



Security Sector Reform and Local Ownership in Liberia

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DEDICATION

This study is dedicated to the women of Africa who despite the challenges of poverty and entrenched patriarchal dominated structures and traditions are being increasingly inspired to becoming agents of change.

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ACRONYMS

AFL	Armed Forces of Liberia
ASSN	African Security Sector Network
ATU	Anti-terrorist Unit
AU	African Union
BCE	Bureau of Customs and Excise
BIN	Bureau of Immigration and Naturalization
CPA	Comprehensive Peace Agreement
CSDG	Conflict Security and Develop Group
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DDR	Disarmament Demobilization and Reintegration
DEA	Drug Enforcement Agency
EAB	Executive Action Bureau
ECOWAS	Economic Community of West Africa States
EFS	ECOWAS Stand-by Force
GDP	Gross Domestic Product
GRC	Governance Reform Commission
HDI	Human Development Index
ICGL	International Contact Group for Liberia
ICTJ	International Centre for Transitional Justice
IGOs	Intergovernmental Organisations
LFF	Liberia Frontier Force
LINLEA	Liberia National Law Enforcement Association
LNP	Liberia National Police
MCP	Monrovia City Police

MNS	Ministry of National Security
MOD	Ministry of National Defence
MOJ	Ministry of Justice
NACCSOL	National Coalition of Civil Society Organisations of Liberia
NBI	National Bureau of Investigation
NFS	National Fire Service
NPFL	National Patriotic Front of Liberia
NSA	National Security Agency
NSAs	Non-State Security Actors
NSC	National Security Council
NTGL	National Transitional Government of Liberia
NTLA	National Transitional Legislative Assembly
OECD	Organization for Economic Co-operation and Development
PAE	Pacific Architects and Engineers
PMCs	Private Security Companies
PRC	People's Redemption Council
RAND	National Defence Research Institute
SAL	Small Arms and Light Weapon
SATU	Special Anti-Terrorist Unit
SOD	Special Operation Division
SSR	Security Sector Reform
SSS	Special Security Service
TWP	True Whig Party
UN	United Nations
UNCIVIPOL	United Nations Civilian Police
UNMIL	United Nations Mission in Liberia
UNSC	United Nations Security Council

CHAPTER 1

GENERAL INTRODUCTION

“Liberia’s future lies not in the hands of our partners, but primarily in the hands of the Liberian people and their government. It is for us to make our destiny one of choice and not chance.”

- Her Excellency Madam Ellen Johnson-Sirleaf, President of the Republic of Liberia (January 28, 2008)

Introduction

The deformation and subsequent collapse of the security sector in Liberia and its accompanying consequences are rooted in the social, political and economic history of the country since its independence. The absence of a general consensus or shared vision for the establishment of the Liberian state by both indigenes and settlers, and the highly unique system of internal colonialism practiced by the Americo-Liberian (resettled freed slaves) population greatly influenced the establishment, provision and governance of security in Liberia. These imperfections, initiated from the establishment of the Liberian state, ran throughout the history of the country, strangulating the growth of collective security and the drive towards nation building. They consequently exhibited themselves in practices of bad governance, thereby highlighting the root cause of the flaws and deficiencies that engulfed the Liberian security sector.

Originally created as the home guards or militia, the security sector in Liberia was established for the preservation of the Americo-Liberian¹ population. However, due to records of human rights violations and inefficiency, the first security body (The Militia) was dissolved, leading to the subsequent creation of the Liberian Frontier Force (LFF) in 1908. Unfortunately, though not by coincidence, the LFF, charged with the responsibility of collecting taxes and rounding up labour for government projects in the hinterland, became an instrument of suppression and subjugation against the majority indigenous population.

The LFF inhumane tactics and legacy of brutality against indigenes, lingered among inhabitants of the Liberian hinterlands throughout most parts of the hundred years Americo-Liberian reign. Transformed to the Liberia National Guard Service in 1965, the LFF later became the Armed Forces of Liberia (AFL) in 1970. While the dissolution of the militia and the various transformation of the LFF were regarded as steps towards the enhancement of security and rule of law, it unfortunately was not followed by any significant change in the policies, practices and structures of security provision and governance in Liberia.

Security institutions in Liberia throughout history suffered misuse and abuse due to poor democratic governance framework, poor oversight structures and the absence of a shared vision for national security. This flaw manifested itself in various forms of human rights violations and practices of discriminations, nepotism and ethnicity. Security in Liberia from its inception was always a service enjoyed by the privileged few. Firmly held in the hands of the ruling elites, security was treated as a political commodity, with only members of a certain class and group having access.

¹ Americo-Liberian: Settlers (free slaves from America)

The politicization of security in Liberia which was initiated from the establishment of the republic became exacerbated after the military takeover of the country in 1980 that coincided with the Cold War. Security institutions in Liberia after the military coup were politicized so much so that they were converted to the role of protectors of the regime. Instead of protecting the sovereignty and citizenry of Liberia, these institutions became more concerned with protecting the interest of ruling governments and maintaining their hold on power, most often to the detriment of the civilian populace.

The consequences of the deficiencies and flaws that categorized the Liberian security sector after 1980 contributed very much to various unforgettable experiences of carnage and societal instability in the country, notably amongst which was the dreadful fourteen 14-years civil war (1989-2003) that affected every fibre of Liberian society. The civil war in Liberia led to the death of more than 200,000 people, the displacement of more than one million people; and the wanton destruction of both public and private properties which can be valued at several billion US Dollars. It also affected the entire West African sub-region, particularly neighbouring countries within the Mano River Basin such as Sierra Leone, Guinea and Cote d'Ivoire).

The Accra Comprehensive Peace Agreement (CPA) signed on August 18, 2003 brought an end to the traumatic civil war in Liberia and also laid the framework for post-war reconstruction in the country. Embarked upon in 2003, the post-war reconstruction process involves series of reforms and restructuring, one of which is the reform of the security sector. Security sector reform (SSR) is relevant to stability and sustainable development in Liberia. This is because of the prolonged and severe nature of the civil war and the role of security forces in perpetrating and sustaining it. As argued by Ebo, the need for the reform of underpaid and ill-governed security forces whose roles are more of victimisers

rather than protectors of the population they serve, is significant in consolidating efforts towards stability, democracy and sustainable development [Ebo, 2007].

The need for deriving an efficient, effective, and democratically controlled security sector from the ongoing SSR process cannot be overemphasised, especially considering the history of security provision and governance in Liberia and its consequences. Moreover, conceived by the Comprehensive Peace Agreement (CPA), the outcome of SSR in Liberia is crucial to stability and sustainable development. SSR remains a vital process in determining the future of the country. In that, if not implemented successfully, the country faces a risk of severe domestic security threats and a possible relapse into conflict.

However, after four years into the implementation of SSR in Liberia, the process remains far from being termed a success. Despite completing the restructuring and training of the police and SSS forces, the disbandment of the former armed forces and the training of about 1,800 soldiers of the new armed forces, the government and people of Liberia appear less enthusiastic or confident about taking charge of their security. President Ellen Johnson-Sirleaf, according to Star Radio Liberia (a local Liberian radio station), has called on the United Nations to reconsider its timetable for the withdrawal of troops. According to the request of President Johnson-Sirleaf, this is based on what she termed, “the need for strengthening the security sector”.²

The successful implementation of SSR in Liberia is uncertain due to the domination of external actors in the reform, mostly in relation to dictating the nature and course of the process, and their inability to recognize local actors as capable enough to determine and drive their specific security needs. The domination of the external actors involved in the reform has stunted local

² www.starradio.org.lr 01/07/2008.

ownership and commitment. The implementation of SSR in Liberia is challenged by what may be viewed as the unilateral policies, strategies and processes employed by external partners to the reform, with decisions such as the disbandment of the former army, the force strength for the new army and the outsourcing of the army reform to private security companies being taken without consultation with local actors.

This study will focus on issues regarding local ownership of Security Sector Reform and its implications to stability, democracy and development. It aims at examining i) the success of the SSR process in Liberia in the absence of local ownership and commitment; ii) the sustainability of the reform despite local capacity; and iii) the implications, threats and impacts that such implementation process poses to the fragile peace and the future stability and development of Liberia. It will endeavour to investigate particular issues such as the marginalization of civil society, limited parliamentary oversight, lack of transparency and accountability, the incoherent and fragmented process of SSR implementation, and the neglect of other security institutions by actors involved in the reform

This study argues that a locally owned and internally-driven process is fundamental to the success of SSR in Liberia. Emphasising that, the implementation process takes into consideration the history, priority, needs and dynamics of the country. It asserts that the continuous implementation of SSR in the absence of these local specifications will worsen rather than mitigate the numerous security challenges in Liberia, leading to catastrophic consequence for the Liberian polity. It concludes with a call for the review and fine-tuning of the process to ensure an inclusive, democratic and transformative SSR which produces a security sector that is accountable and responsive to the security needs of Liberia

and its population. Finally, a security sector which is embedded within the transformative agenda for governance in Liberia.

Methodology

This study is a product of desk research on the Liberian security sector and its reform. It is in part based on my involvement in an interactive process with Liberian legislators and relevant civil society actors on the SSR process.³ The desk research aspect of the study involved: the review of books, journals, articles and websites on the history of Liberia, the concept of SSR and its implementation in Liberia, a review of the security sector legislation and corresponding acts of the Republic of Liberia; and a review of the United Nations Security Council resolution 1509 (2003) and 1777 (2007).

It also relied hugely on past assessment reports conducted by both government and non-government institutions such as the US government-commissioned RAND Report of May 2006, The Interactive Needs Assessment Report on Security Oversight for the Liberian Legislature, 28-30 March 2007 (ASSN, DCAF and CSDG) and the GRC Comprehensive Assessment Report on SSR in Liberia, 23 September 2006.

Overview of Chapters

This study is divided into five chapters. Chapter one is the introduction of the study, which gives the background and context of SSR in Liberia and also states the research problem, the scope (aim and focus) and the methodology of the research. Chapter Two examines the general concept of SSR; its origin, benefits and limitations, and also reviews the provision of security and the governance of

³ Facilitated by the Conflict, Security and Development Group (CSDG) of King's College London, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and the African Security Sector Network (ASSN); the process includes series of training seminars on the oversight of the security sector in Liberia.

security forces in Africa, particularly in West Africa since the Cold War. Chapter two also focuses specifically on issues of the democratic governance of the security sector in fragile and post-conflict states, the policies of external actors, the impact of those policies on the implementation of SSR and the eminence of local ownership to the implementation of SSR. Chapter three discusses SSR in Liberia from a historical perspective. It gives a historical overview of the Republic of Liberia: its establishment, and the inter-relationship and coexistence of the indigenous and settler populations. It examines the provision of security in Liberia since its establishment, discussing the reasons for its formation, deformation and reformation. It also gives an overview of the Liberian security architecture: its composition, roles and functions. Chapter four focuses on the mandate and implementation of SSR in Liberia. It examines the external actors involved in the reform and the impact of their involvement; the marginalization of local actors; the neglect of other security apparatus, the lack of coordination and coherence and its impact on local ownership and capacity. Chapter five concludes the study with a summary of my arguments and recommendations on the way forward.

CHAPTER 2

IMPLEMENTING SECURITY SECTOR REFORM (SSR)

While the dominance of external actors in the implementation of SSR may be based on “good intentions”, the implications of such dominance to the stability and long-term development goal of the beneficiary country is detrimental.

Though external actors and partners can advise and help develop the efficiency and effectiveness of security forces; the decision for national security lies in the hands of the locals. A vibrant national security policy or strategy cannot be imposed or dictated; it depends on the enhanced capacity of locals.

SSR Concept:

The inefficiency and ineffectiveness of security bodies has been an unremitting source of instability and insecurity. Inadequate security systems have often led to societal instability and the loss of uncounted lives and properties. This flaw in the provision of security has left individuals and communities to their own devices to try and provide their own security. While it is more convenient for economically empowered citizens and private establishments and institutions to financially ensure their security, the poor, who often comprise the majority population, are usually vulnerable. They are left often times with the only option of most likely turning to self-help security provisions, including mob action and vigilantism, like those perpetrated by neighbourhood watch teams in Liberia similar to the Bakassi Boys in Nigeria. These deficiencies in the provision of security pose a severe threat to stability, governance and development.

This flaw in addition to the lack of transparency and accountability in the governance of the security sector is also a root cause for conflict. It sustains and exacerbates those conditions that obstruct and undermines stability and sustainable development. It also increases the downward spiral towards state fragility and failure, thereby consistently threatening livelihood and investment. This situation has contributed to the increasing need for the embedding of security within a democratic governance framework. It emphasizes the need to restore to the community and the state the vested authority for security. Hence, the reform or transformation of collapsed and non-functioning security sectors to ensure efficiency, effectiveness and transparency under civilian and democratic governance is an indispensable precondition for human and economic development in this twenty-first century [*Winkler, 2003*].

It is based on this recognition that the concept of Security Sector Reform was conceived. SSR entered the arena of policy and academic since the late 1990s. Its roots can be traced to debates on development cooperation, democratic governance and the maintenance of state sovereignty. SSR is crucial to democracy and development. It aims at adequately responding to the traditionally ignored governance-related aspects of security. Despite being a relatively recent concept, SSR, since its emergence, has remained integral to the framework on post-conflict reconstruction and the drive towards mitigating the causal factors and threats of conflict. The successful implementation of SSR is significant to assisting countries, particularly post-conflict ones, make the transition to stability and sustainable development [*Hanggi and Scherrer eds., 2008*].

The concept of SSR particularly seeks to transform security institutions in a manner that is consistent with democratic norms and principles of good governance and to contribute to the development of a well-functioning security framework within states. Its implementation involves, from a broad perspective,

all those responsible for protecting the state and its communities [DFID, 2002]. However, more specifically, the implementation of SSR involves three main actors: statutory and non-statutory securities bodies such as the army, police, customs, immigration and prisons services, private security companies, guerrilla forces, militias, etc., management bodies like the executive, judiciary, advisory bodies, etc., and oversight bodies such as the legislature, civil society, and independent media, etc.

SSR focuses on the challenges encountered by the state in enforcing the instrument of force in an effort to protect its territorial integrity, national sovereignty and its citizens. It also focuses on the malfunction of its relevant security institutions due to inefficiency, lack of professionalism, inadequate regulations, and corruption or human rights violations [Ghebali, 2007]. Ensuring therefore, that the security sector is not too strong to pose a threat to the government and the citizenry, yet strong enough to exert force when asked to do so by a legitimate civilian authority. As stated by Michael Quinlan, SSR seeks to “maximise the protective value of the armed services yet minimise the coercive risk they pose to society.” This reveals the value of the resounding call for SSR in third world and post-conflict countries.

However, while the incredible benefits of security sector reform to good governance, stability and sustainable development are being propounded in the world of academia and policy, its implementation has mostly been far from achieving these desired benefits. The implementation of SSR has been characterized by a huge deficit in expectations and outcomes.

The Gaps in the Implementation

SSR in post-conflict and fragile countries aims at enhancing the security and development of individuals through the establishment of governance structures.

However, its implementation, which has mostly been haphazard, short-term, and primarily quick-wins focused has responded only to the symptoms of insecurities while failing to address its root causes. This unfortunately is because the implementation of SSR has mostly been in isolation from the society. Donors and partners involved in the implementation of SSR have failed to approach security sector problems as symptoms of the broader social, political and economic challenges facing the society [*Hendrickson, 1999*].

This gap in the implementation has resulted in a strong call for adopting a broader and holistic approach to SSR that involves the expansion of the concept to include the entire societal network that contributes to stability and development. Expanding the focus of SSR unveils the complex and fragmented nature of security governance and focuses renewed attention on the appropriate role of the security sector in enhancing the socio-economic stability and development of the state. It highlights the relevance of non-state security actors (NSAs) to the reform, and drives the need to move away from piecemeal and ad hoc approaches. It also emphasizes the need to embed SSR within an overall democratic governance framework.

The gap between civilian and democratic control of the security sector can only be bridged by the engagement of a credible, informed and active legislature, a functional and objective judiciary, and a vibrant civil society [*Ebo, 2007*]. But unfortunately, while this argument has come to be acknowledged as being highly significant to the successful implementation of SSR, the diversities in the understanding of SSR amongst organisations and countries, the absence of a universal definition for the security sector and its composition, and the multiplicity of actors involved in implementing SSR have hindered the practical reality of this approach. Though other actors and analysts of SSR have come to recognise non-states actors (NSAs) as part of the security sector, due to their influence on the

development and implementation of security policies, this development has so far remained as a conceptual evolution which has not been accompanied by operational advancement [*Ibid*]. Even though SSR is being increasingly defined beyond the government bracket, non-state actors are still being excluded from its implementation.

This situation has consequentially resulted in a one-size-fits-all approach in the implementation of most SSR initiatives. Besides affecting the outcome of SSR, this approach is devastating because every country, despite having similar characteristics with others, has with respect to security, some basic and clearly defined interests that should be factored into its security policy or strategy. The defence white paper or security strategy document as it is commonly known should be generated from a public process that involves both NSAs and state actors. It should represent the yardstick by which security sector reform is designed and undertaken and by which donor assistance is provided. Assistance to SSR should fall under the umbrella of local ownership and should be designed to support partner governments and local stakeholders as they thread the path of reform, rather than determining that path and leading them down it.

Local ownership and the Success of SSR

The presence of local ownership in the implementation of SSR is both a matter of “respect and pragmatic necessity.” Local ownership, according to Jens Narten, is “the process and final outcome of the gradual transfer to legitimate representatives of the local society (governments, parliament, judicial systems, the media and other civil society), in assessment, planning and decision-making; the practical management and implementation and the evaluation and control of all phases of state-building or peace-building programs up to the point when no further external assistance is needed.” While local ownership does not automatically mean

that local actors are better developers of policies, it is based on the assumption that a process-oriented approach that respects and empowers local actors is more likely to yield good results in the long-term than a product-oriented approach that undermines local actors [Nathan, 2003].

Local ownership should constitute the fundamental framework and point of departure for the implementation of SSR [Ibid]. It should be the primary objective and outcome of all external program supporting the implementation of SSR [Ibid]. As observed by Nathan, SSR processes that are not shaped and driven by local actors are unlikely to be implemented properly and sustained. It has been argued that local actors have little commitment to externally imposed products that do not reflect their local needs, dynamics and resources. Yasutomi and Carmans (2007) emphasized that externally-led processes that are not compatible with local needs and realities, often result in the frustration of locals and subsequently in suspicion of the external actors. The sustainability of SSR therefore depends upon how the implementation strategy leads to local ownership. That is, how well trained and empowered local actors are to continue the effort of the external actors after their withdrawal.

The absence of local ownership in the implementation of SSR is inimical to its success and to the development of democracy [Nathan, 2003]. Democracy cannot take root other than by democracy and that however good the content of an SSR initiative is, a poor process that treats people as objects rather than subjects will lead to a flawed outcome. Moreover, the implementation of SSR is complex and political in nature. It has the potential to influence and exacerbate a broader political struggle within states. Its implementation can unravel the power balance, and challenge vested interests, dominant paradigms and existing power relations within states. Therefore, its success requires the commitment of locals to the activities of the reform. The implementation of SSR necessitates that the

development of reform principles, policies, laws, and structures be rooted in the reforming country's history, culture, legal framework, and institutions. It also requires the consultative engagement of both the government and the civil and political society.

The Paris Declaration on Aid Effectiveness acknowledges the importance of local ownership and commitment to the implementation of externally driven processes. It emphasizes the need for effective local leadership on development policies and strategies and the need to build the capacity of locals in exercising that leadership [OECD, 2007]. The OECD guidelines also states that donors should engage in SSR with the following overarching objectives: i) the improvement of basic security service delivery; ii) the establishment of an effective governance oversight and accountability system; iii) the development of local leadership and ownership of a reform process; iv) the sustainability of justice and security service delivery. The guidelines emphasizes that the implementation of SSR should be people-centred, locally owned and based on democratic norms, human rights principles and the rule of law, seeking to provide freedom from fear and a measurable reduction in armed violence and crime.

Donors have argued contrary to the OECD guidelines from the perspective of the lack of local capacity and in some cases legitimacy due to the absence of social and political cohesion in post-conflict situations. Nevertheless, the understanding that these are exactly the deficiencies that SSR seeks to address, constitutes a more valid ground for not bypassing local ownership. If the enhancement of the security of citizens in a given state is to be achieved and if the provision of security is to conform to democratic norms, it is therefore critical to build the capacity and legitimacy of the institutions and actors that comprise the security sector in that country [Nathan, 2003].

CHAPTER 3

SSR IN LIBERIA: A HISTORICAL PERSPECTIVE

Overview

Liberia is bordered by Sierra Leone, Guinea, Cote d'Ivoire and the Atlantic Ocean. It has a total land mass of approximately 43,000 square miles and is situated a few degrees north of the equator along the west coast of Africa. Established as an independent state on the 26th of July, 1847, the Republic of Liberia serves as home to a population of a little more than three million indigenous Africans and descendants of settled free slaves from the United States of America and the West Indies. Liberia is the oldest Republic in Africa, yet one of the poorest in the world.

According to the National Human Development Report of 2006, Liberia's GDP per capita value is at US\$192, while life expectancy stands at 48 years and unemployment is 85%. About 60% of the population is illiterate and over 70% survive on less than on US Dollar per day. The economy of the country, since independence, has been characterized by mineral extraction and agricultural activities, and has been exclusively based on land tenure and taxation. Liberia's socioeconomic structure can be better characterized as a three-layer society: dominated by the less than 5% Americo-Liberians at the apex; economic migrants, particularly Middle Eastern in the middle and the majority indigenous population at the bottom of the strata.

Though the Republic of Liberia was established as an independent country, the free slaves who formed the Republic refused to embrace that freedom by detaching themselves from their formal life. While Liberia was never colonized, the preference for American culture and tradition of the ex-slaves was so much so that, the 1847 constitution of Liberia, drafted by the Dean of Harvard University's

Law School, was modelled on that of the United States.⁴ The political, judicial, and administrative systems of government were also patterned after America, and the country's flag copied the red, white, and blue design of the US.⁵ The former slaves also refused to be assimilated or integrated into the African way of life. Rather, they adopted and practiced the American way of life. Most notably amongst which was their replication of "servitude and segregation they had experienced at the hands of white farmers in America."⁶ The history of segregation practiced in Liberia is clearly depicted by the Declaration of Independence that states "we the people of Liberia were originally the inhabitants of the United States of North America".⁷

Unlike other African states (except Ethiopia) who share a history of western colonization, Liberia has a unique historical experience of what may be termed "internal colonialism" or "black colonization." A system of entrenched discrimination by the minority population of settled free slaves and their descendants against those considered "primitive" and "uncivilized" indigenous African tribes. The majority of indigenous African tribes in Liberia were treated in very much the same way as their compatriots in territories under European colonial powers. Even though the territory that became the Republic of Liberia was originally home to the indigenous tribes of Liberia, these indigenes who originally inhabited the geographic land mass of the country were not considered Liberians. Classified as "subjects," the indigenes were deprived the status and benefit of citizens. Most extremely, the indigenes were denied participation in political processes and legal ownership of land for over a hundred years after the republic

⁴ www.globalsecurity.org 15/07/2008.

⁵ Ibid.

⁶ Ibid

⁷ Ibid

was formed [Mgbeoji, 2003]. This is despite the fact that the government moved deep into the hinterlands to collect taxes from the indigenous population.

For a period of 125 years, the minority Americo-Liberians population, with better access to western education, discriminated against their majority native counterparts; excluding them from almost all aspects of governance and nation building. They consolidated their political power through a one party system of government and established monopolies over all political, economic and social positions of eminence [Mgbeoji, 2003]. Mgbeoji highlights this point by stating, the oligarchy of the True Whig Party (TWP) became a government of the many by the few and for the few: the epitome of aristocratic dictatorship.

Aboagye and Rupiya also summarized the relationship between the predominantly Americo-Liberian TWP reign and the indigenous population, as a replication of the slave and slavemaster relationship, characterized by political exclusion and socioeconomic subordination. The former slaves had become slavemasters themselves, with the entire country being steered by a handful of elites. Hence, when the ruling class suffered in any way, the entire nation bore the impact. It was only in 1963, during the regime of President William V. S. Tubman, that an attempt was made at revising this trend (Tubman's Unification and Open Door policy).

Even though the Tubman regime's decision to integrate has been questioned by some social politicians and branded as a "masterstroke to save the status quo," it however succeeded in opening the door for citizenship and political participation to native Liberians. The century-long discrimination in Liberia and the lack of cohesiveness amongst the Americo-Liberians and indigenous populations contributed immensely to narrow nationalism in Liberia, the inadequate process of state building, the rise in unprecedented inequality and poverty, massive corruption, the underdevelopment of the Liberian state and its

human resources, the flaws of security provision and governance, and principally, the failure of the state.

The Security Sector in Liberia and the Provision of Security

The Liberian security sector finds its origins in the military. Founded on the 31st of August, 1832, the “home guard” of the commonwealth settlements or the “militia,” became the first defence organisation established in Liberia. This force later came under the mandate of the 1847 constitution of Liberia. The formation of the security system in Liberia, which was not in any way different from the experience of other African countries under colonial rule, was flawed in three specific regards, namely i) the discrimination was associated with the creation of the security system; ii) the domination and interference of the ruling elites in the provision and governance of security (a scenario which did not change throughout the country’s history); and iii) the dominance of western security ideologies and policies.

The creation of a security system in Liberia was buried in the negative practice of discrimination. The initial mandate of the security sector was to defend the colonies of the settlers against aggression from the indigenous tribes and to suppress the indigenous by the display of military might.⁸ As stated in the annual message of President Joseph J. Roberts to the National Legislature in December 1851,

“Surrounded as we are by “savages” whose ruling passion is war, nothing is more certain to render our tranquillity more permanent than a well organized militia, and a constant preparedness for any emergency military displays which in civilized countries may be justly ridiculed as useless,

⁸ Robert Kappel, Werner Korte and Friedegund Mascher, 2000, pg. 123.

have among savages a most salutary effect, in regard to their subordination.”⁹

This concept of security flowed throughout the leadership of the newly formed state with very few exceptions as indicated by President Arthur Barclay:

“The Americo-Liberian element cannot control the enormous native population of Liberia by military force. There isn’t enough of it. Every victory of the Americo-Liberian leaves him weaker, not stronger, for it must be purchased by the lost of some of the very best” (September 1910).¹⁰

The militia was dissolved due to its tainted human rights records, leading to the establishment of the Liberia Frontier Force (LFF) by an Act of Legislation passed on 6 February 1908 and amended in 1909. Unfortunately, and not by coincidence, the LFF like its predecessor is recorded to have had similar terrible human rights records. The mandate of the LFF included the collection of taxes, labour recruitment and overall, the establishment of political control over the indigenous ethnic groups.¹¹ However, its conduct was so undisciplined and its tactics were so ruthless that they engendered unrest.¹² The LFF brutal behaviour left an enduring legacy as a physical instrument of terror for the occupation of indigenous territories.¹³ Unpaid and poorly supplied, soldiers lived on their own from what they could steal and extort.¹⁴ Annual hut (real estate) taxes were

⁹ Ibid.

¹⁰ Ibid, pg. 124.

¹¹ Ibid.

¹² <http://www.globalsecurity.org> 15/07/2008.

¹³ Festus B Aboagye and Martin R Rupiya pg. 258.

¹⁴ <http://www.globalsecurity.org> 15/07/2008.

collected several times a year, depending on the requirements of troops in a given area.¹⁵

According to Article 1 Section 12 of the 1847 Constitution of Liberia, the governor of the commonwealth, who subsequently became the president of Liberia, was the commander-in-chief of the force. He along with the legislators or he single-handedly when the legislators were in recess, had the power to call out the militia for defence or other service. However, this was only the case in theory. Due to the one party reign of the TWP, the executive branch of government and the ruling elites, in practice, had the overriding authority over security with very limited opposition; if any. The dominance of the ruling elites in matters of security in Liberia contributed significantly to the politicization and inefficiency of the security sector. For decades the conduct of the security sector in Liberia exhibited political loyalty to the incumbent regime, demonstrating the undue influence of party politics on the provision of security.¹⁶ Security and intelligence institutions such as the AFL, LNP and prison services reflected decades of interference from ruling elites, a situation that became worsened after the 1980 coup by the PRC and exacerbated during the post-war Presidency of President Taylor.

The Liberian security system, like the Republic, was formed based on foreign ideologies that were opposed to local realities. The security concept, policy and practice in Liberia, just like the establishment of the country itself, can be best termed as a “white elephant.” Modelled after American defence policy, the security policy of Liberia was established and formed outside a shared vision for security and governance. The original 1908 Act which created the LFF was drafted by Britain and the Americo-Liberian dominated government of Liberia. The Act did not in anyway include the views of the indigenous. Worse still, the act

¹⁵ Ibid.

¹⁶ Festus B Aboagye and Martin R Rupiya pg. 258.

authorized that the force be organised and commanded by foreign officers with assistance from the Liberian officers.¹⁷ The LFF, which was initially commanded by a British major (John Mackay Cadell), and later American army officers, subsequently became the AFL. It is important to note, however, that the transformation from LFF to AFL did not significantly affect the structure, composition, capacity and policy of the military vis-à-vis the security system of Liberia. These transformations were rather cosmetic modifications.

The AFL and other security bodies with and before it suffered major lapses in terms of poor wage structures, overlapping duties, lack of respect for the rule of law and impunity, poor facilities for accommodation and care, and inadequate logistics. Security institutions also reflected the stratification of the society. Officer ranks in security institutions were predominantly occupied by those affiliated with the regime, while enlisted ranks were drawn from the lower economic and social strata of society. Appointments of institutional leaderships, training, ethos and the acquisition of equipment were also tainted by nepotism, which manifested itself in these organisations as a lack of professionalism.¹⁸

The Security Sector Deformation, Consequences and the Need for Reform

The chaotic emergence of the military into the national politics of Liberia on the 12th of April, 1980 ended the 133 years autocratic rule of the minority Americo-Liberian population. The military coup, which was accompanied by massive indigenous support for the PRC, was short-lived as the rule of Master Sergeant Samuel K. Doe started to yield worse results than that of his predecessors. The brutality of the Doe's regime as demonstrated at its onset by the assassination of President William Tolbert and his thirteen cabinet ministers, a week after the coup

¹⁷ MoD, 2008 pg.12.

¹⁸ Festus B Aboagye and Martin R Rupiya pg. 259.

manifested itself into various forms of human rights abuses against students, journalists, opposition groups and the general populace. Throughout its ten year reign, the Doe regime, with the help of security agencies, particularly the AFL, systematically abused and violated the human rights of Liberians. Almost from the moment they seized power, soldiers of the AFL became a law unto themselves,¹⁹ thereby unveiling their tyranny. Looting, arson, flogging, arbitrary arrests, persistent reports of rape, were all attributed to soldiers loyal to President Doe.²⁰

The regime of Master Sergeant Doe (leader of the 12 man PRC revolution) failed in establishing an inclusive and participatory security system in the country. Instead, the Doe regime tilted the balance in favour of his Krahn ethnic group, specifically in relations to the military. Doe tightened his reigns on power through the manipulation of the military. By increasing the minimum wage of soldiers, converting low-ranking officers to captains, majors, and generals, playing ethnic politics and effectively turning the security bodies into instruments of oppression, Doe consolidated his support base [Adebajo, 2002]. His regime saw the domination of the Krahns in strategic security positions despite their lack of experience and qualifications to head those positions. The Executive Mansion Guard, the 1st infantry Battalion and the Special Anti-Terrorist Unit known by Liberians during the early 90s as the “death squad” were all headed by Krahns [Ibid].

Doe’s ethnicization strategy deepened the existing gap between Americo-Liberians and the indigenous population. It also created a divide amongst the indigenous tribes of Liberia, contributing radically to the deformation and delegitimation of the security sector. The Krahn hegemonic control of the security sector was accompanied by the purging of Gios and Manos from the security forces and the subsequent massacre of members of that ethnic group

¹⁹ The Lawyers Committee for Human Rights, 1996.

²⁰ Ibid.

[Ibid]. The ethnic divisions in Liberia created the platform for the Taylor led insurgency of 1989. As Adebajo observed:

“The brutality of Doe’s rule and his parochial, ethnic power base further deepened ethnic divisions within the Liberian society....Gios and Manos felt victimized on several fronts. The incident responsible for igniting the popular uprising that led to civil war was the massacres of an estimated 3,000 Gio and Mano citizens in Nimba County by Doe’s Krahn-dominated AFL in 1980.”²¹

The rebel leader turned President, Charles G. Taylor, who claimed to have been the liberator of the Liberian people from Doe’s tyrannical reign, was even guiltier in playing ethnic politics, personalising, misusing and populating the security sector. Though each regime from William V. S. Tubman to Samuel Doe saw the addition of new security agencies, institutions or elite forces with overlapping responsibilities (as will be shown later on in this chapter), the Taylor regime probably exceeded all previous regimes in terms of ethnics ethnic politics and populating the security system.²² His regime saw the creation of about five security institutions (ATU, SOD, DEA, NBI and MNS) and the elevation of those security institutions over others. Taylor transformed the Liberian security sector into his personal security force and allegedly used the security sector in Liberia to instigate his terrorit agenda in Liberia and the neighbouring countries of Sierra Leone, Guinea and Cote d’Ivoire. He integrated former fighters of his NPFL rebel faction into the various security institutions.

²¹ Ibid.

²² Festus B Aboagye and Martin R Rupiya pg. 259.

The Taylor-led insurgence and subsequent presidency exacerbated the violence, carnage and human rights abuses in Liberia. It saw the increase in the lack of respect for the rule of law and a culture of impunity. It also further polarized the ethnically divided security system in the country, with the Congos, Gios and Manos against the Madingos and Krahns.²³ These flaws that characterized the security system in Liberia resulted in the increase in inefficiency and ineffectiveness, the lack of professionalism, accountability, and transparency and the general lack of credibility in the eyes of the Liberian population, leading to the decision for its reform.

National Security Architecture of Liberia

The practices of the regimes from President Tubman to Taylor resulted in a bloated security agencies with overlapping functions in Liberia. Each of these regimes saw the addition of a security agency, institution or apparatus to the security sector. By 2003, the security agencies in Liberia numbered approximately 16²⁴, most of which had overlapping functions and responsibilities. The security architecture of Liberia comprises of statutory security agencies and executive, judiciary and legislative advisory and oversight bodies. The legislative mandate of the various security agencies and executive oversight and advisory bodies clearly outlines their roles and functions. The statutory security bodies include: the Armed Forces of Liberia (AFL); Liberia National Police (LNP); Special Security Service (SSS), National Bureau of Investigation (NBI), National Security Agency (NSA), Bureau of Immigration and Naturalization (BIN), Bureau of Customs and Excise (BCE), National Fire Service (NFS), the Drug Enforcement Agency (DEA) and the Monrovia City Police (MCP). The executive oversight bodies and national advisory

²³ Ibid.

²⁴ The International journal of Transitional Justice, Vol. 1, 2007, pg. 297-307.

committees include the Ministry of Defence (MOD), the Ministry of Justice (MOJ), the Ministry of National Security (MNS) and the National Security Council (NSC). Whilst, the Legislative Oversight Bodies include the Legislative Committees on Security and National Defence and the National Legislative Assembly. And the judiciary oversight bodies include the Supreme Court of Liberia.

Statutory Security Bodies

Armed Forces of Liberia (AFL) - comprised of three units before its dissolution, namely the Navy, the Air Reconnaissance and the Infantry Units.²⁵ Its constitutional mandate is derived from the Defence Act of 1956 and specifically centred on the protection of the territorial integrity of Liberia.²⁶

National Security Agency (NSA) – established by legislative enactment on 20, May 1974 is responsible for the development of security plans; collecting, analyzing and disseminating of overt political, economic cultural and sociological intelligence for Liberia. It provides all possible means for the adequate protection of the Government and people of Liberia against subversion, espionage, sedition, adverse propaganda and sabotage. [Jaye, DCAF, 2008].

Liberia National Police (LNP) – established by an Act of Legislation on 6 June 1975, has the mandate to detect crimes, apprehend offenders, preserve law and order, protect life, liberty and property, and enforce all laws and regulations with which they are directly charged. [Jaye, DCAF, 2008].

National Bureau of Investigation (NBI) – re-established by legislative amendment on December 1998. Its mandate is specified under the “Duties of the Director” and includes: investigating major crimes including homicide (except vehicular homicides), illegal entries into the country, robbery, arson, rape, grand larceny,

²⁵ Armed Forces Today, The official publication of the Ministry of National Defence, 11, February 2008 pg.12.

²⁶ Assessment Report on Security Sector Reform; GRC, 2006, pg.6.

kidnapping, burglary, embezzlement, forgery, smuggling, violation of the narcotics law, counterfeiting and theft of government property. It also conduct such investigation as may from time to time be assigned it, maintains accurate record on known criminals within Liberia and makes such information available to the police and other security agencies upon request, and compiles and publishes annual reports containing criminal statistics.²⁷

Special Security Service (SSS) - Created on February 1966 through the amendment of the Executive law, it has the responsibility to protect and secure the President, his immediate family, other officials and visiting dignitaries (VIPs), to be designated by the President, to protect the Executive Mansion and grounds, to protect all documents, top-secret and confidential information and materials; to secure all in-coming mail, packages and correspondence addressed to, or for use or consumption by the President and his household; to check all means of transportation used by the President, his family and other VIPs; to secure the residence of the President, both temporary and permanent; to serve as a liaison with other security agencies in matters pertaining to the screening of people to be employed at the Executive Mansion and other services of the President and other such functions as may from time to time be designated by the President".²⁸

National Fire Service (NFS) – Established in 1949 by an Act of legislature, it is responsible for overseeing the operation of an efficient firefighting organisation and to take all necessary measures for fire prevention and control; to inspect all public and private buildings to determine if they are fire hazards and in so far as possible, eliminate hazardous conditions; to assist the Liberia National Police in

²⁷ Ibid.

²⁸ Ibid.

arson investigations; to establish fire control units throughout the Republic; and prepare statistical reports on the occurrence and causes of fires.²⁹

Drug Enforcement Agency (DEA) – established by an Act of Legislature on 23, December 1999 is responsible for conceiving and formulating anti-drug policies; to coordinate, collaborate and facilitate the efficient and effective enforcement of all domestic anti-drug legislation, United Nations International Conventions of 1961, 1971, and 1988 against narcotics and psychotropic substances and protocols to which the Republic of Liberia is a party.³⁰

Bureau of Custom and Excise (BCE) – established as a revenue collecting agency within the Ministry of Finance, its duties include the collection of import and export duties, safeguarding of the borders against smuggling and other illegal entry of goods (even though not traditionally considered as a part of the security sector architecture, it should be).³¹

Monrovia City Police (MCP) – The MCP was established under Article 1, Section III of the Legislative Act that established the Monrovia City Corporation in 1976. Its mandate includes the enforcement of municipal or city ordinances, regulation, enforces parking and supervises parking lots; assists in the collection of real estate tax in the city; supervises and controls infrastructure and city management, markets and petty trading areas; provides security at the city court and serves legal precepts at court; maintains and safeguards public order and the safety of people and property within the administrative area of the city of Monrovia.³² It also provides security for the City Mayor and visiting dignitaries, and has jurisdiction over traffic and sanitation matters within the city.³³

²⁹ Ibid pg.162.

³⁰ Ibid. pg. 164.

³¹ Assessment Report on Security Sector Reform; GRC, 2006, pg.9.

³² Ibid.

³³ Ibid.

The following table illustrates the redundancies and overlapping of functions which characterized the security sector in Liberia.

The overlapping functions of Liberian security services

Agency	Law Enforcement	Intelligence	Territorial Safeguard	VIP Service
National Security Agency	X	X		
Liberia National Police	X	X		
Armed Forces of Liberia		X	X	
National Bureau of Immigration & Naturalization	X			
National Fire Service	X			
Bureau of Customs and Excise	X			
National Bureau of Investigation	X	X		
Drugs Enforcement Agency	X	X		
Special Security Service	X	X		
Monrovia City Police	X			

Source: Governance Reform Commission of Liberia; September 2006

According to the GRC, “the comprehensive assessment exercise reveals that the issue of overlapping of duties among agencies is a serious concern. The GRC assessment report asserts that the overlapping of duties is encroaching upon the effectiveness of the security sector basically because it leads to friction among the agencies and unnecessary tension, conflicts and in-fighting within the sector.³⁴

³⁴Assessment Report on Security Sector Reform; GRC, 2006, pg.9.

While Liberia, with the help of the international community, is slowly steering its way through the long and arduous path towards stability, the challenges seem more gruelling than expected. The optimism generated by the democratic election and subsequent inauguration of Madam Ellen Johnson-Sirleaf in 2005 seems to be quietly fading. The increase in crimes such as armed robbery, murder and burglary,³⁵ the lack of transparency characterizing the provision of justice and the rule of law, the increasing force of poverty and economic hardship, and the continuous failure of the government and its partners to ensure the adequate reform of the security sector, remain intractable forces against security and development in the country.

³⁵ <http://allafrica.com>, 23/07/08.

CHAPTER 4

IMPLEMENTATION OF SSR IN LIBERIA

The implementation of SSR in Liberia derives its mandate from Part IV, Articles VII and VIII of the CPA, which calls for the disbandment of irregular forces, the reforming and restructuring of the AFL and the restructuring of the LNP and other security services. It aims at strengthening the provision of security, restoring public confidence in the security system, and enhancing reconciliation, democracy and sustainable development. SSR in Liberia was embarked upon in 2004 as one of the requirements for driving the country towards democratic governance. The Transitional Government of Mr. Charles G. Bryant (NTGL) was expected to establish the structure for an inclusive and transformative SSR programme as part of an overall framework for democratic governance in the country. However, due to scandals, corruption, and a general lack of transparency and accountability which resulted in the lack of confidence amongst donors and ordinary Liberians, the NTGL lost the opportunity to efficiently engage donors on issues of the reform [Ebo, 2007], thereby leaving crucial issues such as cost implications, reform policies and implementation processes to be entirely determined by external actors. The NTGL's inability to ensure local ownership of SSR in Liberia and to embed the SSR process into a democratic governance framework resulted in a series of flaws in the process. As observed by Loden,

“Since the signing of the CPA the reform of the security institutions in Liberia have been led by internationals with little reference to national preferences or consultation. Furthermore, the reform and restructuring has not been coordinated or holistic and has largely focused on operational

efficiency rather than addressing the deeper questions of governance and oversight” [Loden, 2007]

The implementation of SSR in Liberia remains uncertain due to its preference of operational efficiency over local ownership and democratic governance. External actors involved in the implementation of SSR in Liberia have focused primarily on enhancing the capacity and efficiency of security forces while ignoring issues of governance. This gap in the process is being blamed on the lack of a locally owned framework for the SSR process.

The effort of enhancing operational efficiency of security bodies without effective oversight is a recipe for enhanced brutalisation and oppression of the population by armed and security forces, particularly the poor and vulnerable groups in society [Ebo, 2007]. Ebo argues that the success of SSR is concealed in the twin imperatives of operational efficiency and democratic governance. He emphasizes that the effort of improving the ability of security institutions to deliver security services efficiently as a public good is one leg of SSR, whilst the other leg is democratic civilian oversight and control [Ibid]. Therefore, meaning that the absence of the principle of democratic governance and civilian control in the implementation of SSR handicaps its success. It also undermines sustainability and legitimacy of the reform.

The implementation of SSR in Liberia has been characterized by very limited local engagement and participation. The vacuum created by the failure of the NTGL to ensure the conduct of a comprehensive security review, coupled with the nominal role of the National Transitional Legislative Assembly (NTLA) (due to the questionable character of some of its members) created a gap that was filled by the external actors who continue to dominate the implementation process in terms of policy decisions and processes. SSR in Liberia lacks a homegrown framework to

guide its success. Its implementation is divorced from the people whose security it seeks to enhance. Though the GRC, in September 2006 produced a comprehensive assessment report on SSR in Liberia, followed by a draft national security policy. The draft policy is yet to be adopted and transformed into a national security strategy [Loden, 2007]. A member of the civil society in Liberia expressed his grievance of the army reform in the following words:

*“Civil society sees the current army training process as flawed, in that it is contradictory to the establishment of a national security architecture that is governed by and is responsive to the requirements of the Liberian people.The army is being built without its citizens having the opportunity to either debate a national security doctrine or partake in a national security threat analysis”.*³⁶

The external actors, who bear the financial cost and the human and material resources of the reform now masquerades as the pipers. Their dominance and practices of subordination have left the local actors with no option other than to dance to the imposed tunes on the implementation of SSR in Liberia. Another civil society representative in Liberia stated:

“Civil society has not been involved in any meaningful way in security sector reform in Liberia. In fact, not only is civil society not involved, there is no public debate on these matters..... We are led to believe that since we are not paying for any of these reform undertakings, we cannot participate

³⁶ <http://www.ssrnetwork.net/ssrbulletin/liberia.php> 25/07/2008.

in the process and we need only be grateful to those who are paying the cost"
[Nathan, 2007].

The external actors in the reform now serve as the authority that decides what security in Liberia should be like, how it should be and who should be involved in its provision. This flaw in the implementation of SSR in Liberia is causing a huge deficit in transparency, accountability, legitimacy and ownership.

The US government is a good illustration of the paternalism of external actors to the implementation of SSR in Liberia. The US exercised its role ascribed in the CPA, by exclusively and unilaterally contracting the reform of the army to Dyncorp and PAE, both US-based private security companies, despite protest from local actors. Local actors objected to Dyncorp participation in the reform of the army based on its alleged human rights record in Bosnia and Columbia, its lack of suitability in imparting democratic governance principles to the AFL, its short-term engagement with Liberia and its lack of accountability to the people of Liberia. Those objections however, did not yield any results. Instead, the reform of the army was outsourced to Dyncorp and PAE by the US government; whilst the US State Department administered the \$95 million training package [Nathan, 2007]. The US, through the Pentagon, also unilaterally decided on the force strength of 2,000, ignoring recommendations by the Ministry of Defence for an army of 6,500. Arguments put in defence of this decision were that it was made based on a technical review that projected the figure as what Liberia could sustain financially [Nathan, 2007]. However, the technical review did not involve the participation or consultation of Liberians, nor did it consider the views of Liberians regarding the security risks and challenges in the country.

Many observers of the SSR process have criticized the dominant attitude of the US to the reform of the army. Asserting that, the CPA did not give the US such

exclusive authority over the reform of the armed forces. Loden argued that the exclusive control of the army reform process by the US is a misinterpretation of the provisions inscribed in the CPA. The criticisms of the US and dominance of external actors were compounded by the decision to disband the former army without consultation with locals. The decision for the disbandment of the former army resulted to serious outrage among locals who feared the impact of such decision on the security of the country. Some referred to the decision as a violation of the CPA, arguing that the CPA provides for restructuring and not reconstituting of the army [Loden, 2007]. Other concerns focused on the absence of an alternative employment scheme for the huge population of ex-servicemen and ex-fighters.

In May 2006, the RAND Corporation also presented to the government of Liberia a US commissioned assessment report on the implementation of SSR. The report entitled, *'Making Liberia Safe: Transformation of the National Security Sector'*; was generated from an assessment process that did not include as part of its team any Liberian national [Nathan, 2007]. The RAND report, which claims not to be the outcome of a comprehensive security review for Liberia, however states: *"What has been done and planned so far to transform the Liberian security apparatus is valid and important; this study raises no fundamental questions about the soundness of what is already under way."*³⁷ The report also recommended the creation of an elite force within the police despite the traumatic history of elite forces in Liberia (ATU, SOD, and SATU). Participants at the interactive seminar on Security Sector Oversight for Liberian Legislatures have warned that caution be exercised in dealing with externally generated ideas that lack the participation of Liberians [ASSN, 2007].

The inauguration of Madam Johnson-Sirleaf in 2006 ushered in the second phase of the SSR process in Liberia. However, the Johnson-Sirleaf led government

³⁷ RAND Report summary.

has not been robust in correcting the mistakes of the NTGL. The implementation of SSR in Liberia remains outside a shared vision for national security, therefore threatening its adequacy in addressing the numerous security challenges faced by the country. The implementation of the SSR process has also been characterized by the lack of transparency and accountability. According to civil society, in spite of the continuous effort to access all information used to guide the Liberian process, they are yet to succeed [Ibid].

Nature and Interplay of key External Actors

The external actors in the implementation of SSR in Liberia include regional and sub-regional organisations, donor governments, international civil society organisations and private security companies, notable among which are UNMIL, ECOWAS, the US government, Dyncorp, PAE, and other international civil society organisations. These actors, with the exception of Dyncorp and PAE, derive their mandate from Part four Article VII 1b of the CPA which states:

“The parties request that ECOWAS, the UN, AU, and the ICGL provide advisory staff, equipment, logistics and experienced trainers for the security reform effort. The parties also request that the United States of America play a lead role in organising this restructuring programme.”

UNMIL involvement in the implementation of SSR in Liberia is very significant and crucial due to its presence, mandate and legitimacy. The mandate of UNMIL to the reform is established based on the specific request of parties to the CPA. Article VIII of Part Four of the CPA requested that the United Nations Civil Police (UNCIVIPOL) provide assistance in the development and training of the LNP. This request was authorized by the UNSC Resolution 1509 (2003), which

mandates UNMIL to assist the NTGL in monitoring, restructuring and retraining the LNP, consistent with democratic policing and in cooperation with ECOWAS, international organisations and interested states.

The UN integrated peacekeeping mission in Liberia, like all UN integrated missions, was deployed as part of a comprehensive, multidimensional effort towards the recovery of the country. Its overall mandate comprises political, security, humanitarian affairs, development, the rule of law, and human rights. Therefore, it covers issues such as police and defence reform, restructuring, training, and operational support, assistance in the restoration and reform of judicial and prison systems, support for the restoration of state authority and administration capacities at government and local levels, good governance, support for civil society, and the assistance to constitutional processes [Hanggi and Scherrer eds., 2008]. However, the UN, despite the overambitious responsibility for SSR in Liberia, has never had a clearly defined and comprehensive SSR mandate or agenda. Although the UN has already undertaken many SSR-related activities, it still has no mandate, capacities or resources to address SSR in a comprehensive way [Bratislava, 2006]. Its approach to SSR has been mostly ad hoc and incoherent. This weakness in the UN involvement with the SSR implementation in Liberia is compounded by the non-consultative and corrosive engagement with local actors based on the logic that having engaged in conflict, there has been little domestic capacity for security sector governance in Liberia [ASSN, 2007].

UNMIL based on Resolution 1509 concentrated almost all of its reform effort entirely to the police force, with limited support to the AFL and other agencies. This decision by UNMIL contributed to the lack of coherence and coordination in the SSR process. UNMIL on the 9th of July, 2008, announced the completion of the police training with an excess number of 3,522 instead of the

required 3,500.³⁸ Nonetheless, the success of the process remains questionable due to limited progress in the reform of other security institutions, the judiciary and the correction systems. The respect for the rule of law and justice, both of which are vital indicators to the security of individuals and the authority of the state, remains inadequate. The rule of law, justice and correctional systems in Liberia, have been given limited attention in the ongoing reform. Most of the country's correction facilities are still very inadequate and the rule of law continues to be far from satisfactory.³⁹

The role of ECOWAS in the reform, like that of the UN, is strengthened based on its authority as the instrument for collective security in West Africa. It is enforced by the increasing loss of the monopoly over the use of force by states in the region; the limitations of externally-driven security sector reform agendas; and the growing prominence and potency of cross-border security threats [Bryden and Hanggi eds., 2004]. States in the region are faced with common threats and insecurity such as the proliferation of illicit small arms, the mass movement of refugees across border during instabilities, the trafficking of goods and people, HIV/AIDS, etc. ECOWAS' involvement in the implementation of the reform process is highly critical in that, it has always been and will remain the first point of call for security in Liberia. At the climax of the UNMIL mission, the ECOWAS Standby Force (EFS) will be the first force of international intervention in Liberia in case of instability [Ebo, CSD, 2007].

However, though ECOWAS contributed a lot to ensuring peace and stability in Liberia, it has played a very limited role in the implementation of SSR, due to its rather late entry into the process [ASSN, 2007]. Accordingly, there is a

³⁸ <http://unmil.org> 12/07/2008

³⁹ Festus B Aboagye and Martin R Rupiya pg. 263.

need to improve ECOWAS' partnership with the UN in this peace consolidation phase.

The United States (US) government derives its mandat entirely from the CPA. It was requested by parties to the CPA to play a lead role in organising the reform programme. The US Administration decided to take up this lead role by outsourcing major functions of the process to American private security providers. Being the major donor to the SSR process in Liberia, the US has likewise been the major broker in the reform, with Washington authorising almost all major decisions regarding the policies and processes of SSR in Liberia. Dyncorp International and PAE were contracted by the US to restructure and train the Liberian military.

The decision to contract the army reform to Dyncorp marked the first instance ever in the history of West Africa in which a private military company has been tasked to restructure an entire national army [CSD, 2007]. Besides being a unilateral decision by the US, the involvement of Dyncorp International into the SSR process in Liberia raises issues of accountability with regards to security sector reform. The extent to which a private security company can infuse principles of democratic governance such as accountability and transparency into a national army, particularly when that entity itself lacks those qualities, is debatable. Dyncorp has been questioned on several issues such as its allegedly poor human rights records in Bosnia and Columbia, its lack of suitability in imparting democratic governance principles to the AFL, its lack of accountability to the people of Liberia, and its short-term engagement with the process [Loden, 2007].

Dyncorp's involvement in the SSR process in Liberia has been characterized by the lack of transparency and accountability. Despite several attempts at having Dyncorp appear in the Liberian parliament, Dyncorp has insisted that such request

be directed through the US State department [Nathan, 2007]. A leader of the civil society asserts:

“Dyncorp activities are shrouded in secrecy.” Stating, “We have been trying for almost a year to obtain a copy of the memorandum of Understanding that resulted in Dyncorp’s appearance in Monrovia but so far we cannot get that document in spite of the high level access we have in government” [Ibid].

The involvement of PMC’s in the implementation of SSR remains a controversial issue particularly in regards to their suitability in imparting democratic governance principles of accountability and transparency in the security institution they are training and rebuilding. Some proponents of SSR have argued for the need to introduce effective and democratic oversight mechanisms over the operations of private security firms; and to evaluate their institutional background and suitability to impart democratic governance principles of accountability and transparency in the security institutions they are training and rebuilding [Ebo, 2007]. This is because clear hierarchies and control processes remain a gray area for private security armies [Ibid]. Moreover, the engagement of a security contractor is an indicator that external engagement to SSR is short-term particularly because, “only statutory armed forces can impact the long term principle of security, based on democratic governance, which is conducive to durable peace” [Ibid].

Gaps in the Implementation

The implementation of SSR in Liberia lacks a holistic approach to enhancing the provision and governance of security. Instead, its haphazard implementation has

focused narrowly on the LNP, AFL and the SSS, exempting the rest of the security bodies in the country. Even though BIVAC and UNMIL has provided some capacity building training for the BIN and a few other security institutions, these trainings are mostly incoherent and ad hoc. They do not aim at improving the overall efficiency and effectiveness of the institutions, nor do they seek to enhance democratic governance or the national security structure. SSR in Liberia is being implemented within a very complex and fragile environment. This situation is resulting in increased fears of a more severe domestic threat after the departure of UNMIL. In particular, observers of the process have highlighted the ability of political opportunists, warlords, or criminal figures to lure and organise ex-fighters into armed groups beyond the reach of government, and ultimately endangering the state [RAND].

Communication and consultation also remain unachievable indicators in the implementation process. The back and forth flow of information regarding activities, process and policies of the reform is completely ineffective. There is a rather obscure relationship amongst actors involved in the reform, particularly among the three branches of the Liberian government. The process is being characterized by the practice of divide and rule, with the executive branch of government having a more favoured relationship with external actors than the other two branches of government, consequently hindering the growth of democracy. As stated in the July 2007 report of the ASSN Interactive Needs Assessment, “there is a radical need for change in the relationship between the Executive and the Legislature, and the atmosphere of siege and distrust need to be addressed.”

While the security responsibility of Parliament under the tenets of democracy is to determine what constitutes a security threat, to oversee the use of force by security institutions and to determine the affordability of security forces,

due to its role as the “voice of the people and the guidance of state finances,” parliamentary oversight remains a huge gap in the implementation of SSR in Liberia. The implementation of SSR is being characterized by very limited parliamentary engagement. Wherein, the only identifiable role of the parliamentary committee on National Security has been an inspection visit to military sites, facilitated by the Ministry of National Defence [Nathan, 2007]. The Liberian legislature believes that its oversight responsibility of security is being handicapped by its inadequate involvement in the ongoing SSR process [Ibid]. The limited participation of the Liberian parliament in the reform process threatens the control and management of the security sector in Liberia in consonance with the principles of democratic governance.

Civil society, like parliament, has suffered marginalisation, though civil society played an active and outstanding role in ensuring stability in Liberia and though they served as one of the active advocates for the reform of the security sector; the implementation of SSR in Liberia has been accompanied by their exclusion. As has been stated, external actors involved in the implementation of the SSR process, have marginalised and subordinated the civil society so much so that, civil society is now only serving as a spectator of the process. The absence of local ownership is threatening the legitimacy of the reform. This scenario was clearly played out on 26 May 2008, when ex-members of the AFL presented to the National Legislature a Bill calling for the impeachment of the Johnson-Sirleaf led government based on what they termed a ‘violation of the CPA.’⁴⁰ The ex-soldiers contended in their petition to the legislature that instead of restructuring the AFL, as provided for by the CPA, the government dissolved the army without a retiring scheme for former soldiers. This particular scenario emphasizes the need for the

⁴⁰ <http://www.ssrnetwork.net/ssrbulletin/liberia.php> 25/06/2008.

re-tuning and refining of SSR in Liberia to ensure its success and sustainability after the departure of the external actors.

Though the implementation of SSR in Liberia has been over-clouded by numerous flaws, there have however, been efforts by local actors and international civil society organisations to correct those flaws. Unfortunately, these processes remain evolving initiatives that are yet to be adopted into the reform. Local actors, despite marginalisation, are trying to maintain their presence and voice in the reform process. In August 2005, an attempt at establishing a framework for a security review in Liberia was made, which saw the broad representation of the Liberian society. The process which was hosted by the MOJ and UNMIL was the first of many engagements on the oversight of SSR with the Liberian Parliamentarians and relevant civil society, facilitated by the ASSN, CSDG/King's College London and DCAF. It aimed at bringing "voice and accountability to the creation of an inclusive and locally-driven SSR process." The dialogue which turned out to be a forum for reconciliation provided "an opportunity to address various entrenched animosities in Liberia between armed struggles and civil disobedience, reconciliation and justice, immediate security needs and long term governance imperatives".

Similarly, a conference of over a hundred civil society organisations in March 2005 led to the creation of NACCSOL, a coalition of civil society organisations that seek to "broaden civil society input into the reform." Also, in January 2006, LINLEA, in collaboration with the ICTJ held a conference where the 81 civil society organisations in attendance called on government to establishment an Independent Technical Committee on SSR (ITAC) to review all existing recommendations on security reform in Liberia. Again in March 2006, LINLEA and the ICTJ organised a workshop which resulted in the launch of the working group on SSR. Even though civil society has and continues to make efforts in

engaging the reform process, external funding of SSR in Liberia as stated in Nathan (2007), has polarised civil society and their efforts so far. The deficiencies hovering over the implementation of SSR in Liberia therefore highlights the need for a review and fine-tuning of the process, to make allowances for broad-based local participation and ownership.

“While the international community and other external actors may be available and ready to assist; Liberians have the primary responsibility for reform of not only the security sector, but the entire post-conflict reconstruction process” [Nathan, 2007]

CHAPTER 5

SUMMARY AND CONCLUSION

The flaws and deficiencies that characterized the Liberian security sector from its establishment were exacerbated after the military coup in 1980. Security institutions, particularly the military, got drawn into the spheres of national politics, thereby aggravating the lack of efficiency, effectiveness, transparency and accountability. Professionalism was replaced by cronyism, and rather than being a security service for the state and for the people, the security system was transformed to regime security. The ensuing events of the 25 years following the coup resulted in the deformation, lack of credibility and the subsequent collapse in a security sector that was in an actual sense just being formed. Characterized by subjective recruitment and the promotion of security personnel based on ethnic, factional and political affiliations, the security sector was reduced to personal security and errands guards for the Executive.

Even though SSR in Liberia seeks to amend and modify the policies, processes and practices of security governance in the country, its implementation reveals a huge gap in expectation and outcome. SSR in Liberia is far from achieving its desired benefits. Particularly because, its implementation is divorced from the people whose security it seeks to enhance. The implementation of SSR in Liberia is detached and disconnected from the historical realities and local specificities of the country. Though still an ongoing process, the SSR process in Liberia so far lacks the ability to adequately address the long history of poor security governance and provision in the country. It rather bears a huge deficit in terms of transparency, accountability, legitimacy and particularly local ownership.

The multiplicity of international actors in the reform process and the overdependence on external funding has contributed immensely to the implementation being skewed in favour of donors and external partners.

While the dominance of external actors involved in the reform may be based on good intentions, the implications of such dominance to the stability and long-term development goal of the country is detrimental. Though external actors and partners can advise and help develop the efficiency and effectiveness of security forces, the decision for national security lies in the hands of the locals. A vibrant national security policy or strategy cannot be imposed or dictated; it depends on the enhanced capacity of locals. As donors and partners endeavour to rewrite the security history in Liberia and to change the perceptions and mindsets of those responsible for security provision and governance in the country, the need for the adoption of homegrown and locally owned SSR process and the enhancement of local capacity is primary to success. The success of SSR in Liberia depends on the ability of the external partners to assist local authorities to restore the state monopoly of the use of force, rebuild security institutions and reform or restructure security systems to ensure democratic governance and civilian control.

The local ownership of the SSR process in Liberia is fundamental to consolidating the efforts towards peace, stability and development. The presence of local ownership in the reform will bring to bear a national vision for security. It will lead to the development of a security policy that is a representation of every section of the Liberian society. The presence of local ownership in the SSR process is also critical in addressing the numerous structural and governance deficiencies that have characterized the security services, which will eventually restore public confidence in the security system and strengthen the process of reconciliation, democracy and development.

On the other hand, the absence of local ownership in the Liberian SSR process poses a threat to stability, the growth of local capacity, democracy and the long-term development goals of the country. This paper concludes with an emphasis on the need for the development of an improved oversight, control and governance structure over the security sector in Liberia, a process which it argues will strengthen the provision of security and the role of security forces in maintaining stability in Liberia. It will also serve as a guarantee for the long-term socio-economic development of the country. This paper recommends that the SSR process in Liberia be reviewed and fine-tuned to ensure the enhanced and active participation of the legislature and the civil and political societies, the development of a clear and widely circulated security sector reform framework, policy and laws, and the effective civilian control and oversight of security forces.

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