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DEMOCRATIC GOVERNANCE AND THE SECURITY SECTOR IN

Nicole Ball

A safe and secure environment for people, communities, and states is an essential condition for sustainable economic, political and social development, and conflict mitigation. The United Nations demonstrates the association between poor development outcomes and violent conflict in its Human Development Index, and identifies democratic governance, peace and personal security as essential ingredients for "human development in its fullest sense" (United Nations Development Programme 2002: 85). Participatory poverty assessments undertaken since the 1990s have consistently identified the lack of security as a major concern for poor people, including: (1) crime and violence, (2) civil conflict and war, (3) persecution by the police, and (4) lack of justice (Narayan *et al.* 2000; 155).

Politicized, badly managed, or ineffective security bodies and justice systems have often been a source of instability and insecurity, ranging from petty corruption to massive abuses of human rights and significant loss of life, livelihoods, and assets through violent conflict.¹ Across geographic regions, poor people complain that the police are unresponsive, corrupt, and brutal. Where the police *do* function, corrupt justice systems can significantly undermine their effectiveness. Inadequate and corrupt public security and justice systems have often led people to attempt to provide their own security. Private enterprises, wealthy citizens, and the international community are especially likely to purchase private protection. The poor are more likely to turn to "self-help" justice and security, including vigilantism.

Problems are not limited to the justice and public security sector, however. Throughout the world, armed forces are important political and economic actors and have engaged in violations of the rule of law. Rather than protecting people against external threats or internal rebellions, armed forces have protected repressive governments (including governments led by military officers). In some cases, they have even made common cause with rebels. The existence of unprofessional and unaccountable security services derives in large measure from the failure to develop effective democratic political systems. Without democratic checks and balances, security services can all too easily be used for partisan political purposes or can intervene directly in the political process. A lack of democratic accountability can also lead to the misallocation of resources within the security sector and the hollowing out of security services. In many countries, a sizeable portion of revenue accruing to the security services forces from both budgetary and non-budgetary sources is diverted to security groups or personnel, often working closely with civilian and political elites, for private consumption (Hendrickson and Ball 2002). This corrupt activity simultaneously enriches individuals associated with the security services and impoverishes the security services themselves, leading to low salaries for the rank-and-file, inadequate operations and maintenance, and inappropriate or nonfunctional equipment.

There is growing appreciation that democratic governance of the security sector is critical to achieving the safe and secure environment essential for sustainable development (United Nations Development Programme 2002; Brzoska 2003; Ball and Fayemi 2004; Organisation for Economic Co-operation and Development 2005). A lack of attention to democratic security sector governance leads to tolerance of politicized security forces, war as a means of resolving disputes, flagrant disregard for the rule of law by security forces and political elites, serious human-rights abuses, budget allocations skewed toward the security forces, and diminished capacity of the security forces to carry out their constitutionally mandated tasks of protecting people and communities.

Policies and approaches of security and development donors

Although the linkages between security and development have long been evident to many in non-OECD countries, as well as to some academics, policy analysts and even a few policy-makers in OECD countries and multilateral organizations, mainstream development thinking has until quite recently tended to discount the impact of varying degrees of insecurity on development outcomes. Nor has much attention been paid to the impact that the security actors in developing countries have on the capacity for political, social, or economic development. During the Cold War, the major powers in both East and West provided a substantial amount of technical, financial, and material support on concessional terms to security services in allied or friendly countries, especially the military. Most of this was delivered through the donors' security and foreign ministries by security institutions or contractors. The focus was on transferring skills or weapons and other security-related equipment. While development, conors sought actively to distance themselves from security-related issues, security donors paid scant attention to the quality of governance in the security sector.

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Starting in the early 1990s, the strategic priorities of the major powers began to change with the breakup of the Soviet Union and the shift toward political liberalization in Eastern Europe. This shift in priorities had a number of consequences in terms of the approaches to the security sector adopted by development donors.

First, there was a significant decrease both in the volume of security assistance and the number of recipients worldwide that contributed, in some cases, to the end of long-standing conflicts. This in turn provided opportunities to examine the full range of factors affecting political and economic development, to reform public institutions, and to change élite attitudes and behaviors in both the developing and transition countries.

Second, the breakup of the bipolar world also created space for issues such as governance, poverty reduction, and conflict prevention to enter the development and security assistance agendas of OECD countries.² This in turn enabled the development donors to begin to discuss the linkages between security and development and the appropriate role of development assistance in strengthening security in developing and transition countries, for some modification in security assistance policies, and the beginning of a dialogue between development and security donors. Perhaps most important, the end of the Cold War created space for a discussion of the quality of development, governance, and security among local actors in the non-OECD countries themselves and for the emergence of civil society organizations and coalitions that pressed for people-centered approaches to security and the application of democratic governance principles.

Democratic security-sector governance in conflict-affected countries

Attention to democratic security sector governance is particularly important in conflict-affected countries, which typically experience significant institutional weaknesses and suffer from "the enduring legacies of undemocratic politics" (Luckham 2003:14).³ Efforts to strengthen and restructure the state apparatus so that governments can fulfill roles critical to the efficient functioning of the economy and the political system are severely hampered by the political environment following violent conflict. That environment is characterized by a vigorous competition for power that often obscures the need to resolve critical national issues, by political leaders whose legitimacy is weak, by extreme polarization, and by a lack of consensus on the direction in which the country should move.

This situation is complicated by the low regard in which the state and political leaders from all parties and factions are often held. This disaffection derives both from past policies and behavior and from the human costs of the conflict. Conflict-affected countries generally have minimal experience of efficient, representative government. Political parties rarely offer distinct platforms or programs; serving instead as a mechanism for gaining control of the government to extract economic rents. The inability or unwillingness of political leaders to

focus on substance and their tendency to view events through the lens of power politics impede the development of a national consensus on goals and priorities.

Strengthening democratic governance of the security sector in post-conflict societies presents enormous challenges. However, some guidance is emerging. This chapter explains how strengthening democratic security sector governance can be incorporated into peace-building efforts. It situates democratic security sector governance in the broader context of establishing a peaceful, secure environment for post-conflict reconstruction. It then identifies local stakeholders who affect the quality of security sector governance (positively and negatively) and who should be involved in efforts to strengthen democratic security sector governance. It also identifies the external actors that can assist local stakeholders in strengthening security sector governance. The chapter then describes the democratic security sector governance agenda and proposes five guidelines for implementing this agenda that have emerged from experience with security sector reform. It concludes by suggesting a way forward for local actors and their external partners.

Democratic security sector governance as a key element of peace-building

Although "good governance" has increasingly been recognized as central to consolidating democracy and promoting good development outcomes, very little attention was given to democratic security sector governance until the late 1990s. Yet democratic security sector governance is crucial for the success of democratic consolidation, poverty reduction, and sustainable economic and social development. It is also essential for creating a safe and secure environment for the state and its entire population.

In principle, the state commands the monopoly over the legitimate use of force. Legitimate use of force requires a legitimate state. A legitimate state is characterized by transparency, trust of the government by the governed, and accountability. A central problem confronting countries that have experienced or are in danger of experiencing major political violence is precisely that the state has lost its legitimacy in the eyes of some portion of its population. Often the state security bodies have contributed to that loss of legitimacy by their inability to protect people from violence, through their role as perpetrators of that violence, or as defenders of an unjust, repressive, and corrupt political system. Once the state has lost its legitimacy, it also begins to lose its monopoly over the means of violence, in extreme cases such as Sierra Leone even facing the mutiny of its own security forces. When state control over the monopoly of violence declines significantly, the state risks decomposition, which only further fragments the sources of violence (Luckham 2003: 11). Countries where the state has lost its monopoly over the use of violence to varying degrees in recent years include Afghanistan, Burundi, Côte d'Ivoire, Democratic Republic of Congo, Liberia, Iraq, Sierra Leone, Somalia, and Sri Lanka.

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Eboe Hutchful and Robin Luckham have identified a number of challenges to civil-military relations and security sector reform following violent conflicts. These include:

- Deep physical, economic, psychological, and political scars that will take many decades to alter.
- Acceleration of decomposition and collapse of official military and security institutions.
- Establishment of covert links between official security services and paramilitaries and militias, which facilitates illegal, abusive activities that official services want to avoid.
- Difficulty in exerting democratic control over official security services when they have become factionalized and the troops cannot be controlled by their commanders.
- Complete lack of concept of democratic accountability among informal, illegal armed groups.
- Regionalization of conflicts, which complicates efforts to establish or maintain democratic accountability in one state alone (Hutchful and Luckham n.d.).

For these reasons, peace processes need to give attention both to re-creating a legitimate, as well as effective, state, and to developing democratic security sector governance. Peace processes, whether governed by peace agreements or not, generally do not give adequate attention to either objective. Peace agreements frequently contain requirements for changes in the security sector.⁴ Some of these activities have the potential to strengthen democratic governance of the security sector, such as redefining the doctrines and missions of security forces to include, among other things, the primacy of civil control or reforming military and police education systems to promote human rights protection, accountability to the civil authorities, producing legislation governing the security forces, and the like. However, major overhauls of democratic security sector governance occur extremely rarely in post-conflict environments.⁵ As recent experience in Afghanistan and Iraq demonstrates, most attention is focused on developing the operational capacity of security forces and the ministries charged with managing them, and on providing support for disarmament, demobilization, and reintegration programs.

In Afghanistan, the stated objective of security sector reform is to create effective and accountable security institutions. However, rebuilding the operational capacity of the army and the police service and creating special security units such as the counter-narcotics police have had far higher priority than creating the capacity for effective civil management and oversight of these bodies or ensuring that the security bodies, created are affordable (Miller and Pereito 2004; Sedra 2003, 2006). The Afghanistan Research and Evaluation Unit in Kabul noted in June 2004: Still largely unaddressed are critical issues of good governance and the institutionalisation of civilian control over the use of force, over state resources, and over the appointment of senior government officials, as well as strengthening of governmental and non-governmental oversight.... Without a sustained commitment to ensure that the law assumes a dominant role in restricting government and security-force behaviour, government security forces may become the core areas of insecurity for the Afghan public.

(Bhatia et al. 2004)

Eighteen months later at the time of writing, the situation was little changed (Sedra 2006).

In many respects, one would not expect major transformations in countries that have experienced lengthy periods of major political violence, particularly those without a firm tradition of democratic governance to draw upon. In common with other forms of institutional development, moving toward democratic security sector governance may be expected to occur at a pace consistent with overall democratic consolidation and human and institutional resource capacity strengthening in each reforming country. Conflict-affected states clearly offer particular challenges in this regard, given their significant institutional and human resource deficits. Improving democratic security sector governance may even seem a second- or third-order issue for these countries, and one to be tackled once other parts of the governance framework are more firmly in place.

However, since poor democratic security sector governance has contributed in no small measure to the weaknesses in economic and political governance that led to political violence in the first place, it is impossible to strengthen overall governance without attention to the security sector. In fact, the agenda for strengthening democratic security sector governance is very much a human and institutional capacity-building agenda. By definition it recognizes that states seeking to implement the agenda do not have strong institutions or abundant human resources. At the same time, the agenda for strengthening democratic security sector governance is highly political. The issues at the core of the agenda are highly contentious and require a strategy for blunting the impact of potential spoilers as well as supporting reform-minded stakeholders.

The stakeholders

Three factors are especially important to efforts aimed at strengthening democratic security sector governance (Ball *et al.* 2003b). First, the national leadership must be committed to a significant reform process. Second, the principles, policies, laws, and structures developed during the process must be rooted in the reforming country's history, culture, legal framework, and institutions. Third, the process should be consultative, both within government and between

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government and civil and political society. Strengthening democratic security sector governance is thus, first and foremost, the responsibility of local actors. At the same time, appropriately designed and delivered external support (such as advice, information, analysis, financing, technical assistance, and coordination services) can significantly benefit domestic efforts to transform the security sector.

Local actors

There are five major categories of local actors that influence the quality of democratic security sector governance: (1) bodies mandated to use force; (2) justice and public security bodies; (3) civil management and oversight bodies; (4) non-state bodies; and (5) non-statutory civil society bodies. The first three groups constitute what is commonly called the security sector, as shown in Figure 5.1.⁶

Discussions about security in many post-conflict environments tend to focus on the role of the military, which is charged with protecting the state, and particularly the army. This reflects the widespread, but by no means universal, tendency to favor the military in resource allocation. It manifests the direct and indirect influence that the armed forces often exert over political life in conflictaffected states and the role they play in the genesis and conduct of the conflict.

However, providing security for states and their populations is not a task that the army or even the military can accomplish by themselves. Other bodies that are mandated to ensure the safety of the state and its citizens such as the police, the gendarmerie, civilian and military intelligence, border and coast guards, secret services and customs enforcement entities must be part of the equation. In addition, democratic governance of the security sector requires an active role for civil authorities that manage and monitor the security bodies. The security of both the state and its population will be maximized to the extent that the security bodies are subordinate to democratically elected officials. Both the executive branch and the legislature should be involved in the formulation and implementation of security policy.

The management and oversight actors tend to be the stepchildren of efforts to improve democratic security sector governance, and the needs are great. For example, formal policies and plans for implementing those policies are generally

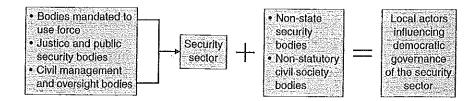


Figure 5.1 Security sector governance and local actors (source: Author).

absent in the security sector. Financial management in the sector generally does not conform to international standards. Legislatures are often unclear what their role is in making and overseeing security policy. To some extent these shortcomings relate to the lack of capacity among the civil authorities, which can be remedied in the short term with technical assistance and in the medium to longer term through a variety of educational and mentoring programs. At the same time, the marginalization of these actors will not be overcome completely until the legacy of unaccountable government, executive dominance, and political involvement of some or all of the security services is adequately dealt with.

Not surprisingly, non-state security bodies are extremely important in postconflict environments. Often the activities or even the very existence of these actors point up deficits in the formal security sector. They have proliferated since the late 1980s in Africa for several reasons that are closely related to the quality of democratic security sector governance: (1) armed conflicts that take on regional dimensions; (2) ineffective state security institutions; (3) growth of domestic and transnational crime; and (4) regime protection (see Ball and Fayemi 2004: 27–29). Some of the more common forms of non-state security organizations include the armed opposition and informal paramilitary or militia groups sponsored by the formal state security bodies, by the political élite or by neighboring states or formed by local communities for self-protection.⁷

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As Figure 5.1 stresses, all of these factors need to be brought into the peace process and neutralized if democratic security sector governance is to succeed. The situation in Côte d'Ivoire in 2004 illustrates this point only too well. Militias created by political parties that first appeared in the early 1990s are now "formidable political actors who can neither be legislated nor wished away" and/or must in some way be neutralized if political violence is to end (International Crisis Group 2004: 8).

The role of civil society must also be stressed. In principle, civil society can play an important role in monitoring the development and application of security policy and the activities of security organizations, for example, through membership in community advisory/oversight boards, independent monitoring and analysis, and the dissemination of information about security policies and their implementation to a broader public. Civil society can also act as an important resource for the security community by providing a pool of knowledgable individuals to staff positions in relevant government agencies, review boards and other oversight bodies, and by providing training to members of security forces and civil oversight bodies. In many post-conflict countries, however, few civil society actors are capable of addressing security-related issues. Nor are all civil society groups democratically minded.

However, there are instances where civil society actors in conflict-affected countries have contributed to strengthening democratic security sector governance, for example, in countries as diverse as Guatemala, Sierra Leone, and South Africa.⁸ With its rich associational life, South African civil society has been able to contribute in all areas mentioned above. To take just one example,

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the Southern African Defence and Security Management Network (SADSEM) is a key actor in developing both norms and capacity in the security sector in Southern Africa, including several conflict-affected countries. SADSEM focuses on democratic control and management of the security services, regional security cooperation, and multinational cooperation in conflict management and peace missions. It has sought to build local research and policy capacity, promote the contributions of civil society to issues of peace and security, and develop capacity within regional governments for democratic governance of security and regional security cooperation. SADSEM grew out of the first nongovernmental training program on defense and security in Africa, established by members of the Military Research Group at the University of Witwatersrand in Johannesburg in 1993 with grants from the Danish government. The Defence Management Programme was transformed into the Centre for Defence and Security Management, which is now the coordinating partner in SADSEM (Southern African Defence and Security Management Network n.d.).

External actors

Assistance intended to strengthen democratic security sector governance will be more effective to the extent that a broad range of external actors work together toward a common goal. One of the main recommendations for action contained in a policy statement approved by the Organisation of Economic Co-operation and Development's Development Assistance Committee (DAC) in April 2004 is the need to take "a whole-of-government" approach to security-related work. This requires building partnership across governmental departments and agencies to ensure that the body with the appropriate competence provides securityrelated support to reforming countries (OECD 2005: 12). Depending on the task at hand, this could include actors with expertise in public sector management, including the management of ministries of defense, intelligence and justice; public expenditure management; policy development and management; security affairs (defense, policing, intelligence, and regional); legislative affairs and other oversight functions such as audit; and the nongovernmental sector.

To date, the external support provided to developing countries has been financed primarily through development, defense, and justice ministries and through multilateral organizations such as UNDP or UN peacekeeping operations. Donor agencies have been seen, particularly in Europe and Canada, as a major source of funding for work intended to strengthen democratic security sector governance. All twenty-three members of the DAC and interested observers⁹ endorsed the DAC SSR policy statement and paper on SSR in April 2004. Each DAC member country is at a different stage in developing national policy frameworks for SSR and is pursuing work in this area in different ways. Nonetheless, it is difficult to escape the conclusion that none of the DAC member states has yet succeeded in mainstreaming SSR, either into developtiment work or into security-related activities. The UK has come the farthest, but

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even there significant gaps exist in terms of implementing the various policy frameworks that have been developed. In most other DAC countries, SSR, as defined in the DAC policy statement and paper, has barely penetrated even the development assistance ministries, let alone the foreign affairs or securityrelated ministries.

Security sector reform (which is not synonymous with "democratic security sector governance," although there is, in principle at least, considerable overlap) was initially championed by the UK Department for International Development (DFID) following the election of the Labour Party in 1997. The UK White Paper on International Development of November 1997 identified security as central to sustained development and poverty reduction (UK White Paper on International Development 2002: paras 3.48, 3.49, 3.52, and 3.55). In May 1998, the Secretary of State for International Development, Clare Short, announced the need for "a partnership between the development community and the military" in order to address the "inter-related issues of security, development and conflict prevention" (Short 1998). By early 1999, DFID had produced a policy note on poverty and the security sector that outlined the conditions under which development assistance could be used to engage in security sector reform and the specific criteria for DFID engagement (Short 1999; UK Department for International Development 1999).¹⁰

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The UK was the first to adopt a whole-of-government approach to SSR by agreeing on an SSR Strategy in June 2002 (UK FCO, MOD and DFID 2002). The SSR Strategy is implemented through the UK's Global Conflict Prevention Pool, which, along with the Africa Conflict Prevention Pool (ACPP), combines the resources of several government departments to support a variety of activities intended to promote conflict reduction.¹¹ It created the Security Sector Development Team (SSDAT), originally known as the Defence Advisory Team (DAT). The SSDAT's institutional home is the Ministry of Defence but it draws on defense, policing, justice, intelligence, and governance expertise (UK Security Sector Development Assistance Team n.d.). The SSDAT has pioneered a facilitative approach to strengthening democratic security sector governance. It bases all activities on a detailed in-country analysis. One of its core operating principles is: "Assisting and facilitating, not doing, through the provision of processes, frameworks and methodologies in order to ensure local ownership and building increased future capacity in the customer" (Fuller 2003: para. 13).

DAC member countries that are beginning to emulate one or more aspects of the UK approach include Canada, the Netherlands, and the United States. In addition, in late 2005, the DAC Conflict Prevention and Development Cooperation Network undertook a process of developing tools to implement the DAC SSR policy statement. One of the lessons of the UK experience to date is that these new initiatives will need to address the challenge that a truly "joined-up," approach to security-related work presents.

Strengthening democratic security sector governance: constraints

The need to strengthen democratic governance of the security sector has long been evident in many developing and transition countries, including those that have experienced major political violence. Since the end of the Cold War, there have also been growing efforts in these countries to reform all or part of the security sector. Much of this activity has, however, been relatively narrowly focused on strengthening the operational capacity and effectiveness of the security forces, rather than strengthening democratic oversight and accountability mechanisms. There are at least four reasons for this. All are relevant to conflictaffected countries.

First, peace agreements frequently mandate restructuring one or more of the security bodies. Yet peace agreements rarely ensure that civil management and oversight bodies are reformed or function appropriately, or that civil society plays an oversight role. The recent trend toward severely curtailing the negotiation period of peace processes exacerbates this tendency. Nonetheless, there have been some exceptions. The Guatemala peace agreement – which is actually a series of agreements on different subjects and took several years to negotiate – is uncommonly detailed in its discussion of the security sector, and includes unusual features such as the role of the legislative branch and a provision for a civil society body to advise the president on a range of security-related issues. The latter is enshrined in Article 20 of the agreement (Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society 1996). Following a preparatory phase, the Advisory Council on Security Matters was created in June 2004.

Second, in most of these countries political élites use the security forces, particularly the military, to secure positions of power. Thus there is more interest in ensuring that security forces are able to quell incipient political unrest than in strengthening their democratic accountability.

Third, the international community often preferentially provides assistance designed to strengthen operational capability. This has particularly been the case since September 11, 2001, as the so-called "war on terror" has focused assistance on strengthening intelligence and internal security capacity in developing and transition countries. A study of forty-seven low-income, poorly performing states carried out in 2002 to 2004 found that those countries that were considered major US allies in the "war on terror" received 90 percent of the military and police aid provided by the US to that group of countries between 2000 and 2004. Ninety-three percent of the assistance to the "war on terror" subgroup went to Afghanistan and Pakistan. Much of this aid closely resembles the assistance that Washington provided to developing world allies at the height of the Cold War. That is to say, assistance to improve the accountability of the security services and their adherence to the rule of law is of essentially no concern (Ball and Isacson 2006; see also Chivers and Shanker 2005; Hendrickson 2005; and Hutchful and Fayemi 2005).

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Finally, but by no means least relevant, developing and transitioning countries have limited resources to address security needs. In choosing how to invest those resources, they invariably focus on short-term security needs. A recent survey concluded that although non-OECD partner countries recognize the importance of addressing longer term issues such as improving security force professionalism and accountability, these will be sacrificed to addressing immediate security needs, such as insecurity caused by violent conflict and political unrest, organized crime, and state repression (OECD 2005). However, as Luckham (2003: 21) has correctly stressed: "Democratic accountability and the rule of law are not luxuries that can safely be postponed until order and security are restored; they are inseparable from the latter."

Strengthening democratic security sector governance: an agenda

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Four main challenges must be addressed by any country seeking to strengthen democratic security sector governance. First, countries should develop a legal framework that is consistent with international law and good democratic practice, and ensure that it is implemented. Second, they should develop effective civil management and oversight mechanisms, and ensure that they function as intended. Third, governments need to develop viable security bodies that are capable of providing security for individuals, communities and the state, and are affordable and accountable. Fourth, governments must ensure that the institutional culture of the security forces, particularly the attitudes of the leadership, are supportive of the legal framework, international law, good democratic practice, and the functions and supremacy of civil management and oversight bodies.

To address these challenges, countries should prioritize the following tasks, which are based on principles that are increasingly accepted among reformminded stakeholders in developing and transition countries and their external partners: (1) strengthen the professionalism of the security services; (2) develop capable and responsible civil authorities; (3) foster a capable and responsible civil society; (4) accord high priority to the rule of law; and (5) develop regional approaches to security problems.

Strengthen the professionalism of the security services

In democratic societies, professionalism has both a normative and a technical component. In the past, the tendency was to place greater emphasis on the technical aspects such as organizational, managerial and technical capabilities of security forces than on normative aspects such as respect for the rule of law, accountability to civil authorities, and rule orientation. While professional security forces are, by themselves, no guarantee that democratic civil control will be established, or maintained; building the professional capacity of the security forces in both its normative and technical aspects is critical.

Develop responsible civil authorities

As in all sectors, the civil authorities in the executive and legislative branches of government should have the capacity to manage and oversee the security sector. They must also act responsibly, in accordance with democratic principles and the rule of law.

Foster a capable and responsible civil society

As noted above, civil society must be capable of monitoring security sector policies and activities and acting as a resource for the security community. In carrying out these activities, civil society must avoid the pursuit of narrow, sectarian objectives and ensure that their operations are fiscally accountable.

Accord high priority to the rule of law

Rule of law, including human rights protection, is another aspect of meeting the four challenges outlined above. Respect for the law must exist among both civilians and security force personnel. While the security forces are frequently the violators of the rule of law, their orders often come from civilian élites who seek to maintain or acquire positions of power. Similarly, all actors in the security sector need to abide by the principle of transparency, which is the cornerstone of accountable governance. Although there are legitimate reasons for some confidentiality, basic information should be accessible to both civil authorities and the public.

Develop regional approaches to security problems

Strengthening civil management and oversight of the security forces, achieving transparency in security related affairs, and attaining sustainable levels of security expenditure are challenges confronted by all states. Consequently, there is considerable potential for countries with shared problems and experiences within the same geographic area to work together to reduce tensions and enhance mutual security.12

Implementing the security sector governance agenda in conflict-affected countries

There are five guidelines that should inform all efforts to strengthen democratic security sector governance, whether undertaken by local stakeholders or external actors. These guidelines reflect lessons that are increasingly accepted among reform-minded stakeholders in developing and transition countries and their external partners.¹³

1 Local ownership of reform processes is essential.

- 2 The highly political nature of strengthening democratic security sector governance needs to inform reform processes.
- 3 The pace and content of locally owned reform processes must be shaped by conditions in the reforming country.
- 4 Decisions about reform strategy and programming need to be informed by a highly nuanced sense of context.
- 5 Situating reform efforts within a comprehensive, sector-wide framework has the potential to maximize the impact of the reforms on security and on efficient resource use.

Most of these guidelines are well known to development specialists. They are repeated here for two main reasons. The first is that they are not well known to political and security actors who have an important role to play in efforts to strengthen democratic governance of the security sectors in conflict-affected countries. The second is that despite their familiarity to development specialists, they have not yet been fully incorporated into international development programming.

Local ownership of reform processes is essential

Local ownership implies that local actors have the responsibility to take decisions on a range of policy development and implementation issues and are willing to exert the necessary leadership to do so. While the principle of national ownership is well recognized in the development arena, it is often not applied effectively in practice. In addition, peace processes involve not only development actors, but also political and security actors who are less well versed in the importance of national ownership. Whereas local ownership requires a facilitative approach aimed at helping countries identify needs and develop their own strategies for meeting them, all too often external actors are highly prescriptive and highly directive (Ball and Hendrickson 2005: 3–4, 49–52).

Local ownership is particularly difficult to achieve in post-conflict settings for two main reasons. First, peace process timetables are highly compressed, and there is a tendency to bypass government and other national actors to implement peace-related activities "on time." Second, the human and institutional capacity of post-conflict governments is generally weak, particularly in the security sector. International actors often fail to differentiate between responsibility and capacity. Local actors own a process when they have the responsibility for decisions with respect to objectives, policies, strategies, program design, and implementation modalities. If capacity is weak, as it almost always is in postconflict environments, it can and should be strengthened. Concerns about local capacity can affect the willingness of local stakeholders to assume full responsibility for reform processes.

In the short term, capacity can be supplemented in various ways. Governments can obtain technical assistance, preferably from local or regional security

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specialists. South African security specialists have provided input into a range of security sector reform activities, including the drafting of white papers and legislation. The Guatemalan Advisory Council on Security Matters provides input for the government on a wide range of issues, including legislation. Expatriates can be encouraged to return, if even only for a year or two, to supplement capacity. This has happened to some extent in Afghanistan since 2001, for example. Governments can also request the secondment of individuals to fill particular positions in the bureaucracy. The government of Sierra Leone requested the secondment of a retired UK police official to fill the position of Inspector-General in the Sierra Leone Police Service.¹⁴ In 2006, the newly elected President of Liberia, Ellen Johnson-Sirleaf, appointed a Nigerian general to head the Liberian Army.¹⁵

Weak capacity and the short time frame for post-conflict peace operations should not become an excuse for members of the international community to continue to exert control over activities that they support. However, because conflict-affected countries are frequently heavily dependent on external funding for the peace process, they are not in a strong position when it comes to driving processes, since they may think that by taking control they will jeopardize the delivery of assistance.

In conflict-affected countries, the transition process is typically very contentious, since it generally takes a great deal of time – a decade or more – for the animosities generated by conflict to begin to dissipate, enabling former parties to the conflict to work constructively together. For this reason, it is important to stress that national responsibility for, and leadership of, change in the security sector does not imply complete autonomy over the use of external resources provided for this purpose. Indeed, it is particularly important in post-settlement environments to ensure effective oversight of external resources.

There are some examples of good practice emerging from the donor side. The UK Security Sector Development Assistance Team, discussed above, is one. The Netherlands Ministry of Foreign Affairs commissioned a democratic security sector governance assessment framework to help partner countries determine how best to strengthen democratic governance of the security sector, although it has never attempted to implement this framework (Ball *et al.* 2003a).

Local stakeholders at all levels and in all relevant bodies need to accept the challenge of leadership. Without a vision of a transparent, accountable, and just state that is widely accepted throughout society, it will be impossible to generate the political will to effect a significant transformation of governance in the security sector (Ball *et al.* 2003b: 274–279).

A number of civil society initiatives are helping to strengthen leadership capacity, frequently supported by donor resources. Much of this has occurred in Africa. As noted above, SADSEM provides training for defense and security management and planning, and civil-military relations for government officials and civil society actors throughout Africa. Its work has been financed by a range of donor governments. Civil society organizations in Ghana, Nigeria, South Africa, and the UK supported by foundation resources held a series of "south-south" workshops in 1999 and 2000 aimed at sharing experiences in transforming security sector governance among policy-makers, legislators, senior members of the security forces, and civil society in West and Southern Africa (CDD *et al.* 2000). These "south-south" workshops were so successful that the UK SSDAT has employed the concept in Ghana, Guatemala, and

The UK Conflict Prevention Pools have fostered the development of an African Security Sector Network, one of whose objectives is to strengthen the capacity of the civil authorities in the area of security policy formulation and execution, and are seeking to promote similar networks in Latin America and Asia. The Geneva Centre for Democratic Control of the Armed Forces, established by the Swiss government, carries out similar work in Eastern Europe and the former Soviet Union (Geneva Centre for the Democratic Control of Armed Forces n.d.) and has recently begun to liaise with the African networks. DCAF has produced several manuals that may be used for training purposes (Born *et al.* 2003; Born and Leigh 2005). The US-financed African Center for Strategic Studies engages in a number of capacity-building workshops each year. In 2005, it added a security resource management course for mid-level African officials and military personnel.

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The highly political nature of strengthening democratic security sector governance needs to be factored into reform efforts

An awareness of the political context is particularly important in conflictaffected countries and especially relevant for external actors. Indeed, it is precisely due to the political nature of institutional reform that major stakeholders will resist strengthening democratic security sector governance.

It is also why improving democratic security sector governance. addressed solely by technical measures. Rather, it is essential to understand critical political relationships among key actors, how and why decisions are made, and the incentives and disincentives for change.¹⁶ Strategies need to be developed for supporting reformers and minimizing the impact of spoilers. Every reform process has its share of those who will be negatively affected by the proposed reforms and who will in consequence seek to thwart them. These will range from powerful warlords in Afghanistan or Charles Taylor in Liberia, to militia leaders such as Sam Bockerie in Sierra Leone, to militia members such as those who stand to be excluded from the DDR process in Côte d'Ivoire. They may also include members of formal security bodies in reforming countries. Identifying these individuals and developing strategies for neutralizing them is a particularly critical aspect of contextual analysis (see below), and requires looking beyond formal legislation and organizational structure to develop a

The dangers of an overly technical approach to reforming the security sector

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is noted by two experienced African policy analysts and civil society leaders, Eboe Hutchful and Kayode Fayemi:

In particular, little has been put in place to enhance the capacity of civilians to make an input into strategic planning or oversight processes. Moreover, the intent behind some approaches to SSR seems, consistent with the term "reform", to be a re-engineering of often decrepit and discredited institutions and a re-centering of the state in the security system, rather than a fundamental rethinking of security, strategic concepts and frameworks, and governance institutions. The donor SSR literature is often suffused with technocratic and apolitical conceptions often derived from previous, and often unsuccessful, exercises in public sector reform. The central priority in most African countries, however, is to alter the relations of power within the security system and society at large. This is often the case in societies with a history of direct or indirect military dominance, as a necessary prelude to civil control, transformation of institutional culture, etc.

(Hutchful and Fayemi 2005: 86)

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The pace of locally owned reform processes must be shaped by conditions in the reforming country

Strengthening democratic security sector governance is a subset of institutional reform, and as such requires a decade or more to consolidate. Strengthening democratic security sector governance must reflect not only human and institutional capacity but also the pace of social and political change in the country in question, rather than arbitrary timetables established by the international community or funding decisions. This is particularly important for conflict-affected countries, where political and economic relations have been shaped by wartime conditions and may require substantial time to overcome these distortions.

The weaker the state, the longer the reform process is likely to take. It is extremely important, however, to make the necessary investment. There is increasing evidence that consultative processes which build consensus on both the need for change and the direction and nature of change are critical for the success of reform efforts. For these to succeed, stakeholders must be allowed adequate time to reach consensus. The highly consultative South African security sector transformation process is viewed as a model by many developing countries, both in Africa and beyond. South Africa has produced policy papers for defense, intelligence, safety and security, participation in international peace missions, and defense-related industries since 1994. Non-governmental experts have contributed to most of these, and several have been widely vetted by relevant stakeholders prior to being finalized. Such consultation lengthens the process of producing legislation, but results in a stronger product and greater buy-in on the part of key stakeholders. In addition to consultations in Cabinet

and debate in the legislature, the White Paper on Safety and Security, for example, went through: (1) provincial public hearings; (2) a national hearing; (3) consultation with critical audiences; and (4) internal consultation within the South African Police Service (South Africa Department of Safety and Security 1998; Cawthra 2003).

While complete consensus on the desirability and direction of a reform process is unlikely, key stakeholders in government, the security bodies, and civil and political society need to support reform if significant changes are to occur. External actors can help increase the receptivity to change by making democratic security sector governance a regular component of policy dialogue in order to identify entry points for reform. They can ensure that the security sector is included in public sector and public expenditure management work where relevant. They can identify and support change agents within the government and the security bodies, and can support efforts to neutralize potential spoilers. They can also help civil society develop its capacity to analyze security problems and demand change, as well as to provide support for reform. Finally, external actors should explore how they can create incentives for key stakeholders to support efforts to strengthen democratic security sector governance.

External stakeholders need to approach such efforts with patience and an ability to facilitate politically sensitive discussions. Unless key stakeholders are in agreement on the way forward, it does not make sense to initiate significant work in the area of security sector governance. Rather, external actors should concentrate on developing a reform-friendly environment, through activities such as policy dialogue, support to civil society, and capacity building for reformers. Even where there is a high degree of consensus on the way forward, implementation may proceed slowly and the possibility of backsliding cannot be excluded (Cawthra and Luckham 2003: 308–309). External actors should neither become complacent themselves when reform processes appear to be moving forward, nor should they allow local stakeholders to become complacent. It is important to avoid the common mistake of assuming that good policy will, in and of itself, produce satisfactory outcomes and overlook the need for sound policy implementation.

Decisions about reform strategy and programming need to be informed by a highly nuanced sense of context

External actors, particularly the development donors, have a tendency to categorize countries according to typologies – democratizing, fragile, conflict-affected, failing, failed, and so on. These categories are of little use in identifying needs in a specific country or setting in motion a reform process. While conflict-affected countries, for example, do share certain characteristics, they do not all have exactly the same needs or capacities. Neither local stakeholders nor their external partners should assume that a particular institutional solution or sequencing of events is appropriate simply because it has been used with relative

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success in another conflict-affected country. Countries can and do borrow from each other. These solutions must be adapted to the context in which they are implemented (Cawthra and Luckham 2003).

Indeed, the more closely a change is related to past behavior, the more likely it is that the changes will actually be carried out. In many African countries, for example, traditional and informal institutions can contribute to a well-governed security sector. Elements of customary justice either co-exist with or have been incorporated into formal justice systems in many places. This is particularly important in rural areas where formal justice systems are often absent. In addition, informal justice mechanisms have emerged in many urban areas to support problem-solving, arbitration, and conflict resolution. Often these borrow elements from traditional law structures and procedures. Not only are these mechanisms more familiar to ordinary citizens; they are frequently far more accessible than the formal legal system (Ball and Fayemi 2004: 53–54).

It may be particularly difficult for conflict-affected countries to resist offers of inappropriate assistance and advice, or even to know what is inappropriate. Their external partners therefore bear a particular burden to ensure that the assistance they offer is appropriate to the context. Some methodologies specifically , designed for the security sector are now beginning to emerge. For example, the UK uses the joint scoping mission, where representatives of different disciplines (and therefore different ministries) carry out a joint security sector reform needs assessment. This enables the UK to identify the priority issues and determine where it can provide assistance. There appears to be no documentation of the precise methodology employed as yet.

A second option, also aimed at external actors, involves developing a picture of the environment in which security-related work will occur by identifying the major characteristics of the country according to seven contextual categories: political; psychosocial; normative; institutional; societal; economic; and geopolitical. For each issue that needs to be addressed, possible forms of international assistance may be identified, but there is no means of determining priority needs or which among the possible responses is the most appropriate (Ball 2002).

A third option is to assist a country to carry out a detailed assessment of its needs and then to identify priorities. This is the approach employed by the democratic security sector governance assessment framework developed by the Clingendael Institute, which examines five possible entry points: rule of law; policy development and implementation; professionalism of the security forces; oversight; and financial management (Ball *et al.* 2003a). This methodology would be difficult to implement in countries in conflict, but could be used in countries that are on the road to consolidating peace.

Situating reform efforts within a comprehensive, sector-wide framework has the potential to maximize the impact of the reforms on security and efficient resource use

While no reform process can be expected to encompass all of the many actors and activities that constitute the security sector, decisions about priority needs and resource allocation should be made following a sector-wide review of a country's security environment and its broad democratic security sector governance needs. Effecting sustainable change in the security sector will almost always require a focus on one constituent element at a time (defense, public security, justice, intelligence). Within that element, there may be a focus on a specific component or process (for example, the capacity of relevant legislative committees, the courts, the defense budgeting system, and so on). However, in the absence of sector-wide assessments of security needs and governance deficits it will be difficult to identify priorities or to determine how best to sequence reform efforts.

Although experience is limited to date, evidence suggests that external actors can help reforming governments understand the components of security sector reform and how these fit together. There are two assessment mechanisms that may be useful in this process. The first is a strategic security review, which has been pioneered by the United Kingdom in Uganda (Rusoke 2003) and Sierra Leone. Regrettably, no formal methodology exists as yet and neither experience had been reviewed at the time of writing. The second is the security sector governance assessment framework commissioned by the Netherlands Foreign Ministry for use by partner countries discussed above, which had not been field-tested at the time of writing. The Conflict Prevention and Development Cooperation Network in the OECD DAC began a process in late 2005 of developing a framework to help its members implement the SSR strategy approved in April 2004. It is unclear as of writing whether this framework will assist DAC members to adopt a sector-wide approach.

There is one point that external actors must bear in mind. While it is important to have ambitious long-term objectives, it is also important to be realistic about implementation capacity. In particular, it is important to develop processoriented benchmarks to measure progress that reflect the realities of political, human and institutional capacity on a country-by-country basis. Such benchmarks will not only assure external partners that progress is being recorded. They can also help local stakeholders avoid being overwhelmed by the enormity of the reform agenda.

Conclusion

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As this chapter has shown, both external actors and domestic stakeholders have a role to play in strengthening governance in countries where there are democratic deficits in the security sector. In considering the priorities for both external and domestic stakeholders, three issues stand out.

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What is necessary?

There are two complementary processes that must be undertaken to achieve democratically governed security sectors. First, the transformation agenda should be established by moving sequentially from values and principles, to goals and objectives, to doctrine and strategies, to policies and plans, and then to structures, institutions, and resources. All relevant local actors should be involved in this process: government, Parliament, the security forces, and civil and political society. The government should lead, although it is likely to need to supplement its capacity with inputs from both local and regional civil society and the international community.

This process would seek to answer questions such as: What are the values and principles that underpin security policies? How should these be translated into goals, strategies, and policies? Which institutions should be involved in developing and implementing security policy? How should these institutions function – individually and as a group – if the objective is to increase democratic accountability, transparency, and civilian control over the security forces? What is the difference between how these institutions function at present and how they should function in the future? Are the financial and human resources necessary for these institutions to operate in the desired manner available? If not, how should needs be prioritized? Can additional resources be identified?

The second process involves translating the agenda into constitutional provisions, legislation, national policies, departmental policies, and departmental plans. In order to implement the agenda, it will be necessary to rank the priorities identified by each component and to develop a series of action plans to guide implementation. These planning papers should be considered as works in progress and be updated regularly. Again, the government should lead this process, but will need to supplement its capacity. Civil society organizations and Parliament also need to development their own plans of action.

These are not easy tasks, and they are particularly challenging for conflictaffected countries. While the local stakeholders will benefit from external support in undertaking these processes, those furnishing that assistance need to bear several factors in mind. First, providing much-needed inputs to a reform process should not be confused with playing a leading role. External actors in particular must resist the temptation to drive reform processes. Second, external actors must also be prepared to proceed at a pace consistent with local capacity. In particular, conditions in conflict-affected states are likely to require that a great deal of time is devoted to preparatory work, such as confidence building and dialogue aimed at developing a constituency for reform. External actors also need to be prepared for products that vary in quality. It is likely that the first effort to determine what is necessary will not address all issues at the same level of detail. All those concerned should understand that undertaking assessments and developing priorities is an iterative process. Third, it is important to bear in mind that security sector reform must proceed in tandem with the development

of basic governance capacity. While it is highly unlikely that the security sector will lead in the area of democratic governance, it is equally important that the security sector should not be excluded from efforts to enhance democratic governance capacity state-wide.

Are the resources available?

Once preliminary action plans have been produced, government, Parliament, and civil society should assess the financial, technical, and material resources necessary to begin addressing the priority issues. In some cases it may be decided that in one or more areas, assistance is required to extend the institutional assessment or further amplify the preliminary action plan. In other cases resources may be necessary to implement the action plan. It is always important, however, to be realistic in developing a wish list for external support and to try to identify those areas in which value added can be maximized.

Who is best suited to provide the necessary assistance?

With a plan of action in hand and priorities identified for external resources, it is time to approach external actors. Some of the external stakeholders may have already been involved in providing support for the assessment process. Importantly, some external actors will have very specific ideas about the types of assistance they will provide. It is often very tempting to accept offers of assistance, even if there is not a good fit with one's own priorities.

Some external stakeholders may need to be prodded into providing assistance. This is particularly likely to be the case with requests to development assistance actors for assistance in strengthening the capacity of defense ministries, improving security sector planning, or enhancing the capacity of relevant government bodies to manage the security budgeting process. While the tendency of the development agencies has in the past been to avoid involvement, they find it very difficult to ignore requests for assistance.¹⁷ The more specific the request and the more that it is couched in language that is recognizable to them, the more likely they are to respond positively.

The reforming government needs to scrutinize each offer carefully for what it will or will not bring. Modifications to proposed assistance should be negotiated to enhance the likelihood that the assistance offered will respond to the needs of its recipient and contribute to implementing the strategic reform plan developed domestically. External actors need to understand that continuity of assistance is extremely important in conflict-affected states, and that institutional development – a long-term undertaking in the best of circumstances – takes longer than in the more developed states. It is important that external actors be prepared to commit to sustained – but not open-ended – assistance for a very long period of time.

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1 The case study literature on the dynamics of conflict is extensive. For country studies see the reports of the International Crisis Group (www.crisisweb.org) and Human Rights Watch (www.hrw.org).

2 An early influence was work on democratic civil-military relations in the transition countries of Eastern Europe and the former Soviet Union that got underway in the mid-1990s. Because NATO and the EU made adherence to principles of democratic civil-military relations a condition for membership, candidate countries had an enormous incentive to begin to apply these principles. For their part, NATO and EU members had an incentive to develop the capacity to support efforts to strengthen the accountability of the armed forces in candidate countries and to improve the capacity of the civil authorities to manage the defense sector. On changes in UK military assistance, see, for example, Cottey and Forster (2004). On the EU and NATO requirements, see for example, OSCE (1994); NATO (1995); Rotfeld (1995: 275–281); and NATO (n.d.). See also Hendrickson and Karkoska (2002).

In the early 1990s, the development donors were focusing on how much developing and transition countries were spending on the military. This was because governance had not yet embedded itself in the development agenda and, at least partly as a consequence, the rather simplistic view held sway that donors could pressure governments to change resource allocation patterns without tackling any of the deep-rooted and highly political reasons why resources are allocated as they are. It was not until the late 1990s, after governance became an accepted component of development, that the development donors began to focus on democratic governance in the security sector. For a brief review of the military expenditure approach to the security sector in developing countries, see Brzoska (2003: 5-10).

- 3 On the various institutional weaknesses that characterize conflict-affected countries, see Aron (2002). On the challenges of governance in conflict-affected countries, see UNDP (1999). UNDP emphasizes, *inter alia*, the importance of strengthening the legitimacy and inclusiveness of governance institutions in conflict-affected countries. On the relationship between state formation and conflict in Africa and Eurasia, see Holloway and Steadman (2002).
- 4 Peace processes that are not governed by peace agreements, that is, where one party is victorious, have many of the same needs, but are under less pressure to address them. Nonetheless, as Uganda's experience since the early 1990s indicates, aid-dependent countries will eventually face demands from their development partners for some degree of change in the security sector.
- 5 The main exception to this is South Africa since 1994. For example, see Cawthra (2003); Williams (2003); Africa (2004); Rausch (2004).
- 6 The OECD Development Assistance Committee includes all four in what it calls the "security system" (Organisation for Economic Co-operation and Development 2005). UNDP includes the first three in what it terms the "justice and security sector" (United Nations Development Programme n.d.).
- 7 See Ero (2003) on Sierra Leone, where the government relied heavily on the Civil Defence Forces to confront the Revolutionary United Front rebels as a security vacuum developed as the Sierra Leone Armed Forces (SLA) progressively collapsed, largely as a result of the politicization of the SLA.
- 8 In Sierra Leone, civil society tends to operate primarily in watchdog mode, while in Guatemala, watchdog activities are complemented by providing advice and input to the government. On Guatemala, see, for example, Arévalo (2002) and Arévalo and Torres (1999). On Sierra Leone, see for example, National Democratic Institute (2003).
- 9 The DAC is made up of twenty-two bilateral donors and the Commission of the European Communities. UNDP, World Bank, and IMF have observer status.

- 10 It is important to recall that DFID's SSR policy focused initially on the defense sector. DFID developed a parallel policy on safety, security, and access to justice (SSAJ) (UK DFID, 2000b). This was in direct contradiction to the new thinking on security that had emerged about a decade earlier. Now, however, the UK has adopted a broad definition of the security sector and is working to combine its approaches to SSR and SSAJ.
- 11 The two Conflict Prevention Pools were evaluated in 2003/2004. See Ball (2004) for the evaluation of the SSR Strategy.
- 12 Each of these themes emerges from the OECD regional survey (Organisation for Economic Co-operation and Development 2005). See also Ball and Fayemi (2004).
- 13 These lessons may be found, for example, in Washington Office on Latin America (2001); Ball (2002); Ball *et al.* (2003b); Cawthra and Luckham (2003); Fuller (2003); Ball and Fayemi (2004); and Organisation for Economic Co-Operation and Development (2005).
- 14 In this case the issue was not solely one of capacity. The government also had concerns about the political loyalty of local candidates for the position.
- 15 The civil society organization, African Security Sector Network, conducted the first of a series of capacity-building workshops on SSR for the Liberian government in April 2005.
- 16 The UK Department for International Development has developed a "drivers of change" approach in order to strengthen the effectiveness of its development assistance (UK Department for International Development 2004). Such an approach is extremely relevant in the security sector, but it is unclear whether DFID had done so to at the time of writing.
- 17 Historically the World Bank has had the lead in strengthening financial management and has avoided incorporating the security sector into that work. There are indications, however, that the Bank is now more prepared to respond to requests from member governments to incorporate the security sector into government-wide efforts to improve financial management. In 2004, for example, the Bank responded to a request from the government of Afghanistan to include the security sector in its ongoing review of public finance management in the country.

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Rebuilding fragile states

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