POLICING THE WORLD

The Practice of International and Transnational Policing

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To my parents, Stephen and Agatha

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Introduction

Until relatively recently, policing operated primarily in a local dimension. While there were always exceptions, crime tended to be generated from within a limited area, most police officers rarely came into contact with colleagues from distant jurisdictions, and knowledge about policing was generally based on local experiences. The extent of "local" has always depended on a range of geographic, cultural and legal factors, but for most policing issues it was certainly delimited by national borders. The police of any one country had only minor interest in criminal acts in other countries, or assisting other national law enforcement authorities in bringing offenders to justice, or collecting evidence for foreign criminal proceedings (UN 2005a).

Now, however, the average police officer's operating environment encompasses much wider horizons: crime threats are increasingly global and most officers find themselves routinely dealing with international and transnational issues such as terrorism, e-crime, and human trafficking; communication technologies allow many criminal acts to be perpetrated remotely, bestowing new international dimensions on previously local matters. Suspects and offenders move more freely around the globe and must be dealt with, both where they commit their crimes and where they flee to. Officers occasionally find themselves operating on foreign soil, either as part of international investigations or assigned to one of the increasing number of police contingents working abroad, and they host colleagues from overseas working on investigations or visiting on study tours. Police agencies are now measured by international standards of good practice as knowledge about policing flows more freely between countries. Policing has witnessed the same compression of space and time that the current wave of globalization has imposed on other aspects of society. As Broadhurst (2002) notes, every police officer's mental patch is now the world, even though their physical beat may be New York, Bangkok, Johannesburg or Beirut.

Three recent examples illustrate the new dimensions of contemporary crime:

- In October 2007, Interpol issued its first ever public appeal to identify a pedophile. Photos had been found circulating on the Internet of a pedophile

abusing young children, but he had disguised his identity by using a computer program to transform his face into an unrecognizable swirl of colors. Interpol worked with German police computer experts to "unswirl" the image and succeeded in recreating a recognizable face. However, there remained the challenge of finding an unknown person in an unknown location anywhere in the world. The public appeal garnered worldwide press coverage and he was soon identified as Christopher Neil, a Canadian teacher living in South Korea. He was arrested ten days later in Thailand, where he had fled after becoming aware of the hunt for him, and where some of the abuse had taken place. He is now serving a jail sentence in Thailand.

- In September 2007, an infant girl about three years old was found wandering alone in a train station in Melbourne, Australia. She was of Asian appearance and, as she would not speak to the police or social services workers, it was not known if she spoke English. It eventually emerged that she had been abandoned by her father Nai Yin Xue, a New Zealander of Chinese origin, who had brought her from Auckland two days before, and within hours of abandoning his daughter had caught a plane to Los Angeles. The body of the girl's mother was found days later in the trunk of a car near the family home in New Zealand. The U.S. police were quickly notified and issued a notice for his arrest, but Xue had disappeared on arrival in Los Angeles. In the meantime, the Australian police and social services were dealing with the abandoned child, whose closest living relatives were her grandmother, who lived in China, and a woman in New Zealand, who claimed to be a half sister. Five months later, Xue was arrested in Atlanta, Georgia, after his photo had appeared in Chinese language papers throughout the country. He was initially detained by a group of Chinese immigrants who decided to act on their own initiative after their first attempts to contact police were unsuccessful because they did not speak English and could not make themselves understood to 911 operators. Xue had overstayed a visitor's visa, so U.S. authorities were able to deport him to New Zealand without having to go through a formal extradition process.

- In October 2008 the Mexican police arrested a gang of suspected Colombian drug smugglers linked to Mexican trafficking clans. The traffickers, lead by Colombian kingpin Teodoro Mauricio "The Dove" Fino, were accused of shipping cocaine to Mexico to sell in the U.S. Fino fled Colombia in 1997 and Mexican police had been on his trail for a decade. In 2008, Mexican police arrested a number of other high profile leaders of drug cartels but violence over smuggling routes threatened to spiral out

of control, so President Felipe Calderon sent 36,000 army troops across Mexico to fight drug gangs alongside the police. The U.S. also increased its involvement in the fight against organized crime and drug smuggling in Mexico through the 2007 U.S.-Central America Security Cooperation Agreement, known as the Mérida Initiative, which sought to overcome a long history of mistrust between the law enforcement agencies of both countries.

This book will provide readers with a better understanding of the policing responses to these new dimensions of crime. Since the late 1980s, the world has experienced a new wave of globalization, resulting from a combination of economic and political integration, the widespread use of new communication technologies, and cheaper means of transportation. Whether the current globalization is in fact unprecedented in its level of economic integration and what its impact will ultimately be is still widely debated. While some authors claim that the new globalization signals the death knell for sovereign countries, others note that they have survived earlier globalization processes and that they continue to be the strongest political entities (Firth 2005). National authority may be under siege from global market forces and supranational structures, but it has also been enhanced by concerns for control over sovereignty, the continued strength of national identities, and the failure to produce global institutions that can deliver the same effectiveness, decisiveness, and accountability as national-level governments (Bislev 2004, Loader 2004). Similarly, there are competing claims regarding any economic benefits for countries, regions, and even individuals.

Notwithstanding such debates about political and economic impacts, there is little doubt that the current wave of globalization has resulted in new cross-border flows and networks, some of which have had criminogenic consequences that have generated new security concerns (Loader 2004). The mobility of people, money, ideas, and commodities has provided new opportunity for crime and any benefits gained by legal economies are matched by those in illegal economies, criminal enterprises, and terrorist networks, as the world is moving towards a single market for crime and disorder. Sovereign countries are finding that their capacity to deliver order and security is increasingly undermined by global forces (Grabosky 1998, Loader 2004).

In Western industrialized democracies, the new security environment has developed concurrently with pressures to reduce the size of the State and pluralize service delivery. Globalization has also facilitated the spread of ideas such as New Public Management and Integrated Governance, which have lead to the profound transformation of how governments conduct all public services, at the same time that aspirations for greater private security have transformed

how important sectors of society are policed (Bislev 2004). Industrialized democracies were characterized in the post-Second World War period as Welfare States that sought to secure the well-being of their citizens, but increasingly they are now also conceptualized through a framework of risk. Well-being in itself is no longer sufficient, and the governments of these countries must now also guarantee security for their citizens and construct a bulwark against external threats.

An integral part of the reduction of the State has been the increasing privatization of public goods and services and in policing there has been an explosion in the use of private security, both locally and on the international scene. National governments are ceding their authority over policing both upward and downward as policing is being restructured by multilateralization within countries and supranationalization among countries (Bayley and Shearing 2001). National law enforcement agencies strengthen relations with their counterparts in other countries, undertake common operations, exchange information, and share facilities through police-specific institutions such as Interpol, at the same time as international institutions such as the European Union and the United Nations are assuming continually greater policing responsibilities. Moreover, development and funding agencies such as the World Bank, the International Monetary Fund and United Nations Development Program are now requiring recipient countries to reform policing as a condition for receiving assistance. The need to construct security at more encompassing levels is driving the move to create supranational structures for policing for much the same reasons that existing nation-states were created out of previously sovereign principalities, estates, kingdoms, cities, and small countries (Bayley and Shearing 2001). There is an unmistakable evolutionary process: the origins of policing were local and private, then with industrialization it became more public and national, and now with 21st Century globalization, policing is becoming international and interdependent (Neyroud and Beckley 2001).

Despite this widening of the horizons, our current understanding of policing still tends to be bound to our own jurisdictions or country, and criminal justice education generally reflects a certain provincialism (Winslow and Zhang 2007). In the mid-1990s, Ross (1995) noted that comparative policing was marginalized in typical American criminal justice departments, and, although the intervening years have seen important changes in the international policing landscape, there continues to be significant knowledge gaps at all levels in police education around the world. Das and Kratcoski (2001) surveyed attendees at an International Police Executive Symposium, which brought together some 200 senior officers, and found that a significant number did not know

much about international police cooperation or about the involvement of non-governmental organizations. Yet, as the Interpol Secretary-General recently noted (Interpol 2008c:1), "21st Century policing calls for a new approach that moves international policing from the sidelines to front and center, psychologically and operationally. Effective [international policing] will require new experts in evolving specialties who can be called to assist countries around the world in responding to urgent situations."

This book explores three key areas of the international dimension of policing:

1. Comparative policing and the creation of international "good practice" (Chapters 1, 2 and 3).
2. Cooperative efforts to respond to emerging international and transnational crime threats (Chapters 4 and 5).
3. Peace operations and capacity building in post-conflict and transitional societies (Chapter 6).

These three issues form the interconnected triangle of contemporary international policing (Figure 1):

Figure 1 The Triangle of International Policing
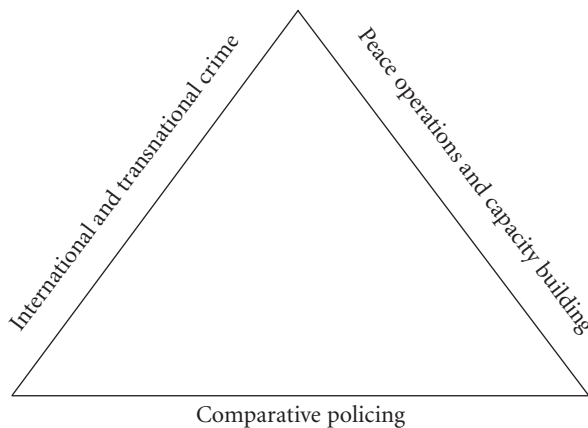
Source: Author

The triangle sits on the base of the discipline of comparative policing, the study of and comparison between policing in different national and cultural contexts. Without some familiarity of the operating environment and institutional structures of policing in foreign countries it is all but impossible to enter

into a meaningful and effective dialogue with counterparts from other countries. One side of the triangle is an analysis of the current context of the rise in international and transnational crime and of the international policing strategies that are emerging to respond to the new threats. These are the key issues in understanding the criminogenic consequences of globalization and of the institutional responses to them. The final side of the triangle is an analysis of the work of police in peace operations and capacity building work being done in conflict zones and developing countries.

At first sight, a discussion of peace operations and capacity building may seem less directly relevant to international policing and many other books that address the topic tend to give it only a passing mention, but it is an essential third element in a discussion of the globalization of law enforcement. First, there is the fact that as one consequence of the greater interconnectedness between police agencies, many officers will find themselves assigned to (or volunteering for) an international policing contingent in a developing country. Equally importantly, international and transnational crime flourishes in areas of instability and where there is a lack of governmental law enforcement capacity (Gros 2003). Weak economies and failing States are victims of international and transnational crime, but they are also the staging ground for crimes committed around the world. They are unable to control activities within their border or regulate cross-border activities, and so they become magnets for international syndicates aware that they constitute a weak link in international enforcement. The coffers of these countries can be looted and they can be relatively secure byways for the movement of drugs, arms, and human trafficking, as well as for money laundering.

It is important to note that this book focuses primarily on the globalization of policing and not on the globalization of crime. Crime is engendered and committed in new international dimensions, and new structures and operating processes are being established to respond, but policing is also globalizing through a range of processes that aren't necessarily a direct response to international and transnational crime. Broader globalization dynamics impact on policing in a range of ways: police cooperation can be a corollary of other political and economic cooperation between countries; the Internet and other communication technologies create international best practice; and increasing educational research and educational exchanges have resulted in the increasing presence of serving officers at international criminal justice conferences.

This book is unapologetic in taking a normative approach that seeks to foster the less coercive and more transparent manifestation of law enforcement commonly referred to as *democratic policing* (OSCE 2008, Bayley 2001). Democratic

policing fulfills the institutional responsibilities of enforcing law and ensuring public and social order while following four key principles (Bayley 2001).

- Police must be accountable to the law rather than to the government.
- Police must give top operational priority to servicing the needs of individual citizens and private groups.
- Police must protect human rights, especially those that are required for the sort of unfettered political activity that is the hallmark of democracy.
- Police should be transparent in their activities.

Democratic policing is most commonly associated with the Western industrialized democracies, and although it could be argued that it is simply the law enforcement manifestation of the right to not be subjected to cruel, inhuman, or degrading treatment or punishment, as expressed in Article 5 of the Universal Declaration of Human Rights (UN 1948), many attempts at exporting its principles to authoritarian and developing countries are often treated with suspicion as contemporary manifestations of political and cultural imperialism (for example, see the work of Brogden and Nijhar 2005 on community policing cited in Chapter 3). Perhaps an approach less fraught with imperialist tendencies, is to instead focus on police reform as "strengthening peaceful yet weak security providers whilst taming the most powerful yet brutal ones" (Wood and Font 2006: 332).

The question that arises when writing a book based on such a normative approach is how to convey the realities of policing in countries where the law enforcement agencies do not operate with complete regard for democratic principles. There is a difficult balance to strike between a respectful discussion that acknowledges the strengths in policing in any country and one that still recognizes the pressing need for reform. Policing in developing and transitional countries can be dismissively stereotyped as corrupt, repressive, and inefficient, but we have to wonder how the reality looks from the inside looking out. It is easy to scorn, but is it possible for the author, or the readers, of this book from industrialized countries to "walk in the shoes" of an officer in a developing country? All police officers around the world see the worst in the society they live in and work under the ever-present threat of violence, but anyone living and working in a relatively stable and rich country must surely pause and reflect when reading Goldsmith's (2000) description of the Colombia National Police as "among the most reviled and persecuted civilian police force in the world" (p. 172), who are killed at the rate of some 400 per year (in a country of 44 million people) in the continuing battles between government, guerrillas, and drug cartels. In other countries, the police may not be facing such levels of violence, but they are commonly under paid, under resourced, and

often living far from home in crowded barracks. What if police officer is one of the few paying jobs available (and by taking bribes you can actually make a decent wage)? What if the police officers and political and administrative systems they work in are so corrupted that you have to pay a bribe just to get into the police?

Moreover, such a critical eye should not be cast only on policing in authoritarian and developing countries. It is also important to look at the problems with policing in the countries that export police reform. Industrialized countries cannot provide expertise and training to the developing world in community policing, race relations, or democratic reforms without acknowledging the challenges facing their own domestic police agencies. Nothing is gained by glossing over the difficulties of policing in industrialized countries or ignoring the reality that policing everywhere is undergoing continuing processes of reform.

While this book is based on a comparative framework, and there are notes on comparative methodology in Chapters 1 and 2, it does not aspire to be a textbook on comparative policing. The comparative method covers a much wider range of techniques and circumstances than those covered by the international and cross-cultural comparisons used in this book. This book will most likely end up being used in elective courses that have the word comparative, international, or global in the title, but it is also hoped that it becomes staple reading for the increasing number of core courses in policing and criminal justice programs that are being designed as inherently international and comparative as these issues are mainstreamed (Winslow and Zhang 2007).

Finally, it should be noted that this book reflects the linguistic and cultural biases that are intrinsic in any attempts at researching and writing international reviews and comparative studies. The author reads English and Spanish, as well as some Catalan, French and Italian. The sources therefore were potentially in all those languages, but in fact the book is based overwhelmingly on English-language materials, as the linguistic abilities of the author is reinforced by the domination of English in print and online publishing. Moreover, the political-cultural reality is that only the more democratic and transparent of the national and international policing institutions open themselves to the scrutiny of researchers, and so they are the ones that tend to generate more analysis and commentary. Although this book has pretentions of providing a global perspective on policing, the coverage of different continents and countries is uneven and the perspectives on policing primarily reflect those authors who write in English.

Definitions

The key concepts in this book are analyzed in depth throughout the text, but in this introductory chapter some preliminary observations should be made about their usage.

The term *police* and *policing* refers to work of the public, civilian (non-military) institution that is empowered by the government to enforce the law and ensure public order through the legitimized use of force (Newburn 2003, Mawby 2003). In various chapters there is discussion about the blurring of lines between public and private, between civilian and military, and between the different entities that are empowered by governments to enforce the law and ensure public order, but the focus will always come to back to those uniformed and plain-clothed officers that in almost every country are recognized by the population as the public police. At times, for primarily stylistic reasons, the term *law enforcement*—a more general term that can cover a wider range of agencies—will be used as a substitute for police and policing. The book focuses on public, above-ground policing, with the consequent neglect of secret and clandestine policing groups—whether they are political commissars or death squads—that play a significant role in some countries.

Police *agency* is used as the generic name for the public policing institution, although at times it will be referred to as the *department*. The term police *force* is generally not used, given the debates in many countries about whether policing should be considered a *force* or a *service* (see Chapter 1). The senior executive of the police agency is generally referred to as the *Chief of Police*, however other titles such *Commissioner, Director,* and *Inspector General* are also used to identify specific executives from countries that use those honorifics.

The term *civilian* is primarily used to distinguish between the police and the military (see Chapters 1 and 6). However, in the policing vernacular of most countries, civilian is also used to distinguish sworn police officers from unsworn agency personnel, as well as from the general population (see Chapters 2 and 3). This use of the term is conceptually tenuous in those countries where the police are constituted as an inherently civilian institution (see Chapter 1), but it is so pervasive that civilian is also used at times in this book to mean "non-police."

Almost every term identified in these previous paragraphs is contested and the debates about them will unfold throughout the book. For example, the book focuses on the public police, yet it is also noted that a community policing approach, which involves a range of public and private actors, is the most widely disseminated policing philosophy (see Chapter 3) and that informal, non-institutional policing continues to be the means of maintaining social

order in many developing countries (see Chapter 2). Similarly, the book focuses on civilian policing, but it is also acknowledged that there is a blurring of civilian and military in both common vernacular and in operational action—when the U.S. is described as "policing the world" it is usually a reference to military actions—while in some domestic situations the military forces of that country also patrol the streets and pursue criminals or political opponents (see Chapter 1, 2 and 6).

The terms *international and transnational* are used to describe criminal activities, and the policing responses to them, which breach national borders and impact on more than one country. Other terms such as *global* and *cross-border* also appear occasionally, particularly when quoting authors and reports. Despite attempts to parse such terms depending on the number of countries involved and the nature of the relationships between them, the terms can generally be used interchangeably, and there are significant variations in how they are used by different authors (see Chapter 4). This book uses the twin term of international and transnational purposely to avoid these definitional debates.

Moreover, given that the practice of international and transnational policing is undergoing a rapid transformation, the language used to describe different cooperative processes is still evolving. In the military doctrine of many countries, there is a strict distinction between *joint* operations (between the different branches of the military of one country) and *common* operations (between the military of different countries), and while the same use of these two terms is gradually being adopted in policing they still tend to be used interchangeably.

International and transnational are contrasted with *domestic* crime and responses, which occur within national borders. The word *country* is used to refer to a sovereign political territory bound by these borders. Occasionally the generally equivalent term *State* (with a capital S) is used where the emphasis is more on the political entity than on the territorial identity, although it is generally avoided to minimize any confusion with a *state* (lower-case) in a federal system such as the U.S. Similarly, *nation* is generally avoided because it technically refers to a community of a common culture that is not necessarily bound by political borders (e.g. the Kurd or Catalan nations). However, as many countries, even multicultural countries, also consider themselves to be a nation, that term occasionally slips in and it is certainly used in the adjectival form *national* as there is no equivalent adjective for country or State. Also at times the word *jurisdiction* is used if the emphasis is more on the legal nature of territory.

The differences in the use of terms such as country, State, state, and nation are an excellent example of the challenges of writing a book such as this, which

seeks to create a common understanding of the profound political, social, and linguistic differences that impact policing in different countries. Ask someone from the U.S. to describe the political structure of the country and they are likely to say that it is a nation of 50 states; ask someone from Spain to do the same about their own country and they most likely will say it is an *Estado de naciones* (a State of nations) in recognition of the national identities of the Basques, Castilians, Catalans, and Galicians.

Organization of the Book

While the book is not formally divided into separate parts, the flow of chapters reflects the sequence of topics identified earlier as the triangle of contemporary international issues.

The first three chapters are the comparative policing base of the triangle and focus on the international environment in which contemporary policing operates. Chapter 1 compares policing models throughout the world; Chapter 2 highlights the case study approach to comparative policing; and Chapter 3 focuses on cross-national comparisons of policing strategies and the challenges of transferring operational approaches from one country to another.

The next two chapters examine the new frontiers of crime and the factors that facilitate, and limit, police cooperation. Chapter 4 analyzes the growth of international and transnational crime and the operational responses that seek to address it. Chapter 5 focuses on the international arrangements that strengthen the capacities of police agencies to work at a more global level.

As the last side of the triangle of issues, Chapter 6 focuses on the role of police in international peace operations and capacity building projects and on the implications of the military-police-civilian interface in such engagements.

These six chapters all focus on the institutional-level work of police agencies and the cooperation between them. But ultimately it is individuals, not institutions, who work cooperatively, so the book concludes with a postscript that focuses on the knowledge, skills, and attitudes that police officers need to work more effectively in a globalized world.

Throughout the book there are numerous boxes with short case studies and other practical examples of international and transnational policing, which are based on a variety of sources, as well as on the author's personal experiences. When the source is a report, press article, or other personal testimony, the adaptation used in the box attempts to stay faithful to the voice of the original source whenever possible.