units very quickly became highly armed once the UN returned executive authority over policing to the Government of Timor-Leste in May 2004. These units became better armed than the military, contributing to inter- and intra-force rivalries. They were also particularly prone to ministerial intervention from mid-2004 onwards, mainly by Minister of Interior, Rogerio Lobato (UN, 2006b). Unchecked, ministerial malfeasance went from bad to worse. During May 2006, at the direction of the minister, weapons belonging to these units were distributed to two civilian groups, along with police uniforms. These groups were widely seen to be aligned with particular political factions supportive of

Prime Minister Alkatiri and Minister Lobato. These increasingly open and politically exploited divisions raised fears among serving police and the public. As police disappeared from the streets of Dili, general insecurity levels rose. Widespread looting and arson took place. A massive internal displacement of ordinary citizens resulted. An estimated 150 000 person left their homes, seeking safety, during these events.

Pursuant to Security Council resolution 1690, an inquiry was launched and the Secretary-General reported back in August (UN, 2006a). A UN Independent Special Commission of Inquiry reported two months later (UN, 2006b). The Secretary-General's report acknowledged the longstanding and deep-seated nature of many of the problems currently facing Timor-Leste. These included 'the failure of government to engage with the people, the unhealed wounds of the past and high youth unemployment' (UN, 2006a: 8) as well as 'poverty and its associated deprivations' (UN, 2006a: 9). However, crucially in our view for the future of police-building exercises, the report focused also upon failures of political leadership and oversight that have marred the performance of government ministries.

The report noted that 'the executive is also accused of politicizing or attempting to politicize the machinery of government, most notably the institutions at the core of the crisis, F-FDTL and PNTL, and the two ministries charged with their management and oversight, the Ministries of the Interior and Defence' (UN, 2006a: 9). This observation was subsequently confirmed as true in the later UN report (UN, 2006b). The implications are significant. In the case of the PNTL, the report noted that 'while real progress has been made in certain areas of Timorese policing capacity since 2002, particularly the operational policing aspects, the institutional framework of PNTL remains weak'. The Ministry of Interior is singled out for detailed criticism in this regard:

[The Ministry] not only neglected the institutional development of PNTL but failed to build the Ministry's own capacity, particularly in the areas of policy development, planning, budgetary development and legislative affairs, and regularly interfered in policing activities at all levels, including in police operations and personnel decisions. The Ministry often intervened arbitrarily in disciplinary, recruitment and promotion proceedings. The misuse of the promotion system has resulted in a top-heavy organization that lacks critical capacities at the middle and lower management levels (UN, 2006a: 18).

The UN report also was critical of the Ministry of Interior for its procurement of long arms for the police and for its failure to manage their secure storage and distribution. The creation of special units had affected other areas by reducing the 'allocation of much-needed resources to support general and community-oriented policing' (UN, 2006: 18). In terms of donor responsibility for the crisis, the Secretary-General's report noted that, while assistance had been substantial, 'it was insufficiently coordinated and not tailored to adequately support its institutional development in the longer term'. The overall UN finding was one of governance failure. Key to turning

Overcoming this through more extensive and effective capacity building in the ministry and elsewhere in government, while difficult because of its direct threat to past and present political habits of office, will be necessary. In order to achieve this, a better understanding of what went wrong in earlier capacity-building exercises in these areas is required. A broader engagement in security sector reform, addressing the roles and character of the military as well as the police, is widely recognised as required, yet there have been few signs of progress on this topic nearly a year after the crisis.

Third, there is the interstate or international level of political governance, occupied by multilateral organisations (principally the UN), as well as by countries with regional and/or bilateral interests such as Australia, Malaysia, Indonesia and Portugal. Differences between the positions taken by them on state-building partly reflect previous historical experiences, as well as current relationships and self-interest, actual and perceived (Grenfell, 2004). Such competing constituencies can cause confusion on the ground, provide local opportunities for manipulation of external donors and, as seen in this case in an area such as special units, even reinforce 'balkanisation' within an ostensibly unitary organisation such as the PNTL. Overall, it is difficult to avoid the conclusion that these different political arenas have not been well understood previously by police builders in East Timor. Here the UN needs to take clearer responsibility for previous shortcomings, setting the scene for future improvement in its own conduct in Timor-Leste. Political governance matters, as the UN reports imply, require a fundamental reorientation of capacity building so as to reduce the risk that governance, rather than technical assistance, shortcomings do not once again bring Timor-Leste's police to its knees and leave its people vulnerable to attack and loss of life and property.

Solomon Islands

The second case study also presents an example of police building that followed on the heels of a humanitarian peacekeeping intervention. However, as in Timor-Leste, it would appear a point is quickly reached after the restoration of basic order when the continued external presence in the capacity-building phase begins to register in the local political situation in varied, and often unmanageable, ways. It is with the return of relative calm that contestations over the form and direction of state building and its police-building component emerge locally, even to the extent of threatening the entire enterprise itself.

The Australian-led Regional Assistance Mission to Solomon Islands (RAMSI) was deployed in mid-2003 in response to a request from the Solomon Islands government. Over the preceding five years, the small Pacific island nation had experienced a progressively debilitating internal crisis. What began as ethnic 'tensions' and skirmishes between armed militias from the two main islands of Guadalcanal and Malaita culminated in the effective capture and ransacking of the Solomon Islands' state by an assortment of corrupt leaders, ex-militia and renegade police officers (Fraenkel, 2004).

The Royal Solomon Islands Police (RSIP) fractured along ethnic lines and rogue elements committed serious offences, including raiding the national armoury and participating in a *de facto* coup in June 2000 (Dinnen, 2002). Despite attempts to facilitate a peace and restoration process, it was evident by early 2003 that the beleaguered and deeply compromised government led by Sir Allen Kemakeza was incapable on its own of reversing the situation.⁹

While Australia assumed the dominant role, the intervention was undertaken as a regional mission and mobilised under the auspices of the Pacific Islands Forum, the premier regional grouping of Pacific island countries (including Australia and New Zealand). Backed by a substantial military presence, RAMSI was a police-led operation comprising a Participating Police Force (PPF) of some 330 personnel drawn mainly from the Australian Federal Police (AFP) but including smaller contingents from Australian state forces, New Zealand and other Forum member states.¹⁰ Initially deployed in an operational capacity, the PPF has gradually switched into an advisory and capacity-building role, although still active in key operational areas such as investigations. Security was restored quickly in the capital, Honiara, a police presence was extended to other parts of the country, key militia leaders were arrested, and many weapons were removed from the community. Over 160 police officers were arrested and charged, including two Deputy Commissioners, and around 25% of the workforce was removed. The current and most challenging phase aims to build self-reliance on the part of the RSIP with a focus on training and capacity building.

RAMSI's early success earned high praise (Fullilove, 2006) and it was commended as a model for future deployments. However, these assessments proved premature after serious disturbances in Honiara in April 2006 and a subsequent deterioration in relations between Australia and Solomon Islands following a change of government. The announcement of Snyder Rini—who had been deputy prime minister in the outgoing Kemakeza government—as prime minister-elect on 18 April 2006 angered many Solomon Islanders anticipating a clean break from the corrupt and dysfunctional politics of recent years. Two days of rioting and opportunistic looting injured around 50 police and caused extensive damage to Chinatown, Honiara's commercial centre (Hawes, 2006).

Local and RAMSI police were caught off guard and overseas reinforcements were required. Former senior officers disputed claims by the Australian Commissioner of the RSIP that there had been no prior intelligence indicating potential trouble.¹¹ The Speaker of Parliament accused Australian police of over-reacting by using tear gas. Others viewed the severity of the disturbances and lack of police preparedness as evidence of more fundamental shortcomings in the regional mission.

These events highlighted the fragility of the post-conflict peace and reconstruction process, as well as the difficulties of operating in a volatile and unfamiliar local setting. They also tarnished the aura of inviolability associated with RAMSI's early achievements (Allen, 2006). The unimpeded ransacking of a large part of the capital cast doubt upon the effectiveness of the police-building exercise. Suspicions of deliberate attempts to manipulate

to pursue the more powerful figures—the so-called ‘big-fish’—suspected by many Solomon Islanders of having manipulated the ‘tensions’ for their own political and material advantage. This sentiment contributed to the popular outrage following the announcement of the new prime minister-elect in April 2006. Snyder Rini and former prime minister Kemakeza were widely viewed as corrupt and discredited leaders.

The twin requirements of political stability and uniform law enforcement have entailed a difficult balancing act. Maintaining an appearance of political neutrality has also been a challenge given the fractious character of local politics and the dominant role of Australian personnel in critical decision making. The legal foundations of RAMSI require it to work closely with the incumbent government. Becoming tainted by association with an unpopular government and leaders remains an intrinsic risk.

Never having assumed sovereign powers and operating at the pleasure of the Solomon Islands’ government leaves the mission vulnerable to shifting local political allegiances (Wainwright, 2005: 5). Events since April 2006 demonstrate the extent of this vulnerability. The immediate political crisis following Rini’s naming as prime minister-elect dissipated after he failed to secure the necessary parliamentary majority and was replaced by Menassah Sogavare. While he was welcomed by many locals, RAMSI officials and the Australian government were less impressed.¹² Sogavare, a former prime minister, had repeatedly expressed reservations about the mission.

The advent of the Sogavare government was followed by a rapid deterioration in relations between Honiara and Canberra. In contrast to his predecessor, Sogavare adopted an openly combative approach in his dealings with the Australians, cloaking himself in the populist mantle of defender of Solomon Islands’ sovereignty. Shortly after being sworn in he caused shockwaves in Canberra by announcing that the two MPs charged with inciting the April riots were to become members of his new Cabinet, including one as police minister.

Sogavare’s proposal to revise aspects of the mission, including key areas of financial management, was also vigorously opposed by Australia and New Zealand. The Australian foreign minister asserted that the mission was an integrated package and could not be ‘cherry picked’ (Radio Australia Pacific Beat, 22 May 2006). Relations deteriorated further after Sogavare established a Commission of Inquiry to investigate the April disturbances. Among other things, the Commission was to examine the circumstances surrounding the detention of the two MPs to establish whether it ‘was reasonably justified and not politically motivated’.¹³ This was immediately criticised as an attempt to interfere with the judicial process. Critics suspected that Sogavare was trying to undermine the trial of his two political allies, while diverting blame for the disturbances onto the mission police.

Bilateral relations hit rock-bottom in early September when Sogavare accused Canberra of meddling in Solomon Islands politics and expelled the Australian High Commissioner. The next, and most bizarre, twist came when Sogavare announced he was replacing his Attorney General—a critic of the proposed inquiry—with a controversial Australian lawyer, Julian Moti.

Moti, an associate of Sogavare, had faced child sex charges in Vanuatu almost 10 years earlier, although the case against him never proceeded. Despite the time lapse, it was announced that the AFP wanted to question Moti regarding his earlier Vanuatu activities. While transiting through Port Moresby, Moti was arrested by Papua New Guinea (PNG) police at the request of Australian authorities who sought to extradite him to Australia to face child sex charges. Sogavare denounced Moti's arrest as a serious violation of Solomon Islands' sovereignty. Then Moti was surreptitiously flown in a PNG Defence Force aircraft to Solomon Islands, where he was arrested and charged with breaching immigration law. Australian ministers expressed outrage at the manner of Moti's 'escape' from PNG—directed in equal measure at both Solomon Islands' and PNG governments, whom Canberra believed had collaborated on this matter. Meanwhile Sogavare threatened to terminate Australia's participation in the mission if extradition proceedings against Moti proceeded.

RSIP investigations into how Moti got back into the country led to the arrest of the Solomon Islands minister of immigration. The government responded by threatening to cut the salary of the RSIP's Australian commissioner. Shortly after Sogavare left to attend an overseas meeting, police raided his office in respect of the same investigation, prompting angry protests from government leaders in Solomon Islands, PNG and Vanuatu. During his absence on leave, the Australian RSIP Commissioner was declared 'an undesirable immigrant' by the Solomon Islands government and subsequently barred from returning. In the meantime the diplomatic tussle between Canberra and Honiara over the control, direction and future of the regional mission continues. The present model of RAMSI, and particularly the PPF, working as advisors and mentors to the RSIP led by an Australian officer, has reinforced the perception, as well as the reality, within Solomon Islands and its neighbours that Australia is 'pulling the strings' when the RSIP takes action against political figures, including ministers, ostensibly on law enforcement grounds. In such circumstances, especially given past experience in such places, separating the 'technical' aspects of police building and rebuilding the rule of law from local perceptions of unacceptable external political interference becomes near-impossible.

Conclusions

In a recent speech Australian Federal Police Commissioner Mick Keelty conceded that the AFP finds itself increasingly operating in 'a foreign policy space'.¹⁴ This is a new role and one that confronts traditional notions of policing, as well as raising issues about established principles such as the separation of powers and impartial policing. Referring to the problems of corruption and poor governance in many of the countries where the AFP is deployed, Keelty spoke of the frustrations and challenges of establishing law and order in 'imperfectly governed democracies'. In such cases the assisting police are often forced by circumstances to work with governments and individuals who are either corrupt or involved in illegal or immoral activities.

One of the inherent risks, as pointed out earlier, is that the police get tainted by association and viewed as acting inadvertently or purposively to protect the interests of discredited individuals or governments. Solomon Islands provides the perfect example of 'the morally ambiguous' and 'politically challenging' environment that Commissioner Keelty refers to.

Transnational police building, as its very definition here has indicated, takes place in foreign policy spaces. The difference today, at least for a country such as Australia, is that there is far more of it going on, in many more varied ways, and much more publicly, than ever before. Its entry onto the stage of nation- and state-building has given it a scale, priority and prominence that not only test the capacities of donor governments and agencies to respond adequately and appropriately but also to draw it into much larger strategic policy environments at the international level, as well as enmeshing it in a wide variety of foreign domestic political settings for which it is typically poorly prepared. While domestically it has always been a mistake to pretend that policing can be a neutral, apolitical practice, at the international level to pretend similarly is an even grosser and more dangerous conceit. This is a point transnational police builders need to grasp urgently.

In contrast to much police building in the past, then, the first step, as Keelty's speech indicates, is to recognise the layered, highly political nature of the task. Indeed, as we have indicated, police building consists of a number of tasks, some of which are more explicitly political at the recipient country level than others. While the international community is getting much better at humanitarian-focused police-peacekeeping work, the more difficult job of building policing institutions and training personnel to work within them in foreign settings remains a long way behind in terms of the present abilities of Western nations to do it well. Certain areas, such as anti-corruption and the prosecution of senior political figures, present enormous challenges. One key difficulty is that public support for such actions locally can be fragile or non-existent. Local loyalties can readily outweigh abstract exhortations to prosecute corruption when allegedly corrupt leaders have longstanding relationships with their supporters, for whom notions of statehood, citizenship and the rule of law have little historical resonance. This analysis points to the fact that change will often not be possible quickly, and that a range of measures, including information provision and education, that go much wider than police-related issues, will be needed if the political context is to shift in ways more supportive of the ends of particular kinds of police building.

Having recognised the political character of police building, it can only proceed at all if it is characterised by: 1) learning about the foreign setting in considerable detail before active engagement, in part through consultation with local groups as well as through better utilisation of area expertise; 2) displaying a degree of reflexivity and humility about the objectives behind police building, and how these might be perceived and responded to locally; 3) adopting a methodology of practice that is flexible and adaptive to local circumstances, including the ability to defer to local knowledge and methods in developing appropriate measures; and 4) practising a kind of institutional

reform that is not limited to the short-term technical aspects of police service delivery, but rather is grounded in the broader set of political relations, informal as well as formal, that constitute the terrain of police building. In part, as both the Timor-Leste and Solomon Island studies have indicated, reform must be directed to the political structures that underpin policing. In addressing these structures effective reform will depend not just on a panoply of supporting oversight and auditing mechanisms, but also upon establishing connections to local sources of values and potential public legitimacy. Locating these, and integrating them successfully into police-building reforms, is a vital step in moving forward more effectively. This may require, at least temporarily, aiding and assisting a different set of policing priorities than might be preferred in the corridors of Canberra, Wellington, London or Washington.

Notes

This paper arises out of an Australian Research Council Project undertaken with the Australian Federal Police on Policing the Neighbourhood.

- 1 Aus AID (2005).
- 2 It also reflects the recent emergence of the concept of peace building to embrace peacekeeping along with the other aspects of what are sometimes called 'complex peace operations' (UN, 2000: 6; Cutillo, 2006; Cockayne & Malone, 2004).
- 3 The term 'nation building' is now commonly used with reference to post-conflict international interventions in fragile or failed states. However, the primary focus of such interventions is the rebuilding of state structures, including the police, rather than building a nation in the literal sense of nurturing a shared sense of identity among the citizens of a particular country.
- 4 As corroboration of this statement, readers are encouraged to consult the indexes and tables of contents of recent nation-building and state-building literature in order to see how much or how little discussion there is about civilian policing.
- 5 See Oxfam (2006).
- 6 For example, Jones *et al.* (2005) deal with 'establishing law and order after conflict'; Mobekk (2005) looks at UN-led policing missions, while Bayley (2006) is particularly interested in how the USA can promote the development of democratic policing abroad.
- 7 The kind of policing model transferred through such interventions tends to be a standardised version of that of the donor country, although it rarely reflects the more significant innovations (eg in areas of partnership policing, crime prevention and restorative justice) that have occurred in many developed countries.
- 8 Despite a significant international military and police presence since then, there are still clear signs that the chaos has not abated completely. The recent escape (described as a 'walk-out' in some reports) on 30 August 2006 by 57 prisoners (including the leader of the 'Petitioners') from the Dili Gaol, none of which (at the time of writing) had been recaptured, points to ongoing difficulties in the security situation.
- 9 Kemakeza had been sacked for alleged corruption when Deputy Prime Minister and Minister for National Unity Reconciliation and Peace in the previous government (Dinnen, 2002: 294).
- 10 The PPF includes contingents from Australia, New Zealand, Fiji, Cook Islands, Kiribati, Nauru, Papua New Guinea, Samoa, Tonga, Marshall Islands, Federated States of Micronesia, Palau, Tuvalu and Vanuatu.
- 11 Mike Wheatley (former assistant commissioner, RSIP), 'RAMSI Tuesday wasn't to do with intelligence failure', *New Matilda*, 24 May 2006, at <http://www.newmatilda.com>; and Frank Short (former commissioner, RSIP), 'Honiara riot warrants formal inquiry', *Pacific Islands Report*, 22 May 2006, at <http://archives.pireport.org/archive/2006/May/05-24-com.htm>.
- 12 A leaked email from a RAMSI official described the choice between Rini and Sogavare as prime minister as 'depressing'. A copy of the email ended up in the possession of Mr Sogavare and was a source of considerable embarrassment to RAMSI officials and the Australian government. It also described extensive behind-the-scenes lobbying against Rini by Patrick Cole, the Australian High Commissioner. See 'Leaked email shows hand of Canberra in Honiara', *The Age*, 1 May 2006, at <http://www.theage.com.au/news/national/leaked-email-shows-hand-of-canberra/2006/04/30>.

- 13 Solomon Islands government, 'Establishment of commission of inquiry into April civil unrest', press release, 13 July 2006.
- 14 Mick Keelty, 'Policing in a foreign policy space', address by the Federal Police Commissioner to the National Press Club, Canberra, 11 October 2006.

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