Police Reform as a “Solicitous Siege” – International Actors and Local Subversion in the Balkans

The police forces of the Balkans are considered to be in need of reform.¹ After 50 years of state socialism, the subsequent violent collapse of Yugoslavia, and the upheavals of transition, local police forces demonstrate numerous failings to Western eyes. They appear as politicized, corrupt, and ineffective, and their reform is therefore regarded as a matter of urgent necessity. They need to be obliged to conform with the rule of law and Western standards so that the Balkan countries may fulfil vital preconditions for entry to the EU. This assessment belongs not only to the discourse of universities and think tanks calling for security sector reform in South-eastern Europe. International organizations also stress the need for police reform. Likewise, statements made by interior ministries and police authorities in the region also underline the priority of reforms to enable deeper integration with Euro-Atlantic structures. This agreement can be regarded as a reform consensus.

The reorganization of the police has become a widespread concern. This is apparent in the multitude of international actors who are present in the Balkans. The OSCE, EU, UN and many other actors are involved in such a vast array of projects and programmes that it is hard to achieve an overview. This massive presence can be considered as a “solicitous siege”² that has turned police reform into a highly internationalized endeavour.

I seek to analyse this endeavour in detail. My argument runs as follows: The reform of the police in the Balkans, for which a broad consensus exists, is in fact a competitive process in which international actors compete for influence in a narrow field. At the same time, the policy of reform has unintended local consequences, in the form of practices of subversion and instrumentalization. The result is a contradictory configuration of actors and an expansion of agencies and organizations. This dynamic can be considered as part of the increasing internationalization of bureaucratic domination.

The aim of my contribution is to analyse the interplay between external actors as well as the interplay between them and the local police forces. Internationalized police reform always takes shape in concrete local contexts and can only properly be observed there. Analytically, however, two distinct fields of action can be distinguished: the local field of police forces, on the

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1 The Balkans or South-eastern Europe are considered here to encompass the successor states of the former Yugoslavia together with Albania.
2 After the novel Fürsorgliche Belagerung by Heinrich Böll (published as Safety Net in English).
one hand, and the international field of police reform, on the other. Each of these two fields of action has its own logic. However, they are not necessarily separate in terms of space and have a reciprocal effect on each other. In the following sections, this will be examined in greater detail, with the help of theorems of Pierre Bourdieu, which make it possible to grasp the logic of these fields conceptually. By means of this approach, I try to illustrate the functioning and effects of the policy of reform with reference to the cases of the former Yugoslav Republic of Macedonia and Albania. The contribution concludes with some critical observations regarding the problems and prospects of international police reform.

The Police and Police Reform: The Logic of Two Bureaucratic Fields

According to Bourdieu’s theory of practice, every area of society – religion, science, art, bureaucracy, etc. – can be understood as a field of action. All actors attempt to gain an advantageous position in the field. The extent to which they can achieve this depends upon how well they are supplied with means of power, which Bourdieu understands as “capital”. Alongside classical economic capital in the form of money or the means of production, social capital in the form of connections and personal relations, and cultural capital in the form of education and academic titles also play a decisive role. All actors in a field are equipped with various quantities and kinds of capital. Bourdieu considers each field to be a “playing field”, with the types of capital representing stakes that are up for grabs in a competition over their distribution and acquisition. The actors in each field also have a specific habitus. The habitus encompasses schemes for the everyday perception and interpretation of the social world as well as schemes of action. The habitus is a practical sense of the stakes, strategies, and rules within a field and simultaneously enables the application of appropriate practices.

Bourdieu applied the concept that I have only roughly sketched out here primarily to the social space of individual national societies, and above all to France. However, it can be developed further and applied to other contexts. Thus it is theoretically possible to speak of the social space of an emerging world society. This space consists of numerous diverse local and transnational fields of action. In terms of police reform in South-eastern Europe, two bureaucratic fields can be distinguished: a local field of police forces and a transnational field of police reform.

First of all, local police forces in the Balkans represent individual bureaucratic fields, shaped by the history of the socialist state and the up-

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4 See Pierre Bourdieu/Loïc J.D. Wacquant, An Invitation to Reflexive Sociology, Cambridge, pp. 97-100.
heavals of transition. The cultural capital of specialist qualifications, objectified in the form of police service grades or ranks, makes it possible for actors to follow career paths within the field. It takes the form of technical police knowledge, gained through training, and organization-specific service knowledge, gained through acquaintance with operational processes. Social capital plays a role as the sum of connections resulting from relations of patronage with higher-ranking police officers, political parties, and “big men”. Economic capital exists in the form of endowment with financial resources and salaries, but is also accumulated informally via various types of illegal acquisition. This field is also associated with a bureaucratic habitus, whose strategies encompass not only compliance with but also disregard and circumvention of formal rules.

Parallel to that, another field has established itself in the Balkans, namely the transnational field of police reform, within which an ever-growing number of regional and international actors are operating. Here, too, the dynamics of the field are determined by competition between the actors for good positions. The logic of this field, however, depends upon the world of “projects”. Here, the managers, consultants, trainers, and “stakeholders” are the key actors, who administer projects or programmes with their various goals, timetables, and budgets. Cultural capital consists here in reform expertise, which relates to technocratic knowledge of project management, as well as knowledge of the operational processes in the police, donor priorities, and local conditions. Social capital plays a role in the form of relations with important decision makers at the headquarters of international organizations in New York or Brussels, with key local implementation partners, such as high-ranking representatives of the local interior ministry, and with representatives of other international organizations. Economic capital, in turn, exists in the form of budgets and other financial resources for individual reform programmes or entire police missions. To this field there corresponds a technocratic habitus among project managers and police officers seconded to international missions, whose tasks include the planning and organizing of reforms.

The local field of police forces and the international field of police reform have their own rules, capital weightings, and forms of habitus, which lead to different practices. Neither can therefore be reduced to the other. Nonetheless, their forms of practice overlap and affect each other. Furthermore, the fields cannot be considered distinct in terms of space, as both equally find expression in the local context. It is therefore possible for the


actors in one field to act in the other. With this theoretical vocabulary, I wish to examine police reform in South-eastern Europe more precisely.

*The Proliferation of International Actors*

The reform of the police in South-eastern Europe appears to be a particularly urgent matter, as the high density of international actors performing all sorts of projects in the region suggests. The most important actors in the field of police reform include international organizations such as the OSCE, the EU, and the UN. However, many organizations do not appear as a single actor, but are present via a number of separate agencies. The UN, for example, has a specialist “UN Police Division”, which is responsible for the UN Civilian Police (CIVPOL) and for police components in UN missions. However, other UN agencies, such as the United Nations Development Program (UNDP), the United Nations Office on Drugs and Crime (UNODC), and the United Nations High Commissioner for Refugees (UNHCR) are also involved in police reform. The EU, too, is represented by a variety of institutions. EU police reform is carried out within the European Security and Defence Policy (ESDP), as well as in the context of the EU’s stabilization and association policy in the Balkans. As a result, the EU is present via its Council of Ministers, the EU Commission, and the European Agency for Reconstruction (EAR), a body that works on behalf of the European Commission. Additional key actors include individual states with special assistance programmes, such as the USA with its International Criminal Investigative Training Assistance Program (ICITAP). Other regional organizations and associations also pursuing police reform include the Council of Europe and the Police Forum Initiative of the Stability Pact for South Eastern Europe, as well as countless NGOs. As a result, there is a bewildering variety of actors, with various mandates, projects, and programmes, collaborating on police reform in the Balkans sometimes successively, sometimes concurrently.

In Croatia, for instance, police reform was undertaken first by the UN (1996-1998), then by the OSCE (1998-2000), then by ICITAP (since 2000), and recently also by the UNDP. In Bosnia and Herzegovina, the task of police restructuring was handed first to a UN police mission, the International Police Task Force (IPTF, 1995-2002), which was succeeded by a European-led EU Police Mission (EUPM) in 2003. At the same time, ICITAP is active here, and has trained some 26,000 police officers since 1996. In Kosovo, a police mission belonging to the United Nations Interim Administration Mission in Kosovo (UNMIK) was responsible from 1999 to 2009 not only for the execution of law enforcement functions, but also for the complete restructuring of the police. In addition, the OSCE and ICITAP (both since 1999), the

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8 See Bourdieu/Wacquant, cited above (Note 4), p. 80.
EAR, and individual states such as France, Germany, and Switzerland have worked to help establish the Kosovo police. The EU Rule of Law Mission (EULEX), which has been present in Kosovo since 2008, is also devoted to police training. In Serbia, aside from the OSCE (since 2001), ICITAP (since 2004) and the EAR, the Council of Europe and various individual states, including Australia, Germany, Italy, Norway, Sweden, Switzerland, and the UK, have been involved in the reform of the police.

The multitude of actors leads inevitably to the duplication or overlap of activities. In Bosnia and Herzegovina, for instance, crowd control was taught by the USA, France, and Germany, and interviewing techniques by the UK, Denmark, the UNHCR, and the US Immigration and Naturalization Service (INS). In Serbia, programmes to support the border police and to improve police forensics were each supported by three separate agencies, and programmes to combat organized crime were offered by five different actors.

**Competition between the International Organizations**

The highly internationalized reform of the police in South-eastern Europe can thus be conceived of as a distinct field of action, where a variety of international actors claim competencies while also competing with each other. In the following, I wish to demonstrate this with reference to the former Yugoslav Republic of Macedonia. As in other Balkan states, many organizations are active here. One important player is the European Commission, whose initial foray into the police-reform took the form of the European Commission Justice and Home Affairs Team (ECJHAT, 2002-2003), which was followed by the European Commission Police Reform Project (ECPRP, 2004-2005). At the same time, however, the EAR, in the service of the European Commission, was also active in the field of reform. Finally, within the scope of its ESDP, the EU also dispatched a police mission, EUPOL Proxima (2003-2005), which was followed by an EU Police Advisory Team (EUPAT) in 2006. Aside from these actors, all of whom were acting in the name of the EU, other organizations were also present: Both the OSCE and ICITAP have been involved in police reform in the Balkan state since 2001. On top of this, further regional activities are being carried out under the aegis of the Stability

Pact for South Eastern Europe and the Council of Europe, while Norway, France, the UK, the Netherlands, and Italy have all undertaken bilateral initiatives.

The first thing these actors needed to do was to co-ordinate their activities. The leaders of the local Delegation of the EU Commission, the local presence of the EAR, the head of EUROPOL Proxima, and the ECJHAT/ECPRP co-ordinator had informal weekly meetings, chaired by an EU Special Representative (EUSR). Alongside this EU-internal co-operation, however, it was also necessary to co-ordinate with other international actors. To this end, a Police Expert Group was created as a formal co-ordination mechanism, once more under the chairmanship of the EUSR. As well as the actors mentioned above, it included representatives of the OSCE, ICITAP, and individual EU member states. However, these attempts at creating social capital via co-operation were relatively ineffective, because information on current and planned initiatives was withheld or ignored and co-operation was directly refused.13

This led to a high degree of duplication and numerous overlaps. For instance, the Council of Europe carried out several assessments of the police in the 1990s, and drew attention to a number of shortcomings that were later also identified by the European Commission and then also by EUROPOL Proxima.14 The organizations also came into conflict with each other. The OSCE fell out not only with the EAR and the European Commission, but also repeatedly with EUROPOL Proxima, when the latter attempted to become involved in community policing – an area in which at least five actors have been active at one time or another.15 In training the police in the use of firearms, the OSCE refused to co-operate with EUROPOL Proxima, which ceased its activity in this area as a result.16 Disputes over competences and power struggles also developed among EU actors. For instance, the transfer of projects and individual programme elements from the local Delegation of the EU Commission in Skopje to the EAR was a cause of conflict, as the Delegation was losing competencies and personnel in the process, and felt that its influence was being curtailed. A dispute over competences also developed between the EUSR and the head of the Delegation of the European Commission, who effectively refused to speak to each other between 2001 and 2005 and whose conflict culminated in a full-scale public “turf battle” in April 2005.17

In the process, EUPOL Proxima, which had been a late arrival on the scene compared to other international actors, came under particularly strong pressure to justify its existence, since the tasks granted to it in its mandate had previously been administered by others. Hence, its raison d’être was continuously being called into question. For instance, EUPOL Proxima planned to provide technical assistance for the demilitarization of the border security forces, although this was a role that the OSCE and the European Commission had previously carried out. In the case of efforts to establish confidence-building measures between the population and the police, it was again the OSCE and ICITAP who were already active. The EUPOL Proxima plan to train the police in the use of firearms also encroached on an area where the OSCE was already active, while the overhaul of the promotion system was already in the hands of the European Commission and other actors. For that reason, EUPOL Proxima had to spend a lot of time identifying the gaps that remained in the reform programme in order to claim them for itself. “No detail was too small or unimportant to be outside the purview of the EU peacebuilders.” Although EUPOL Proxima was largely considered a failure and its necessity openly called into question, the EU Council of Ministers decided at the end of 2004 to extend its mandate for a further year. Apparently, the symbolic prestige value of the first civil ESDP mission outweighed its practical benefits.

Although all the external actors ultimately wanted the same thing, namely a reform of the police, in practice, reform policy turned out to be a competitive business, in which actors vied for influence, resources, and prestige. The various international organizations were forced to accumulate the cultural capital of reform expertise through their own projects in order to justify their mandates and presence on the ground.

The Problem of “Policy Slippage”

A further example of the contradictory effects of police reform is the case of Albania. The EU has had a police mission in Albania since 1997, firstly the Multinational Advisory Police Element (MAPE), and, since 2002, the Police Assistance Mission of the European Community to Albania (PAMECA).

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19 Cf. Merlingen/Ostrauskaitė, cited above (Note 12), pp. 91, 94.
20 Ibid., p. 99.
21 The following is based on field research carried out by the author in April 2004 and September 2005 in Albania and on numerous interviews with members of the local police and representatives of international organizations. Cf. Stephan Hensell, Die Grenzen der Gesetzeshüter: Zur bürokratischen Praxis in der albanischen Polizei, [The Limits of Law Enforcement. On Bureaucratic Practice in the Albanian Police], Hamburger Beiträge zur Friedensforschung und Sicherheitspolitik, No. 141, Hamburg 2005, and idem, Die Willkür des Staates, cited above (Note 6), pp. 137-162.
bilateral Italian “Interforza” mission has also been active in the area of police reform since 1997. More recently, the local Delegation of the European Commission has become engaged here, too. Further relevant actors are the OSCE and ICITAP, both of which have operated various projects since 1997. Alongside ICITAP, two further US agencies are active: the United States Agency for International Development (USAID) and the Export Control and Related Border Security Assistance Program (since 2005). The UNDP was also involved in police reform prior to 2008 with a project on community policing. Additional bilateral, multilateral, and international co-operation agreements exist with Germany, Greece, Europol, Interpol, the Council of Europe, the EU border security agency Frontex, the UNHCR, and UNODC. There are also arrangements with NGOs such as Germany’s Hanns Seidel Foundation, and the International Organization for Migration (IOM). In addition, the Albanian police is involved in a number of regional co-operation projects, including the Southeast European Cooperative Initiative (SECI), the Black Sea Economic Cooperation (BSEC), the Stability Pact for South Eastern Europe, and trilateral arrangements, mainly with Greece and Italy.

As elsewhere in the Balkans, problems arise from overlapping projects, clashing institutional reform policies, the duplication of training programmes, the provision of the same service multiple times, and the use of contradictory models of policing. In view of this, the international actors formed an international consortium in January 2002, specifically to define who is active in each field and precisely what they are doing. This consortium has seven working groups, which had a total of 21 regular meetings during 2008. Topics discussed include integrated border management, organized crime, information management, training and equipment, crime prevention, witness protection, community policing, and legal reform.

Besides the institutions mentioned above, other members of the consortium include the World Health Organization (WHO), the United Nations Children’s Fund (UNICEF), individual states such as Denmark, the UK, Austria, Italy, Germany, the USA, the Czech Republic, Greece, France, and Sweden, as well as local NGOs such as the Albanian Helsinki Committee, the Albanian Foundation for Conflict Resolution, and the Institute for Democracy and Mediation. A total of over 100 participants from around 45 organizations took part in the general meeting of the consortium in April 2009. However, the participants consider the consortium to be relatively ineffective. National egoisms, the theft of project ideas, and competition for the most prestigious reform project cause the participants to withhold relevant information, whose exchange is precisely the consortium’s purpose. As in the former Yugoslav Republic of Macedonia, external actors are competing over the cultural capital of reform expertise.

22 Source: author’s interviews in Tirana with OSCE representatives.
The sheer number of intervening agencies has led the Albanian state to abdicate responsibility for financing and equipping its police in many regards. The economic capital necessary for investment in the police, for example, now largely comes from international donors, who provided 16 million euros in 2007 alone. This accounted for more than 80 per cent of all investment in the police.\(^{23}\) The international actors also help in the training of the staff, strategic planning, and the implementation of strategies to fight crime. They furthermore advise on police-related legislation and provide logistical and material assistance. Police officers from EU states support the work of their Albanian colleagues at border crossings and patrol the sea with them.

However, the effects of this internationalized reform programme are contradictory, since the Albanian police force represents its own bureaucratic field that is characterized by specific practices and forms of habitus.\(^{24}\) This includes above all the informal appropriation of economic capital through corrupt practices and the reproduction of social capital within clientelistic networks among police officers. Diverse strategies of subversion and evasion that lead to “policy slippage” are a common feature of the police apparatus. This has consequences for the central area in which the international organizations are active, namely the investment in training programmes. The external actors consider the implementation of a large variety of basic, advanced, and specialist training programmes, some of which are organized abroad, to be a central means of improving the effectiveness of the police. However, the cultural capital conveyed in seminars and training courses has little value for the police officers, because it is mainly social capital that determines career trajectory in the local field. Party patronage and the clientelism of police chiefs are dominant practices and go hand in hand with the permanent rotation of staff that makes the application of the specialist knowledge acquired impossible.

A further problem lies in the unintended consequences of external assistance. For instance, with the support of ICITAP, an internal audit service, the Shërbimit të Kontrollit të Brendshëm (Internal Control Service, SHKB), was established within the Ministry of the Interior. The service gathers information on irregularities and legal infringements in the police force and uncovers instances of corruption. However, the SHKB is not under democratic control and answerable only to the interior minister, who has made the office subject to his personal interests. Most disciplinary transfers and dismissals of police officers are based on information gathered by the SHKB, usually, however, without reliable evidence and the use of correct procedures in accordance with public sector employment law. For this reason, the SHKB was


described by a high-ranking police officer as a “modern Gestapo”.\(^{25}\) For the interior minister, the incriminating evidence provided by the SHKB is above all a welcome means of making disloyal police officers compliant or of getting rid of them, so as to fill lucrative positions with a new clientele. The minister’s practice of arbitrarily transferring and dismissing police officers is well known, but it is increasingly being performed with reference to terms such as “corruption”, “increasing efficiency”, and “reform”.\(^{26}\) These concepts, which are mainly reproduced discursively in the transnational field, also represent a form of cultural capital for the local “big man”, as they allow him to legitimize his practices. As a result, anti-corruption efforts, which often amount to no more than the rotation of personnel, provide discursive and institutional support to the minister’s arbitrary rule. This outcome is at least partly thanks to the reform efforts of the international actors and at the same time a reason for their continuing activity. The establishment of an internal complaints authority and a police union are two of the next potential reform projects that could help to better protect police officers from the arbitrary rule of their superiors.

**Summary**

The reform of the police in the Balkans presents a contradictory picture that is characterized by the bewildering – at times absurd – variety of international actors and practices of local subversion. The massive external intervention amounts to a “solicitous siege”, which can however only in part be considered a response to a genuine need for reform. That is because international actors, regardless of their honourable intentions and the necessity of their assistance, also have a strong self-interest in the reforms, which provide their institutions with legitimacy. The promotion of reforms in the Balkans can therefore also be interpreted as an attempt by organizations to find new tasks and activities that justify their existence. Playing into their hands, a discourse on security policy purveyed by university institutions and think tanks equates distinct phenomena such as crime, terrorism, and “fragile states” and conflates them into a highly diffuse threat scenario.\(^{27}\) This discourse is extremely useful to the international actors, as it opens a wide range of activities, one of which is the creation of effective police institutions. A similar function is played by references to the necessity of comprehensive reform of the “security sector”, which encompasses not only the police, but also the judicial and penal systems, the legislature, etc. This approach, however correct

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\(^{25}\) Source: author’s interviews in Tirana with a senior police officer.  
it may be, also leads to continuous intervention. The result is the proliferation of external actors, who, with their overlapping and competing claims and competencies, are somewhat reminiscent of mediaeval feudal society.

This is not only a problem of a “lack of cohesion”. The multitude of international organizations, agencies, and programmes, which already need to be managed by international consortiums and steering bodies, results in an expansion of bureaucracy: Hand in hand with the transnational administrative field, an international class of project managers and experts is also formed. Acculturated by the language of “reform” and “projects”, these elites share a common administrative habitus and reproduce a socio-technological mentality.28 The result of this expansion of administrative functionalist logic is above all the increasing internationalization of bureaucratic domination.

However, the effects of the reforms on the actual object of the entire effort – the local police forces – are questionable. Undoubtedly some successes have been achieved by police reform. However, exaggerated hopes regarding the possibilities of the international engagement are rather out of place. Good policing and legal-rational police management cannot be taught in seminars, because the field of the local police has its own logic. In the case of the Balkan states, party machines, clientelist networks, and the economic interests of “big men” play an essential role. Reform attempts are therefore likely to continue to be thwarted by local practices that aim at evading international requirements or playing external actors off against one another.29 Such strategies of obstruction are to be expected particularly when the attempt is made to enforce police reforms against the interests of local power groups, as occurred in Bosnia.30 At this point, at the latest, it becomes clear that police reform is always a deeply political process, and cannot be reduced to the logic of bureaucratic restructuring.

29 Cf. also Stodiek, cited above (Note 11), pp. 47, 67.