INTERNATIONAL POLICING AND THE RULE OF LAW

Fall 2017
Wednesday 4:30-7:10
Founders Hall

Instructor: Angelic Young
Phone: 202-403-2004
E-mail: angelic_young@inclusivesecurity.org
Office Hours: By Appointment

Course Objective
Assisting states in transition from the “rule of the gun” to “the rule of law” is one of the most pressing challenges of our time. Through peacekeeping missions, coalition activities, and bilateral assistance programs, the international community grapples with how best to assist fragile or failing states with the provision of security while simultaneously fostering an environment for long-term rule of law development and security sector reform. This course will challenge students to consider the real-life dilemmas facing policy-makers and rule of law practitioners. Students will analyze past successes and missteps while weighing and applying options for the future. The course draws heavily on the instructors’ practical experience.

During the course, we will overview the basics of international police missions and security sector reform through several case studies including Kosovo, East Timor, Haiti, and Afghanistan. We’ll also explore several topics in more depth including the role of international police missions in efforts to combat corruption, counter-terrorism, and counter-narcotics, and discuss emerging concepts/issues in international police missions such as community-oriented policing, citizen security, and the role of women in peace and security operations.

You’ll be participating in a semester-long simulation, helping you better understand the steps a practitioner must take to “set up” a mission. As part of this exercise, we will discuss challenges in implementation such as vetting and recruiting of police, different training methodologies available, mentoring, institutional reform, funding, and implementation mechanisms. At the beginning of the semester, you’ll be assigned to a group. You’ll work collaboratively with your team members to prepare for each simulation. Your role and assignment for each activity will be explained in handouts provided in class.

Course Requirement
Active student participation is expected, encouraged and will be considered in the calculation of final grades. The required readings form the basis for informed discussions, and student preparation for weekly sessions is essential. Students will be required to complete several short papers/essays/memoranda - please take note of paper due dates/times. If you have a question
about a deadline – please resolve it before the deadline. I will not accept late papers for full credit.

**Description of written assignments**
Following each in-class group activity, you will be required to submit a short memorandum summarizing the results of the exercise (from the perspective of the role to which you were assigned) and your recommendations for proceeding. These memoranda are not to exceed 5 pages each.

The policy paper/assistance package design is a 10-12 page (maximum) paper you will write in response to a hypothetical scenario (the same scenario used for the in-class group activities). It should not require research outside of regularly assigned course readings. However, you may choose to supplement if you desire. The paper will require you to synthesize the lessons learned from the in-class readings and discussions and apply them to a particular problem set.

The essay asks you to answer one of four questions (listed in the syllabus) in 7 pages or less. It requires you to reflect on the readings and discussions throughout the semester, but may also require (some) outside research.

Class participation is an overall measurement of your contributions throughout the semester, including your participation and performance in the semester-long simulation.

**Evaluation**
- 10% Group Activity Memorandum #1 – due Sept. 20
- 10% Group Activity Memorandum #2 – due October 4
- 10% Group Activity Memorandum #3 – due October 18
- 35% Policy Paper/Assistance Package Design – due November 8
- 15% Essay #1 - due December 13
- 20% Class participation

**Required Texts**
All readings will be available through the GMU Blackboard site for the course.

**Plagiarism Policy:** All work must be your own. Inappropriate use of the work of others without attribution is plagiarism and a George Mason University Honor Code violation punishable by expulsion from the University. All students should familiarize themselves with the honor code provisions (http://gmu.edu/facstarr/handbook/ad.html). To guard against plagiarism and to treat students equitably, written work may be checked against existing published materials or digital databases available through various plagiarism detection services. Accordingly, materials submitted to all courses must be available in electronic format.

**Disclaimer:** The views expressed in this course are solely those of the instructor(s) and do not in any way represent official U.S. government policy.
Syllabus

Week 1, August 30, 2017: Overview of course - introduction to democratic policing
Objective: This session is an orientation to the course and the concepts covered within. Upon completion of this session, students will understand the basic requirements of the course, subjects to be covered, and level of participation expected. Students will also be introduced to some of the basic concepts of “democratic policing” and critical history.

Discussion Questions:
- What does it mean to establish a safe and secure environment? What is the minimum level of security that you require to feel “safe”?
- What is the role of the police and judicial system in society? What do you consider “normal” interaction with law enforcement or legal actors?

Reading:

Week 2, September 6, 2017: Security Sector Reform (SSR) and UN Police Missions
Objective: Upon completion of this module, students will understand the basic definition of Security Sector Reform (SSR); the key challenges involved in implementing SSR; and begin to explore the role of criminal justice reform within the SSR context. Students will also be introduced to the basic history and evolution of the UN police mission.

Discussion Questions:
- What are some of the most difficult challenges for police to address in peace-keeping operations?
- What do you think is the most important lesson learned from early UN policing experience?

Reading(s):

Week 3, September 13, 2017: UNPOL Operations: Kosovo
**Objective:** Upon completion of this module, students will understand the historical and political context leading to the intervention in Kosovo. Students will also grasp the basic structure of the mission and its operations; the role of the U.S. in providing assistance through and in support of the mission and be able to evaluate, using the readings provided, its success.

**Discussion Questions:**
- What were some of the key challenges that implementers encountered in Kosovo?
- How was the UN mission organized? What was its “mandate”?
- What was the role of U.S. assistance in Kosovo?

**Reading:**
- Film - Reunion: 10 Years After the War

**Activity:**
- **Pineland Group Activity #1 (Memo due September 21)**

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**Week 4, September 20, 2017: Issue in Focus – Inclusive Security**

**Objective:** Upon completion of this module, students will understand the challenges inherent in creating inclusive police forces in countries with historical ethnic, gender/sex or religious biases and be able to articulate lessons learned from early efforts to implement such programs. Students will be able to articulate the challenges involved in integrating women into transnational policing, as well as common tactics for increasing the participation of women in police forces.

**Discussion Questions:**
- What does inclusivity mean? Why is it important?
- Why do so few nations contribute female police officers to international peacekeeping missions? What are some of the obstacles to full participation?
- What challenges do implementers encounter when attempting to integrate women into host nation police forces?
- What challenges do implementers encounter when attempting to create multi-ethnic police forces?
- What is community policing? How is it different from other kinds of police? How does it or can it contribute to inclusive security?

**Reading(s):**
Objective: Upon completion of this module, students will understand the historical and political context leading to the Haiti intervention. They should also grasp the basic structure of MINUSTAH (and earlier Haiti missions) and their operations; the role of the U.S. in providing assistance through and in support of MINUSTAH and be able to evaluate, using the readings provided, the success of the operation.

Discussion Questions:
- How did the UN mission in Haiti differ from the mission in Kosovo?
- What was the U.S. role in the intervention? How did it evolve?
- What are some of the lessons learned each intervention?

Reading(s):
- Eiren Mobekk, “MINUSTAH and the Need for a Context-Specific Strategy: The Case of Haiti.” (Note – skip DDR section)
- Louis-Alexandre Berg, “All Judicial Politics are Local: The Political Trajectory of Judicial Reform in Haiti.”
- Film – Ghosts of Cite Soleil

Activity: Pineland Group Activity #2 (Memo due October 5)

Objective: Upon completion of this module, students will understand the historical and political context leading to the Afghanistan intervention; the basic structure of the U.S. bilateral program and its operations and the role of the U.S. military in support criminal justice reform. Students will be able to identify and discuss concerns raised within the international community regarding the potential for militarization of police forces, identify the key differences between police, military, and paramilitary forces, and discuss what role police can/should play in stabilization, counter-insurgency and other kinds of non-traditional operations.

Discussion Questions:
- What role should police play in a hostile environment?
- Is traditional security sector reform possible in a place like Afghanistan? Would you have approached the situation differently? If so, how?
- Are there any similarities between the threats Afghan police encounter and Western police encounter? Is there precedent for the kind of training, equipping and organization employed in Afghanistan?

Readings:
- Oversight of US Efforts to Train and Equip Police and Enhance the Justice system in Afghanistan, Hearing, Subcommittee on National Security and Foreign Affairs, 110th Congress, Second Session, June 18, 2008

**Week 7, October 11, 2017: UNPOL Operations: East Timor**

**Objective:** Upon completion of this module, students will understand the historical and political context leading to the East Timor intervention. They should also grasp the basic structure of the UN mission and its operations; the role of the U.S. in providing assistance through and in support of the mission and be able to evaluate, using the readings provided, the success of the operation.

**Discussion Questions:**
- How did the UN mission in East Timor differ from other missions we’ve covered?
- What was the U.S. role in the intervention? How did it evolve?
- What are some of the lessons learned from the intervention?

**Reading(s):**

**Activity:** Pineland Group Activity #3 (Memo due October 19)

**Week 8, October 18, 2017: Issue in focus: Program Design and Options**

**Objective:** Upon completion of this module, students will be able to describe the challenges involved in using private contractors to implement criminal justice reform. They should also understand the inherent difficulties of implementing in an insecure environment (and implications for the planning/budgeting process), and be able to outline steps implementers take to answer key strategic questions related to program design.

**Discussion Questions:**
- How do we improve military/civilian coordination in mission development?
- How do you engage in a strategic planning process that is not closely linked to the timeline of the federal budget process?
- How do you prepare for missions? What are the components of assessment? How do you plan when circumstances don’t allow full assessments to be completed?
- How do you develop a budget? How do you prepare to justify your budget?
- What are some of the practical and logistical considerations you need to assess involved in implementing? How does the role of contractors and other implementers play into your planning/budgeting process?

**Readings:**
• TBD

Week 9: October 25, 2017: Issue in focus: Monitoring and Evaluation
Objective: Upon completion of this module, students will understand the basics of monitoring and evaluating criminal justice reform initiatives.

Discussion Questions:
• What are some of the challenges involved in setting up a robust program of monitoring and evaluation?
• How do you construct outcomes for large-scale assistance programs?
• How can monitoring and evaluation, when done correctly, improve implementation?

Reading:
• Curth, Jodie and Evans, Sarah, “Monitoring and evaluation in police capacity building operations: ‘women as uniform,’” Police Practice and Research, an International Journal, vol. 12, no. 6, (June 2011).
• Jones, Chapter 6 pgs. 177-203

Week 10, November 1, 2017: Pineland Group Activity #4
Objective: More information about this activity will be provided in class. This activity should be considered final preparation for the assistance package design paper.

POLICY PAPER/ASSISTANCE PACKAGE DESIGN DUE NOVEMBER 8

Week 11, November 8, 2017: Issue in focus: Justice
Objective: Upon completion of this module, students will be able to explain the relationship between law enforcement and justice sector actors. They should also understand some of the core difference between legal models (i.e., common law, civil law, sharia and customary or informal law); the capacity challenges for host nations in managing correctional systems including physical infrastructure as well as management systems and explain the importance of prisons.

Discussion Questions:
• What is the impact of a destroyed justice system on a peacekeeping operation?
• What law guides in a peacekeeping operation- international law? Host nation law?
• Do the language of the mandates support “nation-building”?
• When do we cross the line from peacekeeping to nation-building? Is this a problem?
• Are UN institutions equipped to carry out justice reform in R&S missions?

Readings:

**Week 12, November 15, 2017: Issue in focus: Corruption**

**Objective:** Upon completion of this module, students will be able to identify the different “kinds” of corruption encountered in the implementation of police reform missions. Students will be able to discuss the role that police and other criminal justice sector actors play in combating corruption, the reasons that police become corrupt, common anti-corruption tactics, and the impact of corruption on post-conflict recovery and rebuilding.

**Discussion Questions:**
- How does corruption impact reform efforts? Is all corruption the same? What different tactics would you employ to address corruption?

**Reading(s):**

**Week 13, November 22: THANKSGIVING BREAK.**

**Week 14: November 29, 2017: Issue in focus: Citizen Security in Latin America**

**Objective:** Upon completion of this module, students will be able to define citizen security and describe the role and relative success (or failure) of key interventions such as Merida, Plan Colombia, and the Central America Regional Security Initiative. Students will be able to describe challenges related to implementing police reform in the face of major, complex transnational crime (e.g., narcotics cultivation, trafficking, and consumption).

**Discussion Questions:**
- How do international police operations differ in environments impacted by transnational, organized crime rather than “traditional” armed conflict? Does the kind of conflict matter?
- How does “citizen security” differ from other approaches? Is it better? Worse? Does it matter?
- What lessons have we learned from citizen security initiatives throughout the hemisphere?

**Readings:**

**Week 14, November 29, 2017: Issue in focus: Trafficking**

**Objective:** Upon completion of this module, students will be able to describe the challenges involved in combating trafficking operations (and organized crime, to the extent engaged).

**Discussion Questions:**
- How are drug trafficking and human trafficking operations similar? How are they different?
- What’s the relationship between the rule of law and trafficking? How should the international community combat trafficking operations?

**Readings:**

**Week 15, December 6, 2017: Presentations**

Students should have a draft of their final essay completed at this point and will be expected to give short in-class presentations on their topic. More detail on the structure and content of the presentations will be provided the week before Thanksgiving holiday. However, students should expect to present a coherent thesis and key highlights of their argument for consideration. Each student is expected both to deliver a presentation and ask questions of their fellow students.

**Week 16, December 13, 2017: TBD**

**Assignment:** Short essay (not to exceed 7 pages in length) answering one of the following questions (due in class on December 13)
- (1) How can we improve military/civilian coordination at the mission development/strategic planning phase of international police operations?
- (2) Who should lead security sector reform in complex contingency operations?
- (3) What is the biggest challenge facing security sector reform/rule of law operations today?
- (4) How can we better synchronize justice sector and law enforcement assistance and reform operations?