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THESIS

**A SYSTEMIC ANALYSIS OF THE CHALLENGES OF
POLICING SENEGAL: THE ROLE OF THE POLICE IN
DEMOCRACY**

by

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September 2016

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THE ROLE OF THE POLICE IN DEMOCRACY**

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ABSTRACT

Little is known about the role of the police in Africa, and even less about the police in francophone African countries. Intrastate conflicts and peace-building after the Cold War tied policing to personal security, democracy, and sustainable development. Senegal has a stable democracy and police forces that were established prior to Senegalese independence in 1960, but it is still uncertain if they can become a police force that contributes to national and personal security capable of dealing with human and narcotic trafficking, transnational crimes, and international terrorism.

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LIST OF ACRONYMS AND ABBREVIATIONS

AOF	Afrique Occidentale Francaise [French West Africa]
CRS	Compagnies Républicaines de Sécurité [Crowd Control Police]
CSIS	Center for Strategic and International Studies
DCAF	Democratic Control of Armed Forces
DST	Departmental Surveillance Team
GIGN	Groupe d’Intervention de la Gendarmerie Nationale [SWAT]
IG	Inspector General
LGI	Gendarmerie Intervention Legion
MOD	Ministry of Defense
MOI	Ministry of Interior
MOJ	Ministry of Justice
OJP	Officer of the Judicial Police
PAF	Police des Aeroports et des Frontiers [Ports and Border Police]
PDS	Senegalese Democratic Party
SG	Senegalese Gendarmerie
SMG	Senegalese Mobile Gendarmerie
SNP	Senegalese National Police
SSR	Security Sector Reform
STG	Senegalese Territorial Gendarmerie
UNDP	United Nations Development Program
UPS	Socialist Party of Senegal
WWII	World War II

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For my mom, who always fought for me and believed I could achieve something when everybody said I would not get past high school.

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I. INTRODUCTION

A. MAJOR RESEARCH QUESTION

Very little is known about the role of the police in Africa, and even less is known about the role of police in francophone African countries. Since the end of the Cold War, police have played a more prominent role in establishing internal order and in guaranteeing the safety of citizens in democracies. The role of the police is increasingly tied to the ideas of personal security, democracy, and sustainable development. Senegal has a stable democracy and police forces that predate Senegalese independence in 1960, but still little is known about how the Senegalese police interact with Senegalese democracy, and if they can become a police force that may contribute to national and regional security in the globalized security environment which includes issues such as, trafficking in human persons, narcotics trafficking, transnational crimes, and international terrorism.

This study investigates the challenges which affect the Senegalese police forces and their impact on the Senegalese national security environment. The primary police services in Senegal, the National Police and National Gendarmerie, are challenged in both resources and capacity. In turn, both are affected by broader factors, including national politics and international security issues such as terrorism and transnational crime. The major finding is that the centralized structure of the Senegalese police is controlled by semi-authoritarian political elites in the executive branch, upon which it depends for resources through an informal network of patron-client relationships. This dynamic politicizes the police and isolates them from the Senegalese citizens and atrophies their ability to combat crime, preventing their development into a public safety institution that can secure the personal safety of the people and combat globalized criminal issues.

The police play a critical role in providing countries with the internal security necessary for democratic government to take root. The police are the most visible form of the government's monopoly on the legitimate use of force, but also respond to citizen's

needs for safety and security in their daily lives. In this way, the police of most democratic nations help ensure the rule of law as both agents of the government, but also members of society they police. The combination of transparent elected government leadership, professionalized police forces, and civil society monitoring and interaction produce police forces that secure the government, enforce the laws establishing internal national stability and security, and provide for the safety of the population. By contrast, the role of the police in developing democracies throughout the world has not been deeply studied. The role of the police in democratic development in Africa has been investigated even less, and scholars such as, Potholm, Hills, and Marenin who study the role of African police in developing democracies throughout Africa go further stating that very little is known about African police in general.

Post-independence Senegalese democracy gradually morphed into a structure extremely dependent on informal patron-client relationships managed at the state level through government elites. The clientelist nature of the Senegalese state poses challenges to Senegalese government institutions the result for the police being a very centralized police system inherited from the colonial French model. The largest distraction to Senegalese liberal democracy was the adoption of a bureaucratic state elite managed by the president and in control of state resources. Robert Fatton, Jr. pointed out that the absence of industrial elites made the Senegalese state the primary distributor of wealth, therefore, “Real power has been concentrated and centralized at the summits of the bureaucratic system and particularly in the office of the president.”¹ Marina Ottaway labels Senegal a semi-authoritarian democracy, because power is centralized in the office of the president which controls the distribution of state resources and admittance into the state-controlled bourgeoisie.² Semi-authoritarianism persisted in Senegalese politics despite the continued democratization of presidential elections and the opening of political party competition.

¹ Robert Fatton Jr., *The Making of a Liberal Democracy: Senegal's Passive Revolution, 1975–1985* (Boulder, CO: Lynne Rienner, 1987), 2.

² Marina Ottaway, *Democracy Challenged: The Rise of Semi-Authoritarianism* (Washington, DC: Carnegie Endowment for International Peace, 2003), 20.

The patron-client networks that drive Senegalese politics poses the primary challenge to the formation of public safety oriented Senegalese police forces. In order to compete for state distributed resources, the police forces were driven into state-directed roles and became highly politicized agents of the regime. The result was the deterioration of their police skills and isolation from the Senegalese citizenry. Senegal is a democracy by definition, but the maintenance of strong patron-client networks in politics means the police are forced to compete for state resources in ways which distort their objectivity in enforcing law and order. These dynamics point to the question asked by Otwin Marenin in 1982 concerning African police: for whom are the police acting as agents?³

The internal security of many African countries in post-Cold War international security environment is challenged by the globalized nature criminal networks. Several of these threats fall directly in the realm of policing such as, narcotics trafficking, human trafficking, transnational crimes, money laundering, and international terrorism. Individual African countries may not experience these threats directly in their populations, but all of these security problems can have debilitating effects on the development of national economies and corroding effects on government institutions. The Senegalese police transitioned very little from the mission and structure of the French colonial police in the years following Senegalese independence which allowed the political elites to politicized the police force and control them through the already centralized structure of the institution.

The 1990s saw the advent of violent intra-state conflict as a result of the changes brought about by the end of the Cold War and globalization. As David H. Bayley summed, “Rather than enlisting allies into coalitions of Communist and anti-Communist countries, foreign policy was refocused on reducing international disorder—ethnic cleansing, illegal migration, organized crime—that arose from civil wars, humanitarian emergencies, and failed governments.”⁴ New forms of unrest and intrastate conflicts required international intervention in the form of peace making and peace keeping from

³ Otwin Marenin, “Policing African States: Towards a Critique,” *Comparative Politics* 14, no. 4 (July 1982), 384.

⁴ David H. Bayley, *Changing the Guard: Developing Democratic Police Abroad* (New York: Oxford UP, 2006), 9.

third-party military power providing security and ending the fighting between violent parties. Stemming from an increase in international intervention in intra-state conflicts, an emergence of democratic state-building policies, and attention to failed states and ungoverned territories caused, “criminal justice reform, in particular that of the police, became an important element in the foreign policy of the developed world in the last decade of the 20th century.”⁵ The crucial role of police soon rose to the forefront as critical to establishing the sort of security and order necessary for an operating society to embark on the path toward democracy. Terms such as democratic policing and police reform were added to the lexicon of international policy.

Trailing the end of the Cold War, forming democracies became the focus of U.S. foreign policy. This new thinking was tied to the belief conflicts emerged when and where political dynamics did not conform to human rights and prosperity and that this could all be changed simply by introducing democracy. Another foreign policy direction resulting from this dynamic was a focus on failed states and ungoverned territories. The role of the police in establishing and developing rule of law received unprecedented attention, but the tendency was to focus on conflict and post-conflict nations. Countries such as Senegal, with a relatively stable democracy and already formed police, were largely overlooked, and the position of the police in Senegal’s democracy remains unexamined.

The new, post-Cold War security environment coupled with African countries that are continuing to shape their democracy presents both challenges and opportunities for African police forces. Senegal provides an interesting case study for the role of the police in forming democracy while providing for the traditional security of the state in addition to the personal security of the citizens. The very nature and development of democracy in Senegal is interesting, and the Senegalese police are an established institution. Thus, Senegal provides a good backdrop for studying the police in an African context and examining the roles and challenges of the police in an African democracy.

⁵ Bayley, *Changing the Guard*, 10.

Systems theory is the study of systems, which are defined as “An interconnected set of elements that is coherently organized in a way that achieves something. ... Systems may be embedded in other systems.”⁶ The police, the state, and society each represent a system embedded in each other with revolving impacts. Applying a systems theory approach to examining the systems of police, state, and society are inter-connected will result in a better understanding of what improvements and cooperation is necessary in order for the police to become a more democratic tool vice a client of a neo-patrimonial state.

B. IMPORTANCE

The most important thing this research could do is pave the way for the Senegalese police forces to become a public safety and security institution objective to state politics. This, in turn, could provide for the improved security of Senegal, ensure the rights of citizens, and assist in preserving Senegalese democracy. This is a lofty aspiration, but nonetheless one worth aiming for. A closer horizon may be to shed light on police cooperation and assistance programs or other methods that could serve as an initial platform from which greater police reform could be launched.

Senegal is among Africa’s most stable democracies and has been a strong U.S. partner in security. The development of the Senegalese police will not only reinforce Senegalese democracy, but provide a force capable of intervening in regional transnational crime, international trafficking, and international terrorism issues. Senegal was the first African nation to complete the U.S. sponsored Africa Crisis Contingency Operations Training and Assistance and an anticipated leader in this program. The Senegalese police and military trained for peacekeeping missions under the U.S. State Department’s Africa Contingency Operations Training and Assistance Program. In addition, Senegal hosted the U.S.-led 2010 trans-Sahel counter-terrorism exercise Flintlock and the 2013 Exercise Sahara Express focusing on maritime security demonstrating their desire to engage in international and regional issues. A democratic

⁶ Donella H. Meadows, *Thinking in Systems: A Primer* (Vermont: Chelsea Green, 1991), 11.

and secure Senegal could project its influence into the Sahel as well as the West African nations north of the Gulf of Guinea.

Senegal provides a stable, modern port at the Port of Dakar with easy access to the interior part of the region. The Port of Dakar is home to a new container terminal that sees the second high volume of transshipment in West Africa and host a customs zone for products imported to Mali. The Port of Dakar allows for the input of a high quantity of bulk goods and machinery necessary in humanitarian and intervention operations. All of these factors make Senegal a critical component in solving regional problems.

A strong and democratic police system will help Senegal re-enforce her own democratic values and act as a security leader in the region able to combat illicit networks such as, transnational crime and terrorism.

C. SOURCES AND METHODS

This thesis is a result of two and a half years of investigative fieldwork and liaison with the Senegalese National Police and the Senegalese National Gendarmerie coupled with thesis research about democratic policing and the role of the police in consolidating African democracies. There is not much information and research about African police forces, even less about francophone African police forces, and very little about the Senegalese police specifically. Although the Senegalese National Gendarmerie hosts a website detailing their history, mission, and structure, few other written resources about them are available, and there is almost nothing written about the Senegalese National Police.

Due to the lack of published information and research pertaining to the structure and history of the Senegalese police, much of the primary information presented in this thesis concerning the Senegalese police is derived from first hand interaction with them. This is especially the case regarding descriptions of the Senegalese police structure, observations concerning their capacity, and general knowledge about international capacity building programs. Research discussing the police in Africa in general is used to shed light on trends and circumstances that apply to Senegal particularly.

The intent is that this thesis represents an opportunity to combine scholarly thesis research with street level police work in Africa. The result is an attempt to better understand the context of policing in Senegal. Given the similarity of francophone African police models, the case study of Senegal may pertain to neighboring francophone African countries and provide a baseline for examining each the policing context in different countries.

D. LITERATURE REVIEW

1. The Police and State Structures

Christian Potholm wrote one of the first studies of African police in his 1969 essay, “The Multiple Roles of Police as Seen in the African Context.” He concluded that the role police play in maintaining order and shaping democracies is critical. Despite several scholars studying the importance of political socialization to both the theory and practice of political development, there has been no focus on the police in this process.⁷ Otwin Marenin echoed the same notion in his 1982 essay “Policing African States: Toward a Critique,” saying, “one thing can be stated categorically. Very little is known about the Police in Africa.”⁸ Alice Hills later wrote perhaps the only book on the subject: *Policing Africa: Internal Security and the Limits of Liberalization* in 2000 expanding several of the broader points initiated by Potholm and Marenin.⁹ All of these scholars view African police through the context of state structures and their resulting effect on the police forces.

These three authors each define the role of police in democracies, although to varying extents given they are writing in different decades. Writing when democracy was relatively new to Africa, Potholm was the first to underline the importance of police. He observed that police are the most visible and influential element of government in the

⁷ Christian P. Potholm, “The Multiple Roles of the Police as Seen in the African Context,” *The Journal of Developing Areas* 3, no. 2 (January 1969), 140.

⁸ Marenin, “Policing African States,” 385.

⁹ Alice Hills, *Policing Africa: Internal Security and the Limits of Liberalization* (Boulder: Lynne Rienner, 2000), 1–26.

daily lives of citizens stating, “The potential of the police for increasing identification with the central government and for symbolizing its concern is enormous.”¹⁰

Potholm defined the four major roles for African police as “maintaining law and order, paramilitary operations, regulation activities and regime representation.” He also alluded to models of policing and acknowledged a difference between Francophone and Anglophone police systems, but police models were not yet fully developed when wrote his essay. He therefore stays in the realm of state structures offering insights into how the police may develop. He emphasized that the police are on the “output side of the political process” seeing them as an arm of the regime rather than an influencing factor. In this respect, unlike the military, the police rarely play an “extralegal” role in state politics.¹¹

Marenin wrote his essay “Policing African States: Towards a Critique” in 1982 and advanced several of Potholms’ points. Like Potholm, Marenin accepts the import role police play in state–society relations. Marenin describes police as the “crucial nexus between state and people” and says, “the police are legitimated force in action.”¹² He agrees with Potholms’ idea that a primary police role in Africa is maintaining law and order, but for Marenin law and order constitute the arena where state and society meet.

He departs from Potholm here delving into the crucial role of order. He dissects order into two types: general order and specific order. General order, according to Marenin, “Involves the capacity of the state to guarantee public tranquility and crime control,” and specific order is the use of state power to promote specific interests.¹³ The notion of order is critical to Marenins’ essay, because he supports the idea that police have tremendous discretion in in their duties maintaining and enforcing order. He views the police as agents and then asks for whom are the police acting as agents. Determining the type of order police enforce, indicates to whom they act as agents.

¹⁰ Potholm, “Police as Seen in the African Context,” 142.

¹¹ Ibid.

¹² Marenin, “Policing African States,” 384.

¹³ Ibid., 382–3.

Marenin believes the colonial roots of African police are important. He supports Potholms' notion that African police, as institutions, grew out of colonial police that "were created to serve colonial rule."¹⁴ For Marenin this point is more than simply structural as it affected the attitudes of citizens and the subsequent image of the police. He states, "[t]he colonial origins of the police handicap current forces; and the estrangement, hostility, belief in corruption, and noncooperation that much of the public seems to have for police forces are firmly rooted in the perception that the police are now what they always have been: the instruments of authoritarian rule, now black rather than white, yet to be avoided nonetheless."¹⁵

For Marenin, the colonial origins of the African police taken together with his notion of order show that African police act as agents of African regimes, because they enforce the specific order demanded by the regime. He concludes definitively, "It is obvious that the state commands the police: the state creates laws, the state sets standards for police performance, the state uses the police to repress challenges to the relative autonomy of the state and to those groups that influence state action."¹⁶

Policing Africa by Alice Hills may be the only book entirely focused on the political context of African Police, and she continues several points originally made by Potholm and Marenin. Hills makes two fundamental arguments regarding African police. She agrees that African police reflect their colonial heritage and purports that they have not fundamentally changed since independence. Hills goes further than Potholm or Marenin suggesting African police became linked to their political systems as both tools and clients. This carries Potholms' notion of African police acting on the output side of politics and Marenins' ideas concerning specific order further into the modern context. For Hills, the police competition for state the limited resources of state ensure they employ their enforcement discretion in ways advantageous to the regime.

¹⁴ Marenin, "Policing African States," 386.

¹⁵ Ibid., 387.

¹⁶ Ibid., 389.

For Hills, the critical hinge linking the post-independence police systems to present day police systems are the concepts of order and stability. During the post-independence era as in the modern era, order was paramount to promoting the stability states require for their political agenda. Post-independence order served to ease the transition from colony to independence and reinforce project state legitimacy. Hills links order directly to security and governance with the police as the primary vehicle for order and security while governance falls into the realm of politics. Hills notion of order is much like Marenins', but she uses civil order in place of general order and adds security, which incorporates aspects of Marenins' specific order.

In this light, Hills expands on Christian Potholm's original observation in 1969 that police are involved in the "output" side of politics saying, "The police rarely intervene as an extralegal pressure group in the way the military have."¹⁷ Hills general view is that African police became the regime tool for maintaining order, stability and security, but were kept as clients of the state and never developed their own networks to state resources. This was intentional for, as Hills observes, "It is thus not in regime interests that police should become efficient, effective, or provide citizen protection. Regime concerns ensure that African police forces remain urban, under- resourced, brutal, and stagnant."¹⁸

Potholm, Marenin, and Hills all agree that African police play a critical role in state—society relations and developing democracies. They complement each other nicely and progress logically. Hills goes much farther in explaining the structural effects of African regimes on their police forces, and writing in 2000 she comments on the effects of liberalization, or the lack thereof, which took place throughout Africa in the 1990s.

2. Senegalese Clientelist Democracy

Many scholars studied the adaptations of Senegalese democracy specifically. Robert Fatton, Jr. examined the origins of Senegalese democracy as it consolidated and liberalized under the guidance of the first president, Leopold Sedar Senghor. Fatton

¹⁷ Hills, *Policing Africa*, 64.

¹⁸ *Ibid.*, 41.

speaks directly to the context of Senegalese democracy and why Senegal possessed more liberal democratic ideals than other former French colonies. He clearly maps how Senegal became a clientelist democracy after independence and grew from a dominant party state into a more liberal form of democracy after their 1976 constitution.¹⁹

Linda Beck addressed the nuances of Senegalese neo-patrimonial style of state government and attempted to define the Senegalese brand of democracy. She discusses the Senegalese elites at a sub-national level whereas Fatton's idea of elites remained at a more national level. Beck breaks down her study in detailed analysis of Senegal's regions and Fatton frequently used the term bourgeoisie, which he divides into a bureaucratic bourgeoisie and the traditional religious aristocracy known as les marabouts. Beck dives deeper into the neo-patrimonial systems and infrastructure. Both agree that defining Senegal as a liberal democracy is misleading and only skin deep. Fatton and Beck would agree that Senegal practices a liberal form of democracy administered in an extremely clientelist/ neo-patrimonial style the end result of which is extensive presidential control of the state. Edward J. Schumaker echoed these sentiments and wrote extensively about how clientelist system impeded rural development.

The descriptions of Senegalese democracy put forth by Fatton, Schumaker, and Beck fits well with the theories Potholm, Marenin, and Hills purport to effect African police. A deeper understanding of the Senegalese police forces will and the systemic impact of clientelist democracy on the Senegalese police will be brought out by further research.

3. Police Concepts and International Policing

A wide body of scholarship addresses the role of police in democracies. For example, Dilip K. Das and Otwin Marenin edited *Challenges of Policing Democracies*, which provides excellent insights into the origins and progress of police in modern democracies. A chapter by Das reviews the three principal models of policing: the centralized model, the coordinated model, and the fragmented model. France, Japan and the former Soviet Union exemplify the centralized model while the England, Wales, and

¹⁹ Fatton, *Liberal Democracy*, 7–19.

Canada shape the coordinated model, and the United States is an example of the fragmented model.²⁰

A later chapter by Marenin titled *Democracy, Democratization, Democratic Policing* encapsulates the both the roles and responsibilities of police in democracies and the roles and responsibilities police should have in developing democracies. Marenin purports the principal functions of police in democratic societies comes down to the six principal measures of effectiveness, efficiency, accessibility, accountability, congruence and general order.²¹ Marenin believes good policing is essential to democratic governments as well as to the development of democracies. He goes so far as to say, “Without good policing democracy cannot exist. Policing assistance seeks to strengthen the rule of law, ensure legal protection for citizens’ rights, and ... increase citizen pressure for conformity within international human rights standards.”²² Similarly, other scholars such as D.H. Bayley, R.I. Mawby, and N. Walker wrote extensively on the roles of police in both established and developing democracies and contributed thoughts concerning how police may affect international policing.

These types of scholarship helps focus the definition of police and describe interact with citizens in democratic states. While not specific to Africa, it forms the foundation many writers such as Hills, Potholm, and Marenin use when addressing African police contexts. These writings further refine the concept of order that most scholars agree is a cornerstone of police work. Moreover, Francophone African police grew out of western models of policing, and the Senegalese Police replicate the French centralized model of policing. Comprehending these models assists in understanding the relationships, or absence thereof, in police, state, and society relationships.

A number of studies are also available concerning the role of police in developing democracies as well as the role of police in peace making, peace keeping, and peace enforcement. Tor Tanke Holm and Espen Barth Eide edited *Peace Building and Police*

²⁰ Dilip K. Das and Otwin Marenin, eds. *Challenges of Policing Democracies: A World Perspective* (Netherlands: Gordon and Breach, 2000), 28.

²¹ Ibid., 321.

²² Ibid., 320.

Reform addressing the roles of police in developing democracies. Mathieu Deflem expands this notion into a globalized police community in *Policing Society*.

Deflema's work encompasses many themes, but especially seeks to synthesize the effects of globalization with the "sociology of police and social control."²³ The foundation for Deflema's historical and sociological analysis of police is based on the work of Max Weber. The role of the police is thus highly structuralized and, although not specific to Africa, offers much insight. He offers three propositions based on Weber's notion of bureaucracy and bureaucratic autonomy that enhance understanding why African police have not focused on transnational crime. For example, Deflem argues that police institutions that developed an institutional independence from the political center of the regime are more likely to cooperate in international police programs. On the other hand, as seen in many African states, "[p]olice institutions that remain tied to the political centers of their states will either insulate themselves from international duties or ... engage in transnational activities that are intimately related to national tasks."²⁴ This type of analysis may offer insight into why some African regimes and police attack transnational crime while others do not.

In *Policing the New World Disorder*, a number of case studies examine the role of the police in peacekeeping operations. In the introductions, Michael Dziedzic addresses disorder generally as a situation requiring a military, police, and humanitarian effort. He lays down a conceptual framework defined by the need to restore order very similar to the needs of a developing democratic state. He says, "For society to begin to restore normal activity, however, law and order are required. This is the domain of police, judges, and jailers. This phase of the operation, therefore, should be a period of reconstitution of the entire public security apparatus."²⁵ Holm and Eide discuss the "Security First" approach to international development in addition to the process and perceptions of stability and security in the minds of citizens in their work, *Peacebuilding*

²³ Mathieu Deflem, *Policing World Society: Historical Foundations of International Police Cooperation* (Oxford: Oxford UP, 2004), 3.

²⁴ Ibid., 21.

²⁵ Robert B. Oakley, Michael J. Dziedzic, and Eliot M. Goldberg, *Policing the New World Disorder: Peace Operations and Public Security* (Washington, DC: National Defense UP, 1998), 11.

and Police Reform.²⁶ These points underline the importance of security and order as brought out by Potholm, Marenin, and Hills. Holm and Eide assert that police are critical to not only establishing and maintaining enough security and stability for development to take place, but also ensuring that people have faith that the security and stability will remain in the future for life and business investments. This kind of security and order promotes democracy rather than suppressing civil liberties that ensures regime stability harkening back to Marenins' general order and Hills civil order.

Dziedzic indicates the political role of police as highlighted by other scholars and states, "The challenge to assisting police in marginal states is how to evoke standards of public order in institutions structured of maintaining regime priorities Law and order do not guarantee sustainable security, since, without justice, the likely result is oppression."²⁷ Although Dziedzic is using the vocabulary of international peacekeeping operations, he voices the same truth as Marenin who stated, "policing in emerging democracies, hence, requires a double institutionalization—of policing itself and of the context which gives shape to and supports and constrains policing."²⁸

Peacekeeping offers a focused lens with which to examine the role of African police with respect to order and stability. Peacekeeping also often takes place in environments similar to developing democracies and so while the literature is not entirely on point, there are definite similarities.

4. Systems Dynamics

Marenin alluded to police reform requiring a double institutionalization of politic and police. Security sector reform hints at the same notion attempting to instill changes at a variety of levels resulting in a security environment encapsulating the positive aspects of traditional security and new security. In a similar fashion, systems theory attempts to illuminate the relationship between structure and behavior to uncover the way systems

²⁶ Tor Tanke Holm and Espen Barth Eide, *Peacebuilding and Police Reform* (Portland, OR: Frank Cass, 2000), 3.

²⁷ Ibid., 14.

²⁸ Das and Marenin, *Challenges of Policing*, 311.

operate, understand why they do not work, and lead them toward more productive results.²⁹

Donella H. Meadows defines a system as an inter-related set of things. System dynamics and systems theory attempt to understand a complex set of systems. Jay W. Forrester transferred systems dynamics from the realm of engineering and applied it to social systems such as businesses and urban development. He discovered that several systems are counterintuitive. A continuing theme in several of Forrester's writing is that problems within social systems are often a result of parts of the system itself. As Meadows relates, "this is the systemic trap of fixes that fail or policies that fail. There are wars on drugs, after which drugs are as prevalent as ever."³⁰

The dynamics in African police described by Potholm, Marenin and Hills coupled with the Senegalese neo-patrimonial democracy articulated by scholars such as Fatton and Beck are ripe for systems theory. The police and political system all represent complex systems which have become, according to Forrester's definition, self-regulating systems. Research by scholars such as Forrester, Meadows, and Mellanie Mitchells provide several examples of social systems theory and applicability to social systems which provide a good back drop for a systems theory examination of the Senegalese police.

E. OVERVIEW

The second chapter of this thesis tells the colonial heritage of the Senegalese police and describes the francophone system of law enforcement adopted by the post-colonial Senegalese police. The first section provides an overview of the Senegalese police and the three major styles of policing in the world today. Following, is a section about the style of policing largely popular in France and francophone countries and known as the dual system of policing. The final section of this chapter presents the origins of the Senegalese police from the French colony through to independence, and

²⁹ Meadows, *Thinking in Systems*, 1.

³⁰ *Ibid.*, 112.

this section also describes the ramifications of the colonial system of policing on the current Senegalese state.

The third chapter generally describes how Senegalese democracy consolidated and what the effects the unique brand of Senegalese democracy had on the police. This chapter has a brief section of providing a historical view on governance in Africa. The two subsequent sections describe the pre and post-colonial employment of patron-client networks in Senegalese politics. The next section discusses the semi-authoritarian nature of Senegalese government in light of continued progress in free and fair elections as well as allowing many political parties. This section concludes with how patron-client networks and semi-authoritarianism, combined with the centralized nature of the Senegalese francophone-centralized police structure effects the Senegalese police.

The next chapter describes the changes in international security following the Cold War and how this new security environment challenges the Senegalese police. The second section recounts how new concepts such as personal security impact the development of police in democratizing countries, and the third section tells how the idea of democratic policing grew out of the new security atmosphere. The last sections details what these new security concepts mean to the Senegalese police and how a new security paradigm challenges the tradition models of policing employed by the Senegalese state and police.

The last chapter prior to the conclusion offers systemic thinking as a way to capture a holistic picture of the challenges facing the Senegalese police. Systems thinking can be used to identify leverage point in Senegalese politics in which shifts in structure and motivation can lead to lasting and meaningful reform in the Senegalese police. This section also describes some international assistance programs such as judicial reform and security sector reform that can be directed to enhance reform in the Senegalese police. The final conclusion suggests how U.S. policy together with international programs could be focused on the Senegalese police in order to for them to be able to combat globalized criminal threats and networks.

II. THE SENEGALESE LAW ENFORCEMENT STRUCTURE AND THE DUAL SYSTEM OF FRANCOPHONE POLICE

A. INTRODUCTION

This chapter will argue that the structure and mission of the Senegalese police is a replica of the French colonial policing system from the Afrique Occidentale Francaise (AOF). This is important, because the newly independent Senegalese state transitioned and consolidated into a clientelistic and semi-authoritarian type of democracy with remarkably similar security needs as the colonial regimes that preceded them. The adaptation, therefore, of a police structure essentially imitating that of the colonial system means that the Senegalese police were prevented from focusing on issues relevant to a democratic civil society or developing capabilities allowing them to proactively fight complex crimes such as transnational crime, counter-terrorism, and money laundering.

Christian Potholm, Otwin Marenin, Alice Hills, and Niagale Bagayoko are the primary scholars who analyze African police, and they all clearly state that not much is known about the African police in general and even less about the police services in West Africa.³¹ Therefore, describing the formation of the Senegalese police with respect to the Senegalese state and democracy is not an easy task. Almost nothing exists in print either describing or analyzing the Senegalese National Police. By contrast and probably as a result of their long, rich history, there are a few written resources about the Senegalese National Gendarmerie. In describing the two, I have relied on the written sources available and on two and a half years of working in a liaison capacity with the both the Senegalese National Police and Senegalese Gendarmerie. In order to describe their structure, this chapter will merge knowledge gained from working alongside the Senegalese police with the written sources addressing the issues of policing Africa in general in order to describe how themes relating to African police in general are relevant to the Senegalese police in the context of the Senegalese democracy.

³¹ Potholm, "Police as Seen in the African Context," 138; Marenin, "Policing African States," 385; Hills, *Policing Africa*, 1.

Before discussing the position of the police in Senegalese politics and their role in securing the people and keeping the peace in Senegal, it is first necessary to understand how the police are structured and to shed light on the times and conditions that shaped the Senegalese police into the force they are today. This chapter will provide a basic description of the Senegalese police describing their structure as a francophone law enforcement system characterized by a national police force under civilian management and a nation gendarmerie with a more para-military chain of command. This chapter will also look into the colonial heritage of the Senegalese law enforcement system discussing how the French colonial policing system influenced the post-independence Senegalese police.

B. THE SENEGALESE POLICE FORCES

Senegal adopted its security structure directly from the French at their independence in 1960. As a result, the Senegalese law enforcement structure is tethered to the French colonial system through structures and institutions closely related to those of the French. This is important to this research in two ways. First, the make-up of Senegalese law enforcement and public security is almost a mirror image of the French system, which is formatted on centralized control and naturally favorable to a strong presidential regime. Second, to be discussed later, the roots of these institutions are from the colonial era and, although placed under Senegalese leadership, have left the police highly focused on following regime directives concerning internal order and the suppression of dissent. This focus on internal security and order then became priorities of the post-independence Senegalese government to meet remarkably similar goals as the French colonial regime.

A description of the Senegalese security and law enforcement structure is necessary in order to discuss them and their interaction with Senegalese democratic consolidation. In turn, the Senegalese police cannot be discussed in depth without a basic understanding of the French Police. As Niagle Bagayoko confirms, “In most Francophone African countries that used to be under French colonial rule, the policing system is modeled on the French system, and is centrally controlled. The police system in

these countries is, therefore, French in its organizational structure, equipment, and nomenclature.”³² This is important, because it is true in the case of Senegal that has two principal law enforcement agencies: The Senegalese National Police (SNP) and the Senegalese Gendarmerie (SG).

The Senegalese police structure most resembles the French structure from the 1980s. A comparative analysis of policing systems with the Senegalese police is not the purpose of this research; however, the Senegalese police, as a relatively young and emerging institution, cannot be well dissected without an understanding of other police services and their context to democratic consolidation in the countries they police.

C. INTERNATIONAL POLICING METHODS AND STRUCTURES

The styles of police which emerged in democracies were as varied as the types of democracies themselves, but were aligned more or less to suit the form of government practiced by the state. Generally, three distinct models of police organizational structures characterize most police forces around the globe: the centralized model, the coordinated model, and the fragmented model.³³ The centralized model, most associated with France, Japan, and the former Soviet Union, characterizes systems where state regimes control police forces in tightly organized top-down manner. In these systems, “police are perceived as representatives of the state, and perceive themselves as such.”³⁴ They have a central chain of command leading to a central authority. In the francophone system, certainly in Senegal, the police are guided by their senior member who answers to the ministry that, in turn, answers to the president. While at various levels the Senegalese National Police and the Senegalese Gendarmerie interact with the Ministry of Justice (MOJ) and other state bureaus, they take their marching orders from their centrally connected chain of command and are most concerned with that allegiance.

³² Niagalé Bagayoko, “Security Systems in Francophone Africa,” *Institute of Development Studies Research Reports*, no. 64 (April 2010), 30, doi: 10.1111/j.2040-0217.2010.00064_2.x.

³³ Das and Marenin. *Challenges of Policing*, 28.

³⁴ R. J. Terrill, “Organizational Structure: Three models with international comparisons,” *The Encyclopedia of Police Science* (1995), quoted in *Challenges of Policing Democracies: A World Perspective*, ed. Dilip K. Das and Otwin Marenin (Netherlands: Gordon and Breach, 2000), 27.

The coordinated model is so designated, because it usually represents a distribution of power between a central government and local communities.³⁵ Central control exists to an extent, but only at the very senior levels of administration. Local police elements answer to local senior leaders who then have interface with the national level authorities. The English system of policing most exemplified this model as do police organizations in countries with strong English heritage and influence such as, Wales, Australia, and Canada.³⁶

The fragmented model of police organization is what emerged in the U.S.³⁷ It consists of a diffuse and layered approach to law enforcement between various levels of government such as, federal, state, and local communities.³⁸ Police organizations formed alongside democracies and changed as the democratic systems consolidated. Therefore, the fragmented model grew in the U.S. was, “attributed directly to the federal nature of the political system of the country.”³⁹ Fragmented models of policing may lack a centralized element of control altogether, as in the U.S., where local authority sacred.

Difficulties arise in trying to compare the U.S. system of law enforcement to the French system of law enforcement as they encompass two completely different styles of policing tied to the divergent political interests of the federal system in the U.S. and the unitary system in France. The francophone system is quite different from the systems found in the U.S., England, and the greater Anglophone world. As this thesis hopes to demonstrate with respect to Senegal, these various styles of policing arise directly as a result from the way democracy in these countries is consolidated. Given that Senegal, France, the U.S., and England formed different kinds of democracies, it is not too surprising that the police in these countries also developed alternative styles of policing.

³⁵ Peter C. Kratcoski, “Policing in Democratic Societies: An Historical Overview,” in *Challenges of Policing Democracies*, ed. Dilip K. Das and Otwin Marenin (Netherlands: Gordon and Breach, 2000), 29.

³⁶ Ibid., 28.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

D. THE DUAL SYSTEM OF FRANCOPHONE POLICING IN SENEGAL

Following the centralized model and francophone structure, Senegalese law enforcement is fundamentally divided between two organizations: the Senegalese National Police and the Senegalese Gendarmerie. These two institutions will be discussed and occasionally mentioned collectively as the Senegalese police. The division of law enforcement between a national police and a gendarmerie is a distinguishing component and the corner stone of francophone policing.⁴⁰

This institutional split in policing is commonly referred to as the “dual system of francophone policing” and remains the system in France today.⁴¹ The differences between the SNP and SG, following the dual system, are both organizational and territorial. Essentially, the SNP are a civilian metropolitan police force composed of civilian police responsible to a civilian authority whereas the SG is a para-military force with military ranks and responsible to a commanding general who is part of the Ministry of Defense (MOD). The organizational distinctions between the SNP and SG are delineated by the separate jurisdictions or territories of responsibility designated to these two organizations. The SNP are part of the Ministry of Interior (MOI) and police the urban centers and cities of Senegal as well as man the ports of entry while the SG fall under the MOD and police the rural areas of Senegal and patrol the borders.

As SG Major Abdourahmane Dieng explains, “Police manage the capitals of departments, municipalities or set urban areas. The Gendarmerie in turn is in charge of the rest of the territory, making it the first security actor in rural areas.”⁴² Both the SNP and SG perform policing functions in their separate jurisdictions which encompass

⁴⁰ Guillaume Prigent, “Le rôle de la police nationale dans la sécurité intérieure : le modèle français [The Role of the Police in Internal Security],” in *La réforme des systèmes de sécurité et de justice en Afrique francophone [The Reform of Police and Justice Systems in francophone Africa]*, ed. Organisation internationale de la Francophonie [International Organization of Francophone State], 2009, 57, http://www.francophonie.org/IMG/pdf/reformes_systemes_securite.pdf.

⁴¹ Ibid., 55.

⁴² Abdourahmane Dieng, “Le rôle de la gendarmerie dans la sécurité intérieure [The Role of the Gendarmerie in Internal Security],” in *La réforme des systèmes de sécurité et de justice en Afrique francophone [The Reform of Police and Justice Systems in Francophone Africa]*, ed. Organisation internationale de la Francophonie [International Organization for Francophone States], 2009, 69, <http://www.francophonie.org>.

maintaining public peace security, criminal investigations, and collecting criminal and security intelligence.⁴³

As Senegal emerged from independence, it formed a Republican Democracy much like France and subsequently adopted the centralized model of police established during the colonial period. This derived as much from necessity and logic as from a conscious Senegalese post-independence leadership decision. The adoption of colonial institutions such as, the SNP and SG among others certainly helped the new Senegalese government consolidate power around top-down frame-work rather than remake the country's political institutions from a nationalistic notion of itself from the bottom up. The intricacies of Senegalese independence and the post-colonial heritage of the SNP and SG will be discussed later. Needless to say, strong government control of the police and gendarmerie are bedrocks of the French centralized style of policing, and they became the cornerstone of Senegalese policing as well.

Another important characteristic of the francophone law enforcement system that applies equally to Senegal is the division of law enforcement duties in both the SNP and SG into administrative police and judicial police. The French notion of dual policing is defined as much by the split between administrative policing and judicial police as it is by the territorial divisions of the police and gendarmerie.⁴⁴ Very simply put, administrative policing could be thought of as the routine work in maintaining order, suppressing crime, and responding to requests for assistance while judicial policing covers the role of criminal investigations and police intelligence. This could be described generally as the difference between uniformed police and detectives. The caveat in the dual system of francophone policing is that the MOJ supervises criminal investigations, and judges get more directly involved in investigations. Criminal investigations are conducted by the judicial police who work under the supervision of the MOJ. While this description is clean and reasonable, it is not always so easy. For example, there is obvious over-lap in some roles such as, collecting criminal intelligence.

⁴³ Ibid., 62.

⁴⁴ Bagayoko, "Security Systems," 31.

In the francophone system adopted by Senegal, criminal investigations are closely managed by the MOJ through the procurer d'Republique and or a judge d'instruction. A procurer d'Republique is very similar to an attorney general. The judge d'instruction has no U.S. equivalent, but is basically a magistrate with investigative authorities. Both the procurer general and magistrates have investigative powers allowing them to guide investigations to a greater extent than their U.S. counterparts. This inter-play between police and magistrates provides "a great latitude to judges by giving them the freedom to choose between the two forces the one that suits better management of the investigations to be conducted."⁴⁵

In the dual francophone system, judicial police constitutes a proficiency in and authority to conduct criminal investigations. Both SNP and SG officers may receive this designation, which is called an Officer of the Judicial Police (OJP). The SNP have a branch specifically called the Judicial Police that houses their Criminal Investigative Department, which is generally equivalent to the detective bureaus seen in most U.S. cities. The SG has an Investigations Bureau that gathers intelligence and performs criminal investigations in SG jurisdictions roughly equivalent to federal special agents in the U.S. The SG also has senior leaders and some officers throughout Senegal designated as OJP so the force can administer criminal investigations. Judicial police investigations constitute approximately 40% of the work performed by the Senegalese Gendarmerie.⁴⁶

Generally speaking, only these designated divisions of the SNP and SG, under the direction of the procurer general and magistrates, perform major criminal investigations in Senegal. All criminal investigations must be performed by officers qualified as OJP under the supervision of the MOJ, although when and how a law enforcement official receives an OJP designation varies between the SNP and SG. This gets very confusing, because a variety of officials in francophone systems receive the OJP designation, which qualifies them to perform investigative functions, although they may or may not actually execute this authority in their day to day duties. There are several reasons for this beyond the scope of this paper, and it is best to generalize that a vast majority of the criminal

⁴⁵ Dieng, "Le rôle de la gendarmerie [The Role of the Gendarmerie]," 62.

⁴⁶ Ibid., 69.

investigations in Senegal are done by the SNP and SG by qualified OJPs under the direction of the MOJ.

Administrative policing refers to the daily routine work of law enforcement, which is the bedrock of policing. Uniformed police intervention in emergencies, the maintenance of order, traffic control, and crime suppression are all parts of administrative policing. These are the primary mission of the SNP and the SG in their separate jurisdictions. Both the SNP and SG have special units entirely dedicated to public order and crowd control. In the SNP they are called Companies for the Security of the Republic known by the French acronym CRS. The SG, with a more military nomenclature, calls them the Gendarmerie Intervention Legion abbreviated in French as LGI. The officers in these units of the SNP and SG are dedicated entirely to public security, crowd control, and riot control.

Some other administrative roles the SNP perform expand their power and functions considerably. The SNP administer Senegalese Immigration through the Ports and Border Police, referred to as the PAF for their French acronym Police des Aeroports et des Frontiers. The PAF man all ports of entry. Voter registration and drivers licenses are also issued and registered with the SNP in keeping with the francophone notion of centralized control of the population. Additionally, the SNP also has a Division de Surveillance Territoriale (DST) titled and modeled after the French DST addressing the general and nebulous functions of national internal security.

The role of the SNP in the cities resembles that of U.S. police departments, but under national-level, control. While seemingly similar, the two systems operate very differently in practice. The SNP throughout Senegal are all responsible to the Inspector General (IG) of the SNP in Dakar who in turn works for the Minister of Interior. The IG is appointed by the minister with presidential approval. SNP officers, especially senior officers and leadership, are often transferred throughout the country. Thus, their objectives and methods flow from top to bottom, and from bottom to top reflect central government priorities and agendas rather than local ones. While they function similarly to U.S. police, they have national jurisdiction rather than close associations with and control by local communities.

The SG, and francophone gendarmeries in general, have no real U.S. equivalent. Gendarmeries are commonly referred to as para-military police forces in that they perform police duties, but are managed by the MOD much like a military force. They may be roughly similar to U.S. State Police when performing administrative and judicial police duties, yet in the francophone system there is no layer of law enforcement above the gendarmerie. The SG are emblematic of a para-military police force since they contain capabilities such as light armor, parachuting, and commando skills coupled with their administrative and judicial police functions in rural areas. The SG structure stems from their colonial role as the first line of defense in security and order in the rural areas far from colonial centers of administration. This translates today into the primary keepers of law and order and state visibility in the periphery of Senegal far from the state center. The SG are part of the MOD and follow a military chain of command and rank structure. The SG also administers Senegalese Military Justice, patrols the borders, and guard critical infrastructure and dignitaries including the President and members of Parliament.

The SG trace their roots back to 1843 when the French Colony created a detachment of the West African Gendarmerie in Dakar known in French as the Gendarmerie en Afrique Occidentale Francaise. The Gendarmerie AOF has close historical ties to the Spahis of Algeria. A similar unit was raised by the French in the Senegalese city of Saint Louis called the Senegalese Spahis also known as the Red Guard and used to settle disputes along Senegal River.⁴⁷ The SG members of the Presidential Guard, part of the LGI, still bear the name Red Guard and are visible in their decorative uniforms standing guard before the Presidential Palace in Dakar.⁴⁸ SG Major Dieng writes that on 22 June 1960, “at the independence of the Federation of Mali, on the foundations of the long French tradition, the national gendarmerie of Senegal was born and is now custodian of 165 years of history perpetuating the tradition of Spahi in Africa.”⁴⁹

⁴⁷ “Histoire de la Gendarmerie Nationale Senegalaise [History of the Senegalese National Gendarmerie],” (n.d.), <http://www.gendarmerie.sn/historique/histoire-et-tradition.html>.

⁴⁸ Dieng, “Le rôle de la gendarmerie [The Role of the Gendarmerie],” 77.

⁴⁹ Ibid., 67.

Although the SG are a part of the MOD and have a para-military internal security mission in addition to their rural police, they are also subject to the dual nature of francophone police and split into administrative and judicial police functions. The SG is divided into two major divisions reflecting their divergent missions: the Senegalese Territorial Gendarmerie (STG) and the Senegalese Mobile Gendarmerie (SMG). The STG's primary function includes both administrative and judicial policing in the rural areas of Senegal, while the SMG serve in a more paramilitary function.

The SG in rural areas and the SG Investigative Brigade fall under the STG, because their principal role is to function as police. The STG is commanded by a full colonel. The SMG contains the para-military components of the SG including the special weapons unit abbreviated GIGN, the previously mentioned LGI, the Presidential Guard, and canine unit.⁵⁰ Additionally, the SMG act as military police and provide a para-military component augmenting the administrative and judicial roles of the STG when needed. Like the STG, the SMG is commanded by a full colonel.

The STG executes criminal investigations under the direction of representatives of the MOJ with gendarmerie officers who are qualified Officers of Judicial Police. SG Major Dieng states, "While performing judicial police duties, members of the gendarmerie are placed under the authority of the national attorney general or the investigating magistrate depending upon whether they are performing a preliminary investigation or a commissioned investigation."⁵¹ SG units designated as the primary law enforcement departments in a rural areas report to the governor of that region in addition to their SG chain of command in the MOD. The intent and result of this delineation is to keep the administration of justice channeled through the civilian led structures and the MOJ and prevent the co-optation of the law by the MOD.

Concerning the SG as a para-military organization with police functions, Major Dieng argues that this makes the SG unique because, "[a]s a military force with a police mission, the gendarmerie is an important and useful tool to deal with a variety of threats

⁵⁰ Dieng, "Le rôle de la gendarmerie [The Role of the Gendarmerie]," 72.

⁵¹ Ibid., 69.

and ensure the security of state institutions and people.”⁵² This naturally places the SG in direct competition with the rest of their colleagues in the MOD, but this constitutes a beneficial rivalry. As Major Dieng puts it:

it is noteworthy that where the presidential guard is in the hands of the army coups are frequently occurring, while in a country like Senegal, where the presidential guard is the image of the French Republican Guard, consisting of the military police [gendarmerie], no military coup has taken place since national independence.⁵³

Both the SNP and SG have participated in international peace-keeping operations. Among others, the SNP deployed to Darfur, and Sierra Leon and the SG participated in external operation in Congo, Lebanon, Sinai, Chad, the Central African Republic, Rwanda, Angola, Comoros, Western Sahara, Sierra Leone, Bosnia and Kosovo.⁵⁴ Both the SNP and SG receive international assistance and cooperation from France, Germany, Spain, Italy, the EU and the U.S.

E. COLONIAL HERITAGE AND POST-COLONIAL RAMIFICATIONS

Following Senegalese independence, the Senegalese police did not transition to a new policing style, but simply changed leadership. The most import aspect of this is that the French colonial police structure and institutions found in the AOF were virtually shifted from the colonial government and set into the new independent Senegalese state. This point should not be overlooked. This section will first examine the purpose and structure of the colonial police with a view to how that heritage affected their post-independence roles in the new state. The second part of the section will argue that after independence the Senegalese leadership chose to consolidate power in the president and to maintain a centralized police force structured for internal security and to control public dissent.

In the French colonial administration of the Afrique Occidentale Francaise, law and order was incorporated into the greater defense and security system. The differences

⁵² Dieng, “Le rôle de la gendarmerie [The Role of the Gendarmerie],” 77.

⁵³ Ibid.

⁵⁴ Ibid., 75.

between the police and the military often overlapped, and the pattern of security forces that emerged in the AOF generally consists of French forces from France serving in centralized garrisons augmented by indigenous African troops recruited to serve in the French units.⁵⁵ The former traditionally became the *Troupes Coloniales* then later *Troupes de Marine* and were composed of regular, non-conscript French soldiers, while the later were designated part of the *Armée Coloniale* such as the *Tirailleurs Senegalais*. Interestingly enough, the French *Troupes de Marine*, which have nothing to do with the navy, remain posted in Gabon and Djibouti fulfilling a variety of roles in security cooperation.⁵⁶ A distinguishing characteristic of the French colonial security system was the inclusion of Africans from several different regions into a single indigenous unit, as opposed to the British colonial system that raised units made up of people from the region where the unit was posted.⁵⁷ The colonial gendarmes, particular to Senegal, are an exception to this pattern in that they were specifically labeled as a law enforcement component of the French security apparatus.⁵⁸ These indigenous units acted as buffers between the French units who managed them and the local communities they policed, and they allowed for a lighter French presence in rural areas of little concern to or with low concentrations of French colonists.

The toll of World War II (WWII) and post-WWII events in France caused a reduction in the presence of French troops in the colonies. Following WWII, when France faced financial and political challenges at home, “the colonial gendarmerie was first in line in the coercive intervention against independence movements.”⁵⁹ Perhaps the most significant turn of events was the Law Deferre of 1956 through which the SNP and SG were placed under local Senegalese supervision, although still controlled by the

⁵⁵ Bagayoko, “Security Systems,” 13.

⁵⁶ Ministère de la Défense, “Troupes de marine[French Ministry of Defense, « Colonial Troops, »],” August 16, 2012, <http://www.defense.gouv.fr/terre/presentation/organisation-des-forces/troupes-de-marine/troupes-de-marine> [French Ministry of Defense History web-site].

⁵⁷ Bagayoko, “Security Systems,” 13.

⁵⁸ *Ibid.*, 14.

⁵⁹ *Ibid.*

colonial administration.⁶⁰ This was not, however, a liberalization of Senegalese engagement in their own affairs. As Bagayoko states, “The objective was to unburden Metropolitan France of all the operations of maintenance of law and order especially against trade unions and demonstrations by educated youth.”⁶¹ To the French, this meant a financial and political responsibility was lifted with respect to governing the Afrique Occidentale Française and placed a local face on enforcing order there. Security issues in the post-independence era specifically with respect to law and order are then marked by this political move. Undoubtedly, the ripple effect of this policy was the perpetuation of a colonial tradition of authoritarian style law and order practiced by new African leaders faced with considerable economic and social problems.⁶² The police, ever the most visible component of the state monopoly on the legitimate use of force, were caught in the middle.

The role of the police in the colonial system was especially relative to their perception by the public following independence. The police as an institution and as individual officers were viewed as a part of the colonial regime, even when indigenous people are used as officers.⁶³ The most important ramification of this perception was that “policing throughout the colonial periods was imposed on the people and never enjoyed their consent. ... colonial policing had little to do with serving the community and everything to do with upholding the authority of the colonial state.”⁶⁴ This dynamic was exaggerated when the post-independence Senegalese government made no effort to transition the colonial police into a force more conducive to a Senegalese concept of democracy and law and order, but it is equally questionable if they even considered molding European notions of law and order into a more local context.

⁶⁰ Bagayoko, “Security Systems,” 15.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Bankole A. Cole, “Post-Colonial Systems,” in *Policing Across the World: Issues for the Twenty-First Century*, ed. R. I. Mawby (London: University College London Press, 1999), 95.

⁶⁴ David Killingray, “Guarding the extending frontier: policing the Gold Coast, 1856–1913,” in *Policing the Empire: Government, Authority and Control, 1830–1940*, ed. David M. Anderson and David Killingray (New York: Manchester University Press, 1991), 123.

Due to the political goals of the new Senegalese government, which will be discussed later, the adoption of what was basically a colonial police force has a substantial influence on the relationship between the Senegalese state and the police, which in a consolidating democracy, has a profound effect on the relationship between the Senegalese police and people. The result is that the Senegalese police are not just modeled on the French system as much as they are an exact replica of it only with Senegalese leadership and political direction. This means they were connected to regime priorities such as public order and the suppression of dissent through structures that even predate the state, and the police were prevented by these structures from developing any inputs other than state directives.

Adopting the French colonial systems of policing was conducive to the newly independent Senegalese politicians who required an apparatus for public control while they consolidated a new state. Bagayoko observes that “one of the defining features of francophone states relies in large part on the kind of security forces which are responsible for the maintenance of internal order.”⁶⁵ The structure of the current force essentially changed little from the structure put in place during the colonial era, echoing Otwin Marenin’s statement that, “African police forces were created to serve colonial rule.”⁶⁶ Unfortunately the objectives of the French colonial government were tilted more towards resource extraction than democratization and liberalization.⁶⁷ Therefore, internal security for the colonial regime focused more on colonial government protection and citizen control than democratization and liberalization.

This dynamic proved somewhat helpful for the post-independence African states, Senegal included, because public order was seen as preferable to public upheaval potentially resulting from the turn-over of colony to independent state. Moreover, African states and leaders wanted to show more than anything that they could govern alone without the benevolent oversight of Europeans. Their idea of a new state was based on

⁶⁵ Bagayoko, “Security Systems,” 30.

⁶⁶ Marenin, “Policing African States,” 386.

⁶⁷ Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton, NJ: Princeton University Press, 2000), 87.

the European nation state idea not a new order based on African identity. Therefore, maintaining public order was viewed as very important, and police are a necessary component in keeping public order.

For better or for worse, Senegal possessed a national gendarmerie and recently established national police force structured toward population control. The only necessary change was aligning these systems to the new Senegalese state. This transfer was fashioned by the new Senegalese politicians who were no more embedded in Senegalese society than their colonial predecessors. Alice Hills refers to a general trend in transitioning democracies in post-independence Africa saying,

the centralized bureaucratic nature of their organization [the police] was tempered during independence because whereas the colonial state represented a body of law, the post-colonial state was effectively controlled by an elite that had captured the organization of the state and established their own governmental priorities.⁶⁸

Similarly, the new Senegalese state, was adopted en-mass from the colonial system, fabricating a Senegalese manned police force that had internal security as its primary mission and principal capability.

Post-independence Senegal developed into a centralized state government with strong presidential control. Thus, the police changed very little in either structure or form. In this way, they reflected a general trend among African police.⁶⁹ The Senegalese police are not necessarily repressive, but they follow state lead through the centralized, colonial shaped system and structures. This format was adopted immediately following independence, because President Leopold Senghor's regime sought foremost to control state structures and politics prior to liberalization and democracy. During the initial stages of independence, Senegalese elites primarily sought political control, which translates down to employing the police for public order and control. New elites, particularly President Senghor, continue centralizing state power. The elements of civil society, if present, are not engaged by the state in the formation of the Senegalese

⁶⁸ Hills, *Policing Africa*, 27.

⁶⁹ Ibid., 5.

political future, and the police have no alternative but to become agents of the state. This is a rather easy function and likely a welcome role at the time of independence. Since the police were previously agents of the colonial French security system, transition to the Senegalese police requires nothing new, and arrives with the hope and bonus that Senegalese politicians will broker a better future.

The structure of state institutions and the nature of national politics cannot be separated from police systems. As a state bureaucracy the police will inevitably work toward regime objectives; however, the police are embedded in society, and become the largest recipients of citizen approval or aggravations concerning regime policies.⁷⁰ Marenin summarized this idea when writing, “The police are a crucial nexus between state and people. Their behavior will affect the perceptions people have and the evaluations they make of the state and its performance; they are a powerful socializing and symbolic agency.”⁷¹ The roots of such statements stem from the traditional notion of the nation-state holding the legitimate monopoly on the use of force. In this regard, “police are usually the most obvious enforcers of political order and it is they, perhaps more than the military, which reveal the structure of state power. The police may be low in status, but governments rarely ignore them.”⁷² The newly named Senegalese police were easily directed by the new regime, because they were already centralized in structure. In Senegal and throughout Africa, the imbalance from colonial police to post-independence police has dramatic influence on the police forces. This was a general trend in African police who were, “tied to the institutional coherence of the colonial government. In retrospect they were inappropriate and easily exploited.”⁷³ As important as it is to understand that the Francophone system of law enforcement is centralized and fashioned to serve a French style presidential republic, it is equally important that this structure was seen as conducive by post-independence Senegalese leaders.

⁷⁰ Marenin, “Policing African States,” 384.

⁷¹ Ibid.

⁷² A. Mills, “Police Reform in Post-Colonial States,” Working Paper Series no. 36, *Geneva Centre for the Democratic Control of Armed Forces*, 2002, 1, http://www.ssrnetwork.net/document_library/detail/2401/police-reform-in-post-colonial-states.

⁷³ Hills, *Policing Africa*, 49.

The Senegalese state demands on the police followed the same logic as the colonial requirements. The focus remained on maintaining order among the population and controlling the centers of commerce. Hills encapsulates this nicely saying,

African police forces evolve, not towards a Western model of catching criminals and being publicly accountable, but through adapting to political developments and accommodating regimes. As a result, historical inheritance, socio-political pressures, personal ambition, political contingencies, and institutional resilience have shaped them much more than any aid programme.⁷⁴

While securing the population and market infra-structure are important aspects of policing, it alone does not lead to a more democratic police force. Some part of the police structure needs to engage with civil society and hold police accountable to citizens as well as the state.

Making the state responsive to social needs and aligning the state center with the state periphery is an old problem in Africa. The French colonial governments were not designed to govern the entire territory, but only to control the nodes essential to commerce, which generally were along the coast.⁷⁵ The interior of the country simply proved too big and too expensive to settle, and so they did as much as possible with as little as possible.⁷⁶ Early African leaders in the post-independence era, Senghor included, coped with similar problems. The colonial administrative system in place was never intended to be or replace a democracy. Post-independence leaders adopted these colonial systems out of convenience and their own notions of what a state should look like forgetting the context of their initial design.⁷⁷

Senegal is primarily an agricultural country, and the centers of commerce are the populated metropolitan cities. For police purposes, the result is an overlap of functions performed by the SNP and SG in the administrative and judicial police functions. Major Dieng states that 40 percent of the Senegalese Territorial Gendarmerie is occupied with

⁷⁴ Mills, "Police Reform," 1.

⁷⁵ Herbst, *States and Power*, 42, 97.

⁷⁶ Ibid., 96.

⁷⁷ Ibid., 42.

criminal investigations in their rural jurisdictions, but it is not known what percentage of SNP duties are in the domain of judicial police. Furthermore, given the population distribution of Senegal, with high numbers in city centers, especially Dakar, the SNP are busy with several administrative police functions causing a stretch in limited resources.

The colonial heritage of African police is as Bankole A. Cole generalizes in R. I. Mawby's book on world-wide police issues, the "two-tier policing systems were operated whereby urban areas where European settlers, administrators, and traders lived (usually designated 'colonies') were policed differently compared with rural areas where the bulk of the 'natives' lived."⁷⁸ This is certainly the case in Senegal with the SG tracing their heritage back to the Nineteenth Century colonial Spahis while the SNP have a more recent history founded on a French desire to reduce the cost of urban policing by forming the SNP in 1956 to replace French officers. Addressing the challenges transnational crime and terrorism poses tremendous coordination problems in police structures throughout the world, but are even more pronounced in Senegal where the national law enforcement structure and heritage is split organizationally between rural and city and between the MOI, MOD, and MOJ.

These are structural challenges faced by police forces based on history, but expressed in modern issues. As Nonso Okafo explains,

most postcolonial African countries are faced with the challenge of reconciling different and often conflicting indigenous and foreign law enforcement systems. The lack of honest, genuine efforts by the postcolonial African State to manage and resolve the conflicts for the welfare of the generality of the citizens exacerbates the anomie engendered by the conflict situations.⁷⁹

In this light, the lack of a different political direction for the new Senegalese government indicates the police operate first and foremost under a colonial security superstructure. As the Global Facilitation Network for Security Sector Reform quite pessimistically points out, "The first major milestone in African policing was passed when politics moved from

⁷⁸ Cole, "Post-Colonial Systems," 89.

⁷⁹ Nonso Okafo, "Law Enforcement in Postcolonial Africa: Interfacing Indigenous and English Policing in Nigeria," Working Paper no. 7, *International Police Executive Symposium*, May 2007.

the colonial to the post-colonial state. The second, marking liberalization or democratization of institutional capacity has yet to occur.”⁸⁰ This invites a deeper analysis of the consolidation of Senegalese democracy and the role of police in democratization.

⁸⁰ Mills, “Police Reform,” 1.

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III. SENEGALESE DEMOCRATIC TRANSITION AND ITS EFFECT ON THE POLICE

This chapter examines Senegal's path to democracy, and argues that Senegalese democracy, particularly the clientelist and semi-authoritarian form of democracy adopted in Senegal, profoundly affects the Senegalese police. The first section will examine the process of Senegalese democratic consolidation by providing an overview of the challenges of government in Africa in general followed by a breakdown of Senegalese clientelism and semi-authoritarianism. These two factors will emerge as the largest challenges facing the Senegalese police. In order to fully understand these challenges it is first necessary to briefly outline Senegal's path to democracy and the position of the police in that democracy. Since the police are the most visible actors of the state's monopoly on the legitimate use of force, they are first and foremost tools of the government.⁸¹

In a democracy the state governs with the consent of the people and various elements should be present in civil society whereby the people can make their desires known and provide feedback to government. The police in this context are neither immune from acting as agents of the state nor are they immune to the criticisms and loyalty of the citizens. In the process of forming the Senegalese state, the government with the consent and feedback of the people should have shaped the kind of police desired.

The new Senegalese state was founded under the direction of Senegalese political elites who were mostly French educated and had strong ties to the French colonial government.⁸² What emerged after Senegalese independence was a state dominated by the president leading a single party serving as gate-keepers to the Senegalese elite class who guide the continuation of state legitimacy through a complex web of informal

⁸¹ Marenin, "Policing African States," 384.

⁸² Linda J. Beck, *Brokering Democracy in Africa: The Rise of Clientelist Democracy in Senegal* (New York: Palgrave Macmillan, 2008), 52.

patron-client networks largely dominated by state figures.⁸³ Although liberal characteristics took shape in the form of elections, free press, and three branches of government divided into executive, legislature, and judiciary, manipulation of all these democratic structures were permeated with informal patron-client networks.

What did not develop was a Senegalese bourgeoisie independent of government control or wealth and embedded in civil society.⁸⁴ This is because the Senegalese elites, comprised mostly of senior government officials, are not leaders of a constituency; they are the patrons in patron-client networks. They bring the citizens along to their policies through networks of informal buy-offs and trades rather than forming policies and laws based on the will of the people or guided by a commercial bourgeoisie with extra-governmental interests.⁸⁵ The Senegalese police are particularly affected by this system, whether it is labeled clientelist democracy or a semi-authoritarian democracy, because the police are extremely vulnerable to state intervention and there exists little or no interface with civil society to check state manipulation of the SNP.

Senegalese democracy proves difficult to define and open to various interpretations. Linda J. Beck echoes the sentiments of Jeffrey Herbst concerning democratization in Africa saying it “is difficult to analyze let alone categorize.”⁸⁶ With uninterrupted, free presidential elections and no coups d’états since independence, Senegal is one of Africa’s longest standing and more consolidated democracies. Senegalese politics also contains some authoritarian characteristics that have persisted since independence progressing alongside Senegalese democratic consolidation. Much of this is due to the choices that were made by the first Senegalese President, Leopold Senghor, following independence and amidst the presence of strong patron-client networks in Senegalese politics.

⁸³ Ottaway, *Democracy Challenged*, 20.

⁸⁴ Fatton, *Liberal Democracy*, 2.

⁸⁵ *Ibid.*, 3.

⁸⁶ Beck, *Brokering Democracy*, 3.

Robert Fatton Jr. and Linda J. Beck classify Senegal as a clientelist democracy and are optimistic about the liberalization of Senegalese politics started in a limited sense by President Senghor toward the end of his presidency and completed by his successor, President Diouf, in the mid-1980s. Term limitations on presidential power and rules governing free and elections were made part of the Senegalese Constitution in 1993. Marina Ottaway concurs with Fatton and Beck's points, but labels Senegal a semi-authoritarian democracy, because power is centralized in the office of the president, which controls the distribution of state resources and admittance into the state-controlled bourgeoisie.⁸⁷ With a nod toward Senegal's liberalization of the political process and open participation in government elections, Ottaway deems Senegal more democratic than authoritarian as opposed to other semi-authoritarian democracies such as, Egypt and Azerbaijan that retain more authoritarian traits than democratic ones.⁸⁸

Despite the variety of analysis, several themes emerge as common in the perspectives about Senegalese democratic consolidation in general. These are: the persistence of strong patron-client networks in politics, the centralized and dominant presidential form of government, the state control and distribution of resources, and the open popular participation in free and generally fair elections. These characteristics combined in a unique form of Senegalese politics to establish one of Africa's more stable democracies absent of military coup d'états and have considerable influence on the kind of law enforcement institutions styled to police Senegal. The ramifications of clientelist democracy in a semi-authoritarian government are tremendous with respect to the police and prove consistent themes in any discussion about the Senegalese police. Therefore, it is necessary to visit some of the fine points in the Senegalese democratic consolidation process for perceptive concerning its effect on the Senegalese police and possible police participation in the continued flourishing of Senegalese democracy.

⁸⁷ Ottaway, *Democracy Challenged*, 20.

⁸⁸ *Ibid.*, 19.

A. THE PROBLEMS OF GOVERNING IN AFRICA

Jeffrey Herbst contends that African governments throughout all stages of African history have been challenged by the problem of projecting their authority over huge amounts of difficult terrain with scattered populations.⁸⁹ The complexity of projecting power, according to Herbst, poses three basic problems to African leaders. These are, “the cost of expanding domestic power infrastructure; the nature of natural boundaries; and the design of state systems.”⁹⁰

Central to Herbst’s argument is that, because there are huge amounts of land in Africa, controlling people has always been the key to gaining power in Africa spanning the pre-colonial, colonial, and post-independence governments. State consolidation, where it occurred in Africa, took place in smaller territories with more people due to the high demands in cost and effort to project power throughout over large distances. Herbst states that pre-colonial African warfare, “tended to be concentrated on seizing booty since it was hard to hold on to territory” and that, “central governments were often not concerned about what outlying areas did as long as tribute was paid and there were no imminent security threats emerging to challenge the center.”⁹¹ This dynamic shaped the nature of power, conquest, and governance in Africa from pre-colonial times onward. Herbst astutely contrasts this dynamic with the European state historical context put forth by Tilly and others in which the occupation of land and territory was the bedrock of state formation.⁹²

In Herbst’s analysis, European colonial powers have as much trouble projecting power and constructing infrastructure over vast amounts of land as pre-colonial African states. This caused them to focus on areas where African government-bodies were present, because “Europeans found it easy to conquer African polities.”⁹³ Europeans also establish Africa’s boundaries by drawing borders in place through the Berlin West Africa

⁸⁹ Herbst, *States and Power*, 1.

⁹⁰ Ibid., 11.

⁹¹ Ibid., 42, 43.

⁹² Ibid., 29.

⁹³ Ibid., 74.

Conference held in 1884–1885. Widely known as the Berlin Conference, this gathering of Europeans divided Africa among themselves agreeing not to contest each-others now recognized borders allowing for what Herbst calls colonial “administration on the cheap;” a secure and orderly environment for resource extraction eliminating the need to conquer the vast territories of Africa and keeping colonial administrative costs low.⁹⁴

One of the lasting imprints of the colonial regimes, in Herbst’s view, are the cities founded by European colonies many of which remain today. Initially founded as trading posts and usually located safely along the coast coupled to ports, these become, according to Herbst, the centers of African polity Europeans found easy to dominate. The remaining vastness of Africa is half-heartedly administered in a variety of fashions specific to the colonial cultural context and subsequent interpretations.

Mahmood Mamdani and Crawford Young write about the colonial and post-colonial political governments extensively from different interpretations. Their differences of opinion about colonial regime methods and influence range from Young’s “crusher of rocks” and Mamdani’s “decentralized despotism.”⁹⁵ They disagree with the extent to which colonial regimes had power and how such power was exercised, but they generally agree the colonial regimes were powerful. Herbst highlights that they share common conclusions concerning the colonial focus on economic interests and how this relates to power projection, boundaries, and the nature of state systems saying that colonial states focused on resource extraction and could save costs by limiting controlling a limited portion of the land and people necessary to accomplish the colonial commercial mission.⁹⁶

The state borders sketched by Europeans at the Berlin Conference are altered very little in the post-colonial era when African states became independent. In addition to these unaltered territorial boundaries, Herbst argues, are the European established state

⁹⁴ Herbst, *States and Power*, 73.

⁹⁵ Mahmood Mamdani, *Citizen and Subject: Contemporary Africa the Legacy of Late Colonialism* (Princeton, NJ: Princeton University Press, 1996), 286; Crawford Young, *The African Colonial State in Comparative Perspective* (New Haven, CT: Yale University Press, 1994), 139.

⁹⁶ Herbst, *States and Power*, 60.

systems and their inherent constraints on state power projection. This is certainly true of Senegal whose post-colonial boundaries roughly mirror those laid out by the French. More importantly, the Senegalese state structures and methods of power projection, as already discussed especially regarding the structure of the police, were virtually transplanted from the French colonial structures.

The Senegalese police are a perfect example of how colonial structures and institutions served the needs of the newly independent Senegalese state faced with the same dynamic and complexities of power projection as the colonial state. Senegal's first president, Leopold Senghor, sought to fill the power vacuum following the departure of the French Colonial administration while keeping the new government operating, maintaining the economy, and continuing to keep the internal order and security of the population. The French Law Deffere of 1956 already provided for a Senegalese National Police and Senegalese Gendarmerie led by Senegalese officers precisely for this purpose.⁹⁷ The SNP policed metropolitan areas, and the Senegalese Gendarmerie continued to provide police and security in the rural environment. Thus, consciously or unconsciously, President Senghor found the old colonial police structures convenient to the demands of consolidating power in an independent Senegal.

The complexities of power projection in the new Senegalese state combined with the political methods used by emerging Senegalese leaders caused the SNP and SG became what Rachel Neild calls "regime police."⁹⁸ Characteristics of regime police are that they serve purely political goals, are void of public input, are not accountable to anything outside the political regime, and focus on public control and especially the suppression of counter-regime initiatives.⁹⁹ Regime police were common throughout the new African governments in general during the 1960s, due to the resource challenges and weak institutions of the new states that then chose to adopt the colonial police institutions

⁹⁷ Bagayoko, "Security Systems," 15.

⁹⁸ Rachel Neild, "From National Security to Citizen Security: Civil Society and the Evolution of Public Order Debates," *International Center for Human Rights and Democratic Development*, 1999, 3.

⁹⁹ *Ibid.*, 4.

rather than invest in new police systems.¹⁰⁰ This description certainly fits the Senegalese police in the post-independence decades. Although the Senegalese police were less brutal enforcers of President Senghor's state formation, this may be due more to the political methods Senghor used to consolidate power. This unique brand of Senegalese politics employed government institutions superimposed over informal patron-client networks, which also subsequently served to tie the police even more securely to the political elites in the Senegalese government. These patron-client networks are another enduring aspect of the colonial era in Senegal is the nature of patron-client relationships in politics.

B. SENEGALESE CLIENTELISM

Related to the observations of Herbst concerning power projection and the nature of state structures with a slight nod toward Mamdani's "decentralized despotism," are the persistence of strong patron-client networks in Senegalese politics. Fatton says, "The pre-colonial African culture of Muslim brotherhoods and the rather liberal electoral patterns established by French colonialism in the eighteenth century imparted to Senegal patron/client relationships which have permeated its politics since independence."¹⁰¹ Power projection is central to Senegalese politics, which Fatton believes did obtain control over most of the Senegalese people saying, "It never effectively reached the peasantry to integrate it in successful processes of mobilization and participation. It lacked the resources, legitimacy and organizational skills."¹⁰² In Herbst terms, Senegal lacked the state structure to project power across the expansive borders defining their nation. Thus, the new Senegalese political elites, and the president in particular, had an immediate need to cement their legitimacy in a relatively unknown population, and internal security and stability was needed for the consolidate power.

¹⁰⁰ Ibid., 3.

¹⁰¹ Robert Fatton Jr., "Clientelism and Patronage in Senegal," *African Studies Review* 29, no. 4 (December 1986), 61.

¹⁰² Fatton, *Liberal Democracy*, 27.

C. COLONIAL AND POST-INDEPENDENCE CLIENTELISM

The leaders of Senegal's important Muslim brotherhoods, the marabouts, positioned themselves to become interlocutors between the colonial French government at the center of state power and the rural, agricultural peasants on the state periphery. Approximately 95 percent of Senegalese are Muslim practicing a Sufi brand Islam through which they align themselves brotherhoods or orders known as tariqas led by a marabout. The most prominent brotherhoods are the Muridiya, Tijaniya, and Qadiriya; the Muridiya Brotherhood was formed in Senegal in the towns of Touba and Mbacke and permeates Senegalese culture and society, although a majority of the population, about 47.4 percent, actually belongs to the Tijaniya Brotherhood.¹⁰³ The brotherhoods are religious groups, but the marabouts were able to parlay their religious influence among the rural populations into political leverage for the colonial state.

Similar to Mamdani's "decentralized despotism," French administrators of the Afrique Occidentale Francaise formed a policy of "politique des races" through which they could manage the Islam noir, or African Islam.¹⁰⁴ The French, according to Beck, created clientelist networks to coopt the "preexisting sociopolitical structures of their African subjects and sought to legitimize their colonial state through collaboration if not incorporation of colonial elites."¹⁰⁵ The marabouts role as interlocutors, which Fatton calls "accommodationists," between the colonial state center and indigenous populations on the periphery had been a key component of the French colonial government. This allowed the colonial state, on the one hand, to project its power at low cost and effort while permitting the marabouts, on the other hand, "a systematic hold over their mass peasant following which provided them a certain degree of independence from their colonial patrons."¹⁰⁶

In their role as colonial accommodationists, marabouts symbolize the ultimate patron-client players. As Fatton points out, patron-client relationships imply a certain

¹⁰³ Beck, *Brokering Democracy*, 50.

¹⁰⁴ Ibid., 51.

¹⁰⁵ Ibid.

¹⁰⁶ Fatton, "Clientelism and Patronage," 65.

amount of give and take on the part of both the patron and the client. The marabouts exemplify this in that they are subordinate to the control of the French colonial regime, but also integral to the French in maintaining order and control over the peasant periphery. The peasants succumb to the marabouts, but in return get to keep the French out of their daily lives retaining a certain amount of independence.

Fatton encapsulates the dynamic saying, “Patron/client relationships which represent inequalitarian patterns of exchange are marked by reciprocity and affection instead of domination and exploitation, and by personal and diffuse linkages rather than class power and control.”¹⁰⁷ In the case of the marabouts, their religious spiritual powers of divine intercession attract and appease their followers’ along-side their ability to access and distribute state resources. Alternatively, the state, initially the French colony and later Senegal, gains legitimacy when the marabouts recognize state supremacy.

The philosophy behind the French colonial system sought not to subjugate Africans, but to turn them into “Black Frenchmen.”¹⁰⁸ To this end, Senegal was organized into the “Four Communes” of Dakar, Goree, Rufisque, and Saint-Louis that were allowed to elect deputies to sit in the French National Assembly.¹⁰⁹ Senegal’s first president, Leopold Sedar Senghor, was originally such a deputy, and started one of Senegal’s original political parties known as the Bloc Democratique Senegalaise. He gathered support, according to Beck, “Following the example of the colonial state, Senghor formed alliances with communal leaders in each region to organize support among the new rural voters.”¹¹⁰

Senghor adapted his network of local accommodationists forming alliances and with ultimately incorporating competing political parties into his own. In this way, he became the most powerful politician in Senegal at the time of the referendum on independence in French Africa was introduced in 1958, and he remaining dominant

¹⁰⁷ Fatton, “Clientelism and Patronage,” 62.

¹⁰⁸ Beck, *Brokering Democracy*, 52.

¹⁰⁹ Ibid.

¹¹⁰ Ibid., 53.

through to independence in 1960.¹¹¹ Indicative of Fatton's reciprocal foundation of patron-client networks was Senghor's bargaining for Senegalese independence. A strong proponent of independence, Senghor needed to convince his network of the benefits and, as Beck encapsulates, "Not wishing to upset his marabout clients and concerned with French economic reprisals, Senghor asked the UPS [Senghor's party] to accept self-government within the framework of the French community."¹¹²

The most significant aspect of Senegalese democratic consolidation for the police is that the resulting government, with its patron-client networks, position the police as clients in a political system dominated by the president and secondary state patrons. In 1969, shortly after Senegalese independence, Christian P. Potholm observed generally that African police are mostly state agents acting on behalf of the regime. He writes that African police are, "more consistently involved in the output side of the political process" and that they "enforce decisions taken by the political authorities rather than make them."¹¹³ This places them not only as regime police, but solidly as clients in patron-client networks and they rely heavily on the state to define their purpose. African police, in Potholm's argument, perform four functions, which are: the maintenance of law and order, paramilitary operations, regulatory functions, and regime representation.¹¹⁴ All of these functions were critical to the political elites in the Senghor and Diouf regimes and place the police in the role of state clients.¹¹⁵ This informal system of state management had eroding effects on the police as an institution.

Fatton is keen to point out that patron-client relationships "limit the scope and effectiveness of the managers of the state," but they also "mitigate the devastating effects of industrialization, urbanization, and proletarianization."¹¹⁶ In a conundrum of classical proportions, patron-client networks limit state effectiveness by undermining state

¹¹¹ Ibid.

¹¹² Beck, *Brokering Democracy*, 53.

¹¹³ Potholm, "Police as Seen in the African Context," 142.

¹¹⁴ Ibid., 143–146.

¹¹⁵ Alice Hills, "Police Commissioners, presidents and the governance of security," *Journal of Modern African Studies* 45, no. 3 (September 2007), 419.

¹¹⁶ Fatton, "Clientelism and Patronage," 62.

institutions while allowing state resources to flow and maintaining internal security and order. They represent an informal system of trades and buy-offs between agents at the state center and agents at the state periphery and or elites and citizens. As Fatton also alludes to, patron-client networks are personality dependent rather than structural. This also harkens interestingly back to Herbst's notion that power in Africa was originally by controlling people and not territory. Furthermore, it means that structural reforms directed at state institutions may not meet their intended out-comes, because the patron-client networks have totally undermined the function of state institutions.

At the advent of independence, Senegal's first president, Leopold Cedar Senghor, was faced with many of problems Fatton points out as being solved by patron-client relations; namely: urbanization and proletarianization. Moreover, Senghor was experiencing the same complexities as the pre-colonial and colonial African regimes regarding power projection, the nature of state structures, and state boundaries. He had been handed a country with borders largely determined by a European treaty and state structures that he had been taught and come to believe embody the idea of a nation-state.¹¹⁷ Thus, the challenge for Senghor is to quickly establish state systems while maintaining the internal security and order that symbolizes national peace and unity. The cheapest and most efficient way to do this was by adopting the scaffolding surrounding the previous and already in place French colonial state structures, but giving them an African face.¹¹⁸ This is exactly what was achieved with the Senegalese police.

Senghor accomplished this by centralizing power in the presidency and coopting as much of the opposition as possible. Fatton explains:

Cooptation occurred during the 1960s when individual leaders of the legal opposition disbanded their own parties to join the UPS [Senghor's party] as cabinet members and/or deputies. The opposition was suppressed not so much because of repression, although it did exist, but because its major figures were absorbed in the Senghor regime as individual persons and not as representatives of parties.¹¹⁹

¹¹⁷ Fatton, *Liberal Democracy*, 23.

¹¹⁸ Ibid., 24.

¹¹⁹ Fatton, "Clientelism and Patronage," 73.

Senghor's consolidation of state power in the executive clearly establishes him as head patron, and numerous quid pro quo patron-client relationships were established to distribute Senghor-state controlled resources. Beck summarizes this dynamic saying, "All government and party officials, whether elected or appointed, were ultimately dependent on Senghor's patronage, blurring the distinction between legislative, judicial, and administrative function."¹²⁰ Reminiscent of Fatton's description of the marabouts as accomodationists, Senghor's actions embody, "the Machiavellian attributes of Senghor and the opportunistic character of the leaders of the opposition."¹²¹

Whether intentionally or not, Senghor ensured that the SNP and SG continued their colonial functions of supporting regime political objectives and to achieve this political goal he bound their legitimacy and funding to his patron-client networks. The position of the police as clients in a patron-client network, the lack of an elite class outside the government, and a lack of input from civil society left the Senegalese police with no options for resources other than the government forcing them into the role of agents of the regime. The one party political system dominated by the resident that formed the foundation of Senegalese politics, had focused on internal order in the form of citizen control and quelling dissent, that it became an institutional norm. Forming the police around this goal and into regime police atrophied their capabilities in other aspects of policing with a more public safety focus.

With the entire Senegalese National Police system centrally organized under the Minister of Interior and with investigations alternately directed by state-appointed judges in the Ministry of Justice, the SNP is tied both formally and informally to mechanisms under presidential control and with few outside checks or balances. Where they are able to act independently using their own discretion as functionaries in the enforcement of the law, they tend to either reinforce government practices or manipulate the informal nature of patron-client networks for their own profit.

¹²⁰ Beck, *Brokering Democracy*, 55.

¹²¹ Ibid.

In a system that is resource challenged, many attributes under police control, such as issuing drivers licenses, voter registration cards, passports, and nuances of border and port control are left open to individual police discretion rather than institutionally guided operating procedures governed by state laws and policies that are checked by constituents interface and input with state politics. In order to broker police intervention, citizens seek informal ways to interact with the police institution. This epitomizes Weber's notion of relationships based on customary or material ties as being unstable; the interplay between the Senegalese police and citizens is very unstable. The relationship of the police to the state is more stable, but only because they rely on each other for legitimacy and due to police dependence on state resources in order to function.

Similar to the SNP, the Senegalese Gendarmerie operates within the framework of the Ministry of Defense and is forced to compete for government resources distributed at the senior MOD level. The SG Commanding General is a two star general who has a one star general serving as his executive officer. They report through the Chief of Staff of the Senegalese Chief of Defense and, like their SNP colleagues, are thus clients one step removed from their primary patrons and resource sources. The SG relies on the military for material support, which sometime serves as a double edge sword. On the one hand, they generally have more and better equipment, than the SNP, but on the other hand, they rely on military patrons to deliver material for a law enforcement mission.

With their institutional resources and legitimacy tied regime, the Senegalese police had few alternatives to exercise policing methods outside of the regime police context. In addition to the patron-client networks present in Senegalese politics, President Senghor solidified power in the office of the president over the course of his twenty years in office. As political power focused on the president, so too did the government institutions. The already centralized structure of the Senegalese police became cemented during Senghor's long tenure as president and mostly continued throughout Diouf's administration. Therefore, the patron-client networks enabled the formation of a semi-authoritarian president to the further detriment of police service.

D. CLIENTELISM MEETS SEMI-AUTHORITARIANISM

Marina Ottaway recognizes the democratic stability and liberalization of the Senegalese state since its independence in 1960, but also sheds light upon the fact that state laws and institutions have been manipulated by political elites for their own advantages.¹²² The resulting erosion of rule of law allows state structures to be manipulated according to the desires of state elites, particularly the president.¹²³ Ottaway's observations focusing on Senegal echo a general trend toward "hybrid regimes" in Africa during the Third Wave of democratization in the post-Cold War era when several African regimes adopted the structures of democracies, but maintained otherwise authoritarian aspects of governance.¹²⁴ In Africa in general, the tendency toward presidential regimes is acknowledged by Nicolas van de Walle who writes, "Regardless of constitutional arrangements... power is intensely personalized around the figure of the president... Only the apex of the executive really matters."¹²⁵

This point is especially important in light of the clientelist nature of Senegalese democracy, because the state structures become more responsive to individuals than laws or constituent inputs. The dynamic involving the use of personal networks to accomplish institutional functions, not only undermines state institutions, as Fatton states, but allows for the centralization of power in the individual viewed as leading state and having unfettered access to the most resources.

Ottaway maps out Senegal's history which beginning with independence and twenty years under President Senghor through to 1981 when President Abdou Diouf, Senghor's prime minister, became president. It is largely recognized that Diouf represents nothing more than Senghor's appointed man as he had never been elected to political office and was seen to have no political constituency of his own. Thus, although the first

¹²² Ottaway, *Democracy Challenged*, 180.

¹²³ *Ibid.*, 91.

¹²⁴ Alina Rocha Menocal, Verena Fritz, and Lise Rakner, "Hybrid regimes and the challenges of deepening and sustaining democracy in developing countries," (background note prepared for the Wilton Park Conference on Democracy and Development, Steyning, West Sussex, UK, October 10–12, 2007), 5.

¹²⁵ Nicolas van de Walle, "Presidentialism and clientelism in Africa's emerging party systems," *Journal of Modern African Studies* 41, no. 2 (2003), 310.

forty years of Senegalese independence was met with peaceful and democratic leadership transitions, those transitions occurred within one political party led by only two presidents.¹²⁶ Ottaway views the election of President Abdoulaye Wade in 2000 as a reshuffling of political elites to placate popular demands for a change from the Parti Socialiste saying the election of Wade, “is beginning to look like a simple change of personnel or a rotation within the political elite, rather than a change in the nature of the regime.”¹²⁷

Ottaway reduces Senegalese political history to a reshuffle of elite control that is responsive to popular demand in contrast to Fatton’s more optimistic perspective of Senegalese democracy slowly liberalizing. Beck subtly concurs saying, “Wade’s PDS party has effectively gained control of the state apparatus ... and enhanced the power of the presidency” and said Wade’s party and government absorbed several of the former clientelist networks that once belonged to Diouf and the PS.¹²⁸ Ottaway’s view is more authoritarian suggesting that, although elites may be forced to turn-over, they never surrender total control of state resources or alter the nature of patron-client relations. The clients just shift the network to serve a new patron. Moreover, civil society is absent in the state other than through popular voice in general elections, and citizens are forced into the roles of clients in order to gain access to the state.

While Fatton maps out a liberalization of Senegalese politics, Ottaway frames it as political elite restructuring exemplified by President Diouf’s continued liberalization to unlimited pluralism largely as a political tactic to split and further coopt the opposition through diversification as it, “secured the representation of the ruling class interests.”¹²⁹ In 2000, President Abdoulaye Wade defeated President Diouf interrupting forty years government by the Parti Socialist. The peaceful succession of presidents is what

¹²⁶ Ottaway, *Democracy Challenged*, 92.

¹²⁷ Ibid.

¹²⁸ Beck, *Brokering Democracy*, 225.

¹²⁹ Ibid., 76.

Senegalese refer to as the “alternance” and what makes Senegal a more democratic form of semi-authoritarianism.¹³⁰

Despite the stability of the Senegalese state and mostly peaceful and fair elections, Ottaway notes it

spared the country the turmoil that has been common to other states in the region, but it did not bring with it any of the benefits stability is supposed to deliver. The lack of high levels of political violence and military intervention did not result in democracy or in more rapid economic development. Politically and economically, the country stagnated... The political system neither degenerated into full authoritarianism nor moved forward towards real democracy.¹³¹

For Ottaway, the liberalization touted by Beck and Fatton took place in the context of limited political elite competition and represents liberalization on one hand, but on the other hand was used as a tactic to split the opposition resulting in the deepening of clientelist politics.¹³² What makes Ottaway conclude that Senegal is a semi-authoritarian state despite the stability and liberalization of its democracy is

a long history of political manipulation by successive presidents and at times outright oppression. Presidents have manipulated not only the electoral process, but also the constitution and institutions, thus calling into question Senegal’s much vaunted commitment to constitutionalism and the rule of law.¹³³

Ottaway points to President Senghor as beginning and cementing the semi-authoritarian process. A Senegalese born, French-educated intellectual nominated to the French Academie and who had sat on behalf of Senegal in the French Parliament, Senghor characterized the elite of the time possessing equally French and European world-view with African roots. He was the originator of the philosophy of *negritude*, which espouses African cultural pride and principals in combination with and or augmenting western notions of statehood. Senghor’s objective was to combine socialism

¹³⁰ Ottaway, *Democracy Challenged*, 101.

¹³¹ *Ibid.*, 92.

¹³² Fatton, *Liberal Democracy*, 78.

¹³³ Ottaway, *Democracy Challenged*, 91.

and negritude into a sort of “socialist negritude” leading Senegal and Africa to a new renaissance.¹³⁴ Ottaway believes that Senghor’s tendency toward socialism and his experiences in the centralized French system, led him to form Senegal into, “a top-heavy system where the state controlled major infrastructure and industry, leaving room for private activity only in the farming and trading sectors.”¹³⁵

Senghor also set up a one party state where he was both president and party leader, which was viewed as characteristic of Africa at the time.¹³⁶ In an effort to speed-up economic development and separate from western and colonial forms of government, many Africa leaders, including Senghor, viewed one party states as emblematic of Africa’s “own conception of political representation and democracy ... embodying the collective harmony and unity of the African way of life.”¹³⁷ Fatton describes the one-party African socialist state as aligning African values and sense of community with western notions of democracy; a sort of elected village chief and state party. Despite his ideals of negritude and a desire to establish a modern Senegalese state, Ottaway says Senghor was, “no more tolerant of dissent and compromise than any other African leader, and followed the trend toward strongman rule that was spreading rapidly through the continent in the aftermath of independence.”¹³⁸

Senghor coopted, isolated, or outright suppressed his opposition to form a one-party system that changed the constitution to suit his policies and goals.¹³⁹ This was so much the case that Senghor ran unopposed in the 1968 and 1973 election as no opposition to him was able to form. His successor, Diouf, continued to liberalize Senegalese politics, but with minimal influence as the ultimate result concluded in nearly another twenty years of Diouf presidency. Diouf, a man who had never previously been elected to public office and had little constituency either in Senegalese society or the PS,

¹³⁴ Fatton, *Liberal Democracy*, 66.

¹³⁵ Ottaway, *Democracy Challenged*, 94.

¹³⁶ Beck, *Brokering Democracy*, 55.

¹³⁷ Fatton, *Liberal Democracy*, 23.

¹³⁸ Ottaway, *Democracy Challenged*, 94.

¹³⁹ Ibid.

was able to stay elected for almost twenty years. Many of the Senghor regime central-state practices continued albeit in a more liberalized arena, because the political culture of Senegal was well cast after twenty years of Senghor. As Ottaway states, “There was simply no incentive for Diouf and his party to change a style of rule that served them so well for so long.”¹⁴⁰ The fact that these long-standing leaders represent patrons in a patron-client democracy is what keeps them getting reelected. Ottaway encapsulates this, “Senegalese voters continued to support the party in power, largely because of patronage... Incumbency, patronage, and probably a degree of fraud, as the opposition alleged, ensured easy victories for Diouf.”¹⁴¹ This dynamic is emblematic of weak states prone to internal conflict as Richard Jackson notes, “In order to secure political control in a volatile environment, weak state elites are sometimes forced to construct elaborate patronage systems. Patrimonialism coexists with coercion a delicate balancing act of keeping rivals at bay and clients happy.”¹⁴² The combined effects of clientelism and semi-authoritarianism eliminated any chance the Senegalese police had of becoming a public safety and security service and aligned them solidly as political clients and regime police.

The centralized structure of the Senegalese police with their colonial police overtones, coupled with the clientelist and semi-authoritarian democracy formed in Senegal, mean the Senegalese police became increasingly dependent and responsive to the post-independence regime. In a more mature liberal democracy, the police would rely and respond to both the state and citizens in a system where policing goals and methods are adopted and, “developed between government departments and civil society.”¹⁴³

When the President Senghor invested power in the office of the president, he transformed into a semi-authoritarian leader and, the Senegalese police, as regime police and clients of presidential politics, responded by lashing the police institutions to the

¹⁴⁰ Ibid., 92.

¹⁴¹ Ibid., 97.

¹⁴² Richard Jackson, “Violent Internal Conflict and the African State: Towards a Framework of Analysis,” *Journal of Contemporary African Studies* 20, no. 1 (2002): 39.

¹⁴³ Prignet, “Le rôle de la police [The Role of the Police],” 60.

regime and state patronage. Alice Hills describes this dynamic as typical of African police in general saying African police “are actually governed according to presidential preference.”¹⁴⁴ Presidential control of the police must be balanced in order for the president and the government to maintain control of them. A centralized presidential state will prefer a police force with enough resources to maintain internal security and order while limiting their ability to interface with the population, or to independently investigate crime which may reveal state sponsorship or participation. Most African police are sub-components of a ministry. They vary from the military in this crucial characteristic, because they do not have direct access to the president and they do not control their own budget to the extent militaries usually do.¹⁴⁵ In Senegal the only person between the President and the Chief of the SNP is the Minister of Interior. The Commander of the SG is farther away from presidential reach, but the SG police rural population on the periphery of state power anyway. Senegal’s cities are the commercial hubs and home to primary ports of entry and exit, and the cities are policed by the SNP.

The broad focus on police chiefs to extrapolate repercussions of regime police is sound, because police chiefs are the principal client of the state and usually in total control of their department.¹⁴⁶ In this sense, the police chief takes on Fatton’s accommodationist role as client to the state and patron to the police. On a macro-political level, the police as an institution may be painted with a similar brush. They are accommodationists in being clients of the state regime’s need for public order while in many ways acting as patrons delivering the state resources under their purview. What objectively appears to be police corruption from a western political perspective is actually a sort of distribution of resources distorted by patron-client networks. Policemen are taking advantage of the political circumvention of institutions, laws, and policies to exercise their discretion in such a way as to make them short-term, minor patrons.

The focus on police chiefs, or commissioners from Hills Anglophone perspective, is keen, because they, as she writes, “are a president’s point of access to the police

¹⁴⁴ Hills, “Police Commissioners, Presidents,” 403.

¹⁴⁵ Ibid., 407.

¹⁴⁶ Ibid.

institution.”¹⁴⁷ The frequent rotation of police chiefs in presidentially controlled, semi-authoritarian democracies is a clear indicator of such a dynamic, because presidents will appoint police chiefs who provide the least resistance and maximum motivation for the president’s agenda. Nonetheless, police chiefs are usually well-respected and highly visible public officials. They are frequently the subject of the news and known to the population.¹⁴⁸

In support of her argument, Hills presents six principal elements through which presidents, police chiefs, and the subsequent police system interact. It is worth mentioning these elements, because they are mostly true of and present in the Senegalese police and especially the SNP. The first element is that African police are analyzed according to western liberal models of police governance; the second is that presidential control is complete; the third is that police chiefs reflect presidential directives; the fourth is that police chiefs are the single, central source of control in the police institution; the fifth element is that police institutions are resource challenged; and the sixth element is that police are largely satisfied with their role and access to power.¹⁴⁹

The Senegalese National Police fit nicely into much of what Hills purports, because they are tremendously affected by patron-client networks. The Inspector General of the SNP directs the entire SNP and is responsible to the Minister of Interior. The position of Minister of Interior is very important in a francophone government, and in Senegal it is held by a strong political ally of the president. The SNP budget comes out of the Ministry of Interior and the IG rarely receives face time with the president. It is not uncommon for the IG to rotate frequently, but patron-client networks allow the president or Minister of Interior to bypass the IG, if necessary, and work through other senior police officials. The police chiefs are the middle men between the government and the police institution; from that position, the police chiefs direct how the institution interfaces with the public. Policing exists at three levels.

¹⁴⁷ Ibid., 406.

¹⁴⁸ Ibid., 408.

¹⁴⁹ Ibid., 420.

In addition to the formation of a clientelist and semi-authoritarian democracy, Fatton and Ottaway purport that the absence of a Senegalese commercial elite is foremost in allowing the state to coopt clientelist networks and centralize power. The lack of a commercial elite, says Fatton,

has contributed to the massive economic role of the state, and this, in turn, has engendered the irresistible political rise of the state bureaucracy. The emergence of this bureaucratic statism has curbed the democratic elements of Senegal's liberal democracy: first power is exercised not in the legislature but in the executive which rules supreme and unopposed; second, the three branches of government—legislature, executive, and judiciary—tend to fuse into a political monolith at the service of the president; and third, the principal channels of ideological dissemination ... have been virtually monopolized by the governing Parti socialiste to legitimize its policies, programs, and secretary general.¹⁵⁰

The end result of these factors, when taken together, is a decline in representative democracy resulting in a more semi-authoritarian system with power focused in the president.¹⁵¹ Senghor set the standard in the post-independence years when he focused state power on himself and continued to use the informal patron-client networks to rally support.¹⁵² This negatively affects state legitimacy by undermining state institutions resulting in the subsequent atrophy of institutional bureaucratic capacity.¹⁵³ For Ottaway the lack of a commercial elite is not emphasized as much as the fact that the state elites have, “weak popular constituencies and in most cases no clear political program or ideological message.”¹⁵⁴ She uses the term embedded to describe elites without a popular constituency, and notes:

The lack of embeddedness of prodemocracy elites is reflected in the idealized view of democracy they embrace. They portray democracy as a combination of abstract principals, formal political processes, and highly technical reforms. This is shown by the civic education publications they prepare, the meetings they organize, and even the way they explain their

¹⁵⁰ Fatton, *Liberal Democracy*, 2.

¹⁵¹ Ibid.

¹⁵² Ottaway, *Democracy Challenged*, 176.

¹⁵³ Ibid.

¹⁵⁴ Ibid., 181.

programs to visitors. On the other hand, these prodemocracy elites tend to be silent on the least noble aspects of democracy, namely the competition to influence government policies by self-interested groups seeking to further their individual goals.¹⁵⁵

The election of long-time Parti Socialiste opposition candidate Abdoulaye Wade in 2000 broke the cycle of the one party Senghor regime, but not its practices. As Ottaway states, “Wade was a firm believer in democratic legitimacy and respect for laws and institutions. Like [Senghor and Diof], he also believed that laws and institutions could be changed and redesigned at will to suit his immediate political requirements.”¹⁵⁶ Wade’s presidency is marked by his quest to alter the constitution in order run for a third term, his appointment of his son to a “supreme minister” post, and attempts to allow his son to succeed him without open elections. Wade put in place a new constitution and remodeled Senegalese institutions.¹⁵⁷ Such policies serve to show the bureaucrats that the will of the president is what orders the civil fabric and not the order of laws, since laws are malleable tools of the president.¹⁵⁸ Patron client networks then force institutions like the police into becoming agents of the resource distributors and the police lose both the interest and capacity to acquire feedback and react to civil interests.

The lack of an alternative commercial or industrial elites to balance the Senegalese political elites is important when considering the origins of democratic police forces elsewhere. Industrialization and free market economies were critical to the development of professional police in England and the United States as they expanded the elite class and created a merchant middle class. Industrialization demanded a new kind of public order as Society dynamics shifted in terms of where and how people lived by relocating the working masses from the rural agricultural areas to the urban industrial centers. City life saw an increase in crime of all sorts. The general idea of social order began to shift from control of the masses to the security of property and a public order

¹⁵⁵ Ibid., 182.

¹⁵⁶ Ibid., 104.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

that allowed commerce to occur expand as the elite-class and merchant middle class grew in size and influence.

The transformation of the working class in England and the U.S. from rural areas to urban industrial centers put society in motion and introduced new sorts and levels of problems that challenged social order. It was, in a sense, a new frontier involving fears and violence of a new kind, which required a different approach to security. As David Bordua wrote,

concern about crime and violence draws on established motifs of both older and newer vintage: an indignant sense of pervasive insecurity; a mounting current of crime and violence as a result of unaccustomed prosperity and prolonged poverty; the bad example of self-indulgent wealthy; the violent proclivities of immigrants and new-comers; and the ironic contrast between the greatness of the metropolis and the continued spread of crime.¹⁵⁹

It was not surprising, therefore, that the first professional police departments grew out of urban centers such as Paris, London, and New York. Without another source of power and resources advocating for service of the police, the Senegalese political elites had no competition in coopting the control of the police using their semi-authoritarian government structure and informal patron-client networks.

E. CONCLUSION

The nature of Senegalese democracy remains elusive. There is no doubt that Senegalese democracy increasingly liberalized from independence to the present day, and holds promise for the future. Fatton and Beck's description of Senegal's clientelist democracy and Ottaway's points regarding the semi-authoritarian aspects of Senegalese democracy lead to the conclusion that power in Senegal is centered in the office of the president and senior officials in the Senegalese government, but they can be elected out of office through popular vote if the people so desire.

In 2012, events surrounding the presidential elections were once again met with widespread riots throughout Senegal, although the elections and transfer of power to

¹⁵⁹ Bordua, David Joseph, *The Police: Six Sociological Essays* (New York: Wiley, 1967), 3.

Maky Sall ultimately occurred peacefully. Freedom House elevated Senegal from Partly Free to Free given the successful, peaceful turnover from President Wade to President Sall.¹⁶⁰ This optimistic perspective underlines the positive aspects of Senegalese democracy captured by Fatton and Beck. Freedom House also calls attention to the continued corruption in Senegalese politics and the weak state of the Judiciary branch, which does not serve as a “proper check” to the power of the presidency.¹⁶¹ It is too early to tell if the election of President Sall constitutes yet another turn in the alternance of Senegalese political elites or represents a true political reformation.

The most negative consequence is that Senegalese citizens access government through a variety of patrons who play the role of accommodationists described by Fatton. This reverberates negatively throughout government and, by extension, society. There is incredible danger in this, as Max Weber points out:

the members of the administrative staff may be bound to obedience to their superior (or supervisors) by custom, by affectual ties, by a purely material complex of interests, or by ideal motives. Purely material interests and calculations of advantage as the basis of solidarity between the chief and his administrative staff result, in this as in other connections, in a relatively unstable situation.¹⁶²

This instability especially expresses itself in the Senegalese police institutions. The police, regardless of their desire, still fit the definition of regime police more closely than they do the definition of democratic police largely because there is no other elite class or civil society element capable of competing with the regime’s dominance of the structure, operational guidance, or reform of the Senegalese police. This will challenge the Senegalese police and the state as international and regional politics shed more light on the essence of the police and expect them to perform under modernizing concepts of security while combatting global police issues such as, transnational crime, international terrorism, and drug and illicit trafficking.

¹⁶⁰ Freedom House, “Senegal,” 2013, <http://www.freedomhouse.org/report/freedom-world/2013/senegal>.

¹⁶¹ Ibid.

¹⁶² Max Weber, *Power and Bureaucracy: The Basis of Legitimacy* in *Max Weber: Selections from his Work*, by S.M. Miller (New York, Thomas Y. Crowell Co., 1963), 60.

IV. THE NEW SECURITY PARADIGM AND THE SENEGALESE POLICE

A. INTRODUCTION

The role of the Senegalese police as agents of the regime may have been convenient to the Senegalese post-independence transition to democracy, but this section will argue that the police need to progress toward modern models of policing and security encapsulated by the concepts of human security, democratic policing, and police reform. This is not to say the Senegalese police should adopt these concepts as their own and reshape their structures to accomplish these mainly foreign goals; however, it would help to become more active in the new security paradigm, which is shaping much of the rest of the world. As the Senegalese police increasingly interact with foreign partners both domestically and internationally translating their own methods and activities into the international system would improve operational effectiveness. More importantly, modern concepts of security will help the Senegalese police gain the respect and legitimacy of Senegalese citizens.

This point is important because international policing theories have adopted the precepts of democratic policing. Most police systems make incremental police reforms attempting to strike a balance between traditional security and personal security. Furthermore, modern police systems tend to view African police in the same context as their own thereby presupposing that African police are democratic police working in fully functioning democracies.¹⁶³ Previous chapters demonstrate that the Senegalese police are politicized regime police and have moved very slowly toward democratic policing principals and have not adopted personal security as primary factor in providing public security. Furthermore, the very definition of Senegalese democracy is contested. In facing international criminal threats the modern police may seek to support and or assist the Senegalese police from a perspective that does not fit the current Senegalese policing or political context.

¹⁶³ Hills, "Police Commissioners, presidents," 404.

Globalization affected international security and, subsequently, international policing theory quicker than Senegalese institutions could adjust to its demands. The dynamics of international security have changed since President Diouf completed the liberalization of Senegalese politics in 1993 forcing the Senegalese police to act in the globalized security environment. This new security paradigm of the Twenty-first Century demands that the Senegalese National Police and Senegalese Gendarmerie consider what was not considered at independence, and that is what type of police force will provide for the public safety and security needed and demanded by Senegalese citizens in the Twenty-first Century while continuing to contribute to democratic stability in Senegal.

B. NEW SECURITY CONCEPTS

Human security is the concept that individuals have a right to live free from violence and grew out of the need to keep people safe in conflict and post-conflict environments. The idea of human security is not necessary new, but gained momentum in international affairs during the violence and post-war migrations in Europe during and after World War II. The human security concept became particularly relevant in the years following the end of the Cold War. The term is found in the United Nations Charter, the Universal Declaration of Human Rights and the United Nations Development Program (UNDP).¹⁶⁴ The UNDP Human Development Report determined human security based on seven categories of security including: economic, food, health, environmental, personal, community, and political.¹⁶⁵ Internal state conflict throughout the 1990s urged the development of human security as a theory that now exists alongside that of traditional security, which deals essentially with the sovereignty of nation-states. Human Security should be important to the Senegalese police, because many Senegalese citizens lack several of the elements described by this fairly new dynamic. The effects of economic, food, health and personal security may challenge the stability of Senegal in the future more than inner workings of the Senegalese political elites.

¹⁶⁴ Robert Grant McRae and Don Hubert, eds. *Human Security and the New Diplomacy: Protecting People, Promoting Peace* (Montreal: McGill Queens UP, 2001), 4.

¹⁶⁵ Ibid.

The 1990s saw the advent of violent intra-state conflict as a result of the changes brought about by the end of the Cold War and globalization. As David H. Bayley summed, “rather than enlisting allies into coalitions of Communist and anti-Communist countries, foreign policy was refocused on reducing international disorder-ethnic cleansing, illegal migration, organized crime-that arose from civil wars, humanitarian emergencies, and failed governments.”¹⁶⁶ These new forms of unrest and intra-state conflicts required international intervention in the form of peace making and peace keeping from third-party military and police powers providing for internal security and ending the fighting between violent parties. Sometimes conflict was between the state and rebels or a true civil war and other times the state was not present or completely collapsed leading to fighting between various factions such as, the warlords in Somalia. In all cases, the end of fighting and establishment of intra-state security required some sort of international military intervention. A vast majority of the victims of these conflicts were civilians.¹⁶⁷ Entire populations were displaced, refugees posed new challenges, violence against women and children was abundant, and much of this was exaggerated by natural disaster and food shortages.

At the turn of the century, world leaders, particularly in the United States, realized the interconnectivity in Africa between underdevelopment, poor governance and domestic security challenges. Essentially, there is a “link between development and sustainable security.”¹⁶⁸ During the 1990s, the formation of democracies became a priority of U.S. foreign policy. This new thinking was tied to the end of the Cold War where Democracy was viewed as victorious over Communism.

This reasoning gained momentum during the intra-state interventions following the Cold War when 38 out of the 54 UN peace keeping missions since 1948, roughly 70 percent, happened in the 1990s triggered by internal crises.¹⁶⁹ Countries such as the U.S.

¹⁶⁶ Bayley, *Changing the Guard*, 9.

¹⁶⁷ McRae and Hubert, *Human Security*, 4.

¹⁶⁸ Robert Downie and Jennifer G. Cooke, “A More Strategic Approach to Police Reform in Africa,” A Report of the CSIS Africa Program, *Center for Strategic and International Studies*, April 2011, 3.

¹⁶⁹ Bayley, *Changing the Guard*, 9.

began to shift their foreign policy direction resulting from this dynamic to a focus on failed states and ungoverned territories. Stemming from this increase in intra-state conflicts and the popular view of democracy in the post-Cold War world and brought attention to the theory behind democratic state-building policies in the under-developed world as ways both to prevent crises and govern post conflict environments. Bayley supports this notion saying, “criminal justice reform, in particular that of the police, became an important element in the foreign policy of the developed world in the last decade of the 20th Century.”¹⁷⁰ The concept of Security Sector Reform (SSR) also developed during this time became popular and created a paradigm shift in security thinking at the end of the Twentieth and start of the Twenty-first Century.

C. DEMOCRATIC POLICING

The phrase “democratic policing” was officially coined in Bosnia/ Herzegovina in 1996 when the UNCIVPOL mission there authored *The Commissioner’s Guidance for Democratic Policing in the Federation of Bosnia-Herzegovina*, which according to Bayley, “was the first detailed plan for implementing democratic police reform.”¹⁷¹ The concept of the police contributing to the development of democracy was understood, but had not been thoroughly analyzed or codified and then applied to transitioning democracies.¹⁷² Police play a critical role in any society, but their importance was even more critical to establishing security and order in post conflict environments, because these were necessary for the stability required to build a working and democratic government. The role of police then fit into the consolidation of democracy, because the role the rule of law was unanimously thought of by the international community as among the central pillars of democracy along with free and fair elections, transparency, and good governance.

Bayley and Perito defined the term core policing almost synonymously with democratic policing as, “the act of serving and protecting the local population in a

¹⁷⁰ Ibid., 10.

¹⁷¹ Ibid., 21.

¹⁷² Ibid.

manner consistent with democratic values we give the name core policing. It is necessary for the development of a stable self-government ... it ensures the police are more effective in containing violence that arises variously from insurgency, terrorism, and violent crime.”¹⁷³ Alternatively, in 2006, Bayley wrote that the term “democratic policing has since become synonymous with [police] adherence to international principals of human rights.”¹⁷⁴

The aim of building or re-building police then re-emerged in the post-Cold War conflict resolution arena to a degree not seen since post-World War II and the early 20th Century. During these conflicts the international community, “encountered the limits of their standard responses. Development agencies discovered that increasingly their core clientele in the world’s poorest countries were also societies in conflict.”¹⁷⁵ Post-World War II police cooperation missions ended up having little similarities with the post-conflict police cooperation seen in the 1990s because both Japan and Germany had working and somewhat consolidated democracies that included police institutions; their infrastructure had simply been devastated by war, but the concept was not new. Post-conflict interventions after the Cold War took place in environments in which democracy had either not yet occurred or not fully developed and in which police either did not exist or behaved only as regime enforcers.

The context of the police in countries such as Senegal was overlooked in this dynamic. Senegal was a relatively stable country in which democracy was growing, so the international community saw no need to address issues of police reform despite the centralization of power and the abuse of law and order throughout the Senghor and Diouf administrations. Ironically, the nations where police reform has been most effective and more analyzed is in nations emerging from conflict and or transitioning to democracy.¹⁷⁶ This is likely the case because these post-conflict countries are shaping their police forces

¹⁷³ David H. Bayley and Robert M. Perito, *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime* (Boulder, CO: Lynne Rienner, 2010), 3.

¹⁷⁴ Bayley, *Changing the Guard*, 8.

¹⁷⁵ McRae and Hubert, *Human Security*, 75.

¹⁷⁶ Neild, “From National Security,” 24.

simultaneously with their politics whereas reforming the Senegalese police will also require transformations in Senegalese society, government, and judicial reform.

D. THE SENEGALESE POLICE IN THE NEW SECURITY PARADIGM

Although Senegal has been an improving democracy since independence in 1960, the police are still politicized agents of the Senegalese political elites in what Rachel Neild calls “regime police.”¹⁷⁷ Regime policing is normally a left-over component of colonial policing, authoritarian rule and or violent internal fighting or abundant political dissent. Either way, it has an eroding effect on public order and criminal justice.¹⁷⁸ In Senegal, as previously pointed out, the colonial-era formation of the police, their centralized structure, and Senegal’s strong presidential, semi-authoritarian democracy makes the police an image of regime policing. Carrying the example further, the police were used to deter the political opposition while Senghor consolidated his presidency and employed later by Diouf for similar reasons. Presidential power continued to centralize under President Wade who used the Judicial Branch and the SNP to harass and detain journalists in the months preceding the 2006 Senegalese election.¹⁷⁹ As recently as 2010, what Neild says of African police in general is true of Senegalese police specifically which is that, “whether the police were designed for regime policing or corrupted or marginalized ... outcomes are similar. Police are brutal, ineffective and lack the trust of the population.”¹⁸⁰ The Senegalese police are rarely brutal; however, they are politicized and largely disliked by Senegalese citizens.

In an example of this dynamic, Senegalese author and now Minister for the Promotion of Good Governance and Presidential Spokesman, Abdou Latif Coulibaly, said Senegalese law was “hypocritical” in that it made pretenses to individual rights, but

¹⁷⁷ Neild, “From National Security,” 4.

¹⁷⁸ *Ibid.*, 5.

¹⁷⁹ Jean Copans, “Un entretien avec Abdou Latif Coulibaly par Jean Copans. Le journaliste, le président, et les libraires. La difficile critique du Sénégal de Wade [An Interview With Abdou Latif Coulibaly by Jean Copans. The writer, the president, and the letters. The difficult critique of Wade’s Senegal],” [*Politique africaine* [African Politics], no. 104 (2006), 127.

¹⁸⁰ Neild, “From National Security,” 6.

really left the Judiciary under the power and directives of the President.¹⁸¹ Ironically reminiscent of what Beck wrote of as the Senegalese alternance, current President Macky Sall served in several positions in the Wade administration. President Sall has made progressive democratic reforms such as, but not limited to, appointing Minister Coulibaly to his administration.

Robert McRae points out that, “today, the language of foreign affairs includes protecting civilians, war-affected children, the threat posed by terrorism, drug trafficking, and forced migration, not just state’s rights and sovereignty.”¹⁸² These dynamics pose grave challenges to regime police, because structural reforms, new capacities, and institutional changes of focus are required to provide for elements of human security. Meanwhile the Senegalese structure of regime policing finds itself challenged to address human security issues and democratic policing principals in the context of a politicized judiciary system, government corruption, and patron-client networks controlling state resource distribution.¹⁸³ Furthermore, major foreign partners in the U.S., Europe, and United Nations are asking the Senegalese Police to tackle globalized crimes associated with human security such as, human trafficking, drug trafficking, transnational crimes like money laundering, international shipping, and international terrorism. The commercial sector also demonstrates its concerns with illicit trafficking. Several cigarette and pharmaceutical companies base anti-illicit trafficking and counterfeit-product operations out of Senegal where several illicit networks from throughout West Africa convergence.

Some of these activities may not directly affect the average Senegalese, but their presence in plenty erodes the market value of legitimate goods, encourages corruption, intensifies the black markets, and delegitimizes the government institutions that do little to stop them, cannot stop them, and or participates in them. The scandal surrounding the 2013 sacking of the Chief of Police for Dakar due to drug trafficking-related charges and the subsequent gutting of the SNP anti-narcotic trafficking division (Office Central pour

¹⁸¹ Ibid., 131.

¹⁸² McRae and Hubert, *Human Security*, 4.

¹⁸³ Freedom House, “Senegal.”

la Repression du Trafic Illicite des Stupefiants) illustrates the corrupting affect transnational crime can have on a country even though the crimes are not committed by the country's citizens.¹⁸⁴

In the beginning of the Twenty-first Century, the Senegalese police find themselves behind in confronting these international criminal problems brought to the forefront from globalization. The Senegalese police are much more capable than their neighboring countries, due in large part to the stability of Senegalese democracy, but transnational crime and terrorism are problematic to Senegal with borders on Mali, Mauritania, Guinea-Bissau, Gambia, and Guinea. In fact, in working with the Senegalese police, the over-all impression is that officers that want to meet high standards in the police functions, but are brought down by the politicization of their vocation, a lack of resources, and a tendency toward corruption in administrative duties.

Structurally, the Senegalese police are not equipped for public safety and security much less transnational crime. The SNP is politicized at its senior level, which affects the administration of major departments such as, the SNP Judicial Police, the SNP Police of Ports and Borders, the SNP Directorate for State Surveillance, and the SNP Police of Dakar. The SNP in general are challenged to produce annual statistics concerning homicide and sexual assault rates. When statistics are generated for the seizure of narcotics or illicit-goods, they ebb and flow with no logical pattern or explanation. Major divisions and individual officers in the SNP and SG are aware of the major pockets of crime, but there is no institutional requirement or mechanism to capture this knowledge.

Senegal has been challenged to meet the energy requirements of the country and electricity and fuel costs remain high. The Senegalese police have not escaped this dilemma, and are often without fuel for their vehicles and electricity for their department houses. Communications within the police are normally limited to telephones and cellular phones, and some official operational correspondence is faxed or hand-carried by courier

¹⁸⁴ "Déballage sur un trafic présumé de drogue dans la Police sénégalaise : Le Commissaire Keita vers une radiation sans pension [The Unravelling of Suspected Drug Trafficing by the Senegalese Police ; Chief Keita versus firing without pension]," *Seneweb News*, July 29, 2012, http://www.seneweb.com/news/Justice/deballage-sur-un-traffic-presume-de-drogue-dans-la-police-senegalaise-le-commissaire-keita-vers-une-radiation-sans-pension_n_101795.html.

over significant distances. There are hardly any networked communication systems linking individual officers to the various level of supervision. A police officer on the street relies on a cell phone to communicate with the command infrastructure. Often the centralized nature of the SNP and SG impedes internal communications and subsequent crime-fighting, because units or divisions outside of the capital city of Dakar, home to the headquarters of both the SNP and SG, report criminal leads and statistics to the higher headquarters level that then has to redistribute it throughout the rest of the system.

The SG have a certain amount of immunity from presidential interference. For example, when former President Wade instructed the Commander of the SG to arrest leaders of the opposition, the response was:

Mr. President, I have received and read with interest the correspondence you have sent me, but I am sorry to tell you that under the current provisions, neither I nor the staff of the Gendarmerie are able to respond positively to your request. That said, we are officers and we are at your disposal for your next order.¹⁸⁵

The political problem of the SG concerns the situation internal to the Ministry of Defense. The senior military officers and administrators of the MOD are challenged, as a military organization, to understand the resource requirements of a national-level police force with some para-military roles. To this end, the SG para-military units tend to be funded better than the police and investigative divisions. National politics still bleeds down to the SG, but generally through senior officers or the Ministry staff.

The totality of the institutional and political problems facing the Senegalese police invites a discussion concerning options through which they can advance toward a more public safety oriented body capable of addressing issues of human security and transnational crime. In short, the discussion regards reforming the Senegalese Police. The new security paradigm of recent decades will impose external and internal impetus for reform, but in order to be better prepared for those issues and the present challenges of policing Senegal, the Senegalese police must consider some of the concepts embedded in personal security and democratic policing.

¹⁸⁵ Copans, "Un entretien avec Abdou Latif Coulibaly [An interview with Abdou Latif Coulibaly]," 136.

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V. A SYSTEMS THINKING APPROACH TO THE CHALLENGES OF POLICING SENEGAL

A. INTRODUCTION

In order for the Senegalese police to progress toward a public safety and security institution focused on a style of policing conducive to the modern security environment, changes have to occur in both the government and the police. The biggest challenge facing the Senegalese police is their position in the larger Senegalese political system and civil society. They are clients to Senegalese political elites in the patron-client networks that drive Senegalese politics, therefore, some objective check must emerge from outside the government and the police to balance the power of the Senegalese executive branch, which politicizes the police into a regime police force. Such an objective balance of executive power will enable the police to respond to strategic level security threats and move them toward becoming agents of the public while continuing their duties as a government institution responsible for maintaining law and order. The nature of such a reform is extremely complex, because it involves the entire Senegalese political system.

The word system, in referring to the Senegalese political system, implies a relationship between the Senegalese government and the people who make up both the government and governed. The structure of the government is extremely important, but it cannot be separated from the actors in the structure who lead and administer it, seek to influence it, or profit from it. Saying there is a problem in the Senegalese system is an abstract indication that the structure and the individuals in it are not interacting to the benefit of the country. The police are politicized and function as agents of the government as a result of their position in this system, which prompts them to provide a style of security and order necessary for the government, but not always conducive to the governed. The challenges facing the police cannot be separated from the greater challenges inherent in Senegalese politics. Thinking along these lines is referred to as thinking in systems, which has its roots in systems theory and systems dynamics.

This chapter will outline, at a general level, what can be done to move the Senegalese police nearer to a public safety and security organization. The challenges of

policing Senegal represent a systems problem in its purest form, because no one part of the Senegalese government, police, or culture encapsulates the complete problem. The first part of this chapter will examine the cyclical nature of this systems problem and identify the major challenges of policing Senegal. The second part of the chapter will generally address how external donors together with the Senegalese can address the necessary changes for building police forces more prepared to tackle modern security issues while becoming more responsive to the needs of citizens.

B. THE SYSTEMS PROBLEM

Thinking in systems grew out of systems dynamics, which was developed in the Massachusetts Institute of Technology in 1956. It has been used to better understand a wide range of complex systems from corporate environments issues such as, the growth and stagnation of urban areas and the interactions of population, pollution, industrialization, natural resources, and food. By combining the contemplative aspects of the human mind with the use of computers models, systems dynamics seeks a better configuration or snapshot of a system, which would have previously existed only in a person's thought-process and subject to multiple personal interpretations.

While computer modeling is beyond the scope of this thesis, thinking of the Senegalese police as part of larger system captures a holistic framework for describing the challenges of policing Senegal. It would be easy to look for solutions to the challenges facing the Senegalese police by either focusing on the challenges themselves or on the institution of the police, but both the challenges facing the police and the police as an institution are part of the government and society. Employing some of the concepts and vocabulary developed by thinking in systems leads to useful insights into how the Senegalese police may transition from a politicized regime police force into a public safety police force that is capable of confronting crime in the modern security environment. The main result of applying systems thinking to the challenges of policing Senegal is that it leads to the conclusion that lasting reforms in the Senegalese police will take place only as a result of other, larger reforms in Senegalese politics and society.

The father of systems dynamics, Jay W. Forrester, saw that human systems were analyzed according to personal judgment and intuition, which often leading to poor decisions when it came to complex and highly interactive social systems. Furthermore, multiple individuals would produce different interpretations of the same problem compounding the issue.¹⁸⁶ He sought to examine social systems better by developing a detailed model of the various components in order to gain a better understanding of what was happening in social systems. The process of mapping out the system prior to making a model was alone found to have benefits in helping to increase awareness about and understand the system.¹⁸⁷

Because humans think along emotional and judgmental lines, leaders in social systems actually produced solutions that were what Forrester calls “counterintuitive” to the very purpose of the system they created to solve the problem. He wrote, “The human is not adapted to interpreting how social systems behave. ... Because dynamic behavior of social systems is not understood, government programs often cause exactly the reverse of desired results”¹⁸⁸ Forrester determined the “mental models” formed in people’s heads were “fuzzy” and sought to supplement the information used to shape mental models with a framework such as those found in systems dynamics.¹⁸⁹ Thus, the intent of thinking in systems and systems dynamics was always to augment the people’s ideas. The process of articulating the system among the various players in it helped clarify the nature of some problems and eliminate counterintuitive decisions. As Forrester said, “the key is not to computerize a model, but ... decision-making policies that properly represent the system under consideration.”¹⁹⁰

The process of articulating the known information about social systems often led to a clearer understanding of the system. This process alone removes the judgmental and instinct driven thinking that lead to counterintuitive decisions, and is the approach needed

¹⁸⁶ Jay W. Forrester, “Counterintuitive Behavior of Social Systems,” *Technology Review* 73, no. 3 (January 1971), 1–2.

¹⁸⁷ *Ibid.*, 5.

¹⁸⁸ *Ibid.*, 2.

¹⁸⁹ *Ibid.*, 3.

¹⁹⁰ *Ibid.*, 5.

for examining the Senegalese police. Such a description of the system and how the various parts of the system interconnect is the core of systems-based thinking and relies on astute, objective observation. It is this process of articulating the known parts that will lead to a more complete picture of where the Senegalese police fit in the greater Senegalese system and how that affects their ability to combat modern crimes in a globalized criminal environment. This systems thinking approach leads to revelation that actions of the Senegalese Executive Branch, Judiciary Branch, and civil society all affect how the Senegalese police are structured and how they go about their daily tasks.

A system is “an interconnected set of elements that is coherently organized in a way that achieves something. Systems may be embedded in other systems.”¹⁹¹ Following the definition of a system, a systems problem is a set of unwanted circumstances resulting from the way the system is structured.¹⁹² A system is not made of one thing, but of several different elements that are, “interconnected in such a way that they produce their own pattern of behavior over time.”¹⁹³ The things that occur in a system and the byproducts of the system are all a part of it in such a way that the system is responsible for both the intended and unintended consequences of its actions.¹⁹⁴ The interconnectivity of the system makes them flow, for better or worse, more cyclically than linearly in such a way that, “systems happen all at once.”¹⁹⁵ The system is the big picture. Not just a concept, the system is referenced in the popular lexicon when people want to refer to the government or corporation coining the phrase, “the problem is the system.” Thus, the idea that different aspects of government or industry are inter-related is not new, systems thinking tries to link all of the elements together in order to prevent the “counterintuitive” policies to which Forrester referred.

¹⁹¹ Meadows, *Thinking in Systems*, 11.

¹⁹² *Ibid.*, 4.

¹⁹³ *Ibid.*, 2.

¹⁹⁴ *Ibid.*

¹⁹⁵ *Ibid.*, 5.

A systems problem is a set of unwanted circumstances resulting from the way something (a system) is structured.¹⁹⁶ The problem revolves around not only the thing itself, but the thing as a component of all the other elements surrounding it. The Senegalese police are in a classic systems problem, since it is difficult to point to one branch of the Senegalese government or to single out the police themselves as entirely to blame for the problems confronting the police and or responsible for executing reform. Moreover, in order for the Senegalese police to form into a public safety oriented police force, reforms need to occur in the Senegalese Judiciary and executive branches and in civil society. Prompting change in these two areas will reverberate in the police and cause capacity building efforts in the police to take root.

The systems approach to problem solving provides a framework through which the Senegalese and external donors, particularly the U.S., may analyze reforming or reconstructing the Senegalese Police. A systems thinking approach to solving a dilemma requires the examination of several connecting pieces with respect to a problem whereas the analysis of a system focuses on one thing alone. The holistic approach of systems thinking is critical in the case of the Senegalese police, because so many things outside the police structure, such as the Judiciary System, affect the police and policing, and these other components are also critical to police reform. Furthermore, so little is known about the Senegalese police that a thorough examination is helpful.

Systems are difficult to change, because fixing one component may not result in the desired effect in other areas and or may cause additional problems. It encapsulates the challenge to reforming the Senegalese police, because police reform relies on other functional reforms as well. For example, judicial reform alone will not solve the challenges the Senegalese police face as a result of being under-resourced and unresponsive to citizen demands, and likewise, why donor support to train and equip the police often does not result in more democratic policing habits.¹⁹⁷ As Donella Meadows points out, “To ask what elements, interconnections, or purposes are most important in a system is to ask an unsystemic question. All are essential. All interact. All have their

¹⁹⁶ Ibid., 11.

¹⁹⁷ Bayley and Perito, *The Police in War*, 4.

roles. But the least obvious part of a system, its function or purpose, is often the most crucial determinant of the systems behavior.”¹⁹⁸

C. LEVERAGE POINTS

In order for a complex system to change, reforms need to happen through what Meadows refers to as “leverage points,” which are entry the system in order to enact change.¹⁹⁹ Leverage points “are places where a small shift in one thing can produce big changes in everything.”²⁰⁰ Ironically, people in complex systems often know where these leverage points are, but nonetheless push for reform in other areas.²⁰¹ Most of the leverage points for reforming the Senegalese police are outside the structure of the police themselves, which makes direct and immediate reform to police even more complicated. This study shows that, due to their colonial heritage and the nature of Senegalese Democracy, the institutional structure of the police responds only to the requirements of the Senegalese government. This observation stems from the active process of thinking in systems in which the police are part of a complex framework which views the police as part of the entire Senegalese democratic process, although this conclusion is not the result of a systems dynamics oriented stock and flow model.

The security requirements following the Cold War and the turn of the 21st Century demand more from the Senegalese police than the regime enforcement, internal security focused functions demanded of them by political elites since Senegalese independence. Altering the police structure and augmenting police capacity, while necessary, will not result in substantial changes in policing methods unless the Senegalese government, the Senegalese people, and the police themselves develop an idea of what sort of policing functions and goals will result in their public safety and security. Therefore, leverage points for changing the Senegalese police must be significantly outside the institution of the police and in the Senegalese government and civil society. These outside leverage

¹⁹⁸ Meadows, *Thinking in Systems*, 11.

¹⁹⁹ Ibid., 146.

²⁰⁰ Donella H. Meadows, “Leverage Points: Places to Intervene in a System,” *The Sustainability Institute*, 1999, 1.

²⁰¹ Ibid.

points will push down upon leverage points within the Senegalese National Police and the Senegalese Gendarmerie to induce structural changes in the police that meet the combined needs of the government and the people concerning public safety and security.

The most important outside leverage points are the Senegalese Executive Branch, Judicial Branch, and external donors. These seem like lofty changes, but tweaking the system at easier points of access such as the structure of the Senegalese National Police will do little to alleviate the largest challenges the police institutions face. This is the sort of short-term effect that Forrester meant when talking about “counterintuitive” policy decisions.²⁰² The drawback of recommending a lofty reform is that, “the higher the leverage point, the more the system will resist changing it—that’s why societies tend to rub out truly enlightened beings.”²⁰³ However, using these higher leverage points will initiate change that will filter down to the police as the notion of public order is bound more to the laws of state than the political aspirations of the regime.

Institutions themselves do not represent the only leverage point in a complex system. Other variables such as, the “rules of the system (incentives, punishments, constraints), the distribution of power over the rules of the system, the goals of the system, and the mind set or paradigm out of which the system—its goals, power structure, rules, its culture” all represent places to intervene in a system.²⁰⁴ This accounts for not only a structural change in the institution, but a change in attitude of the people in the institution and a new relationship between individuals in various institutions.

The major leverage point for enacting police reform in Senegal is the Senegalese President and the Senegalese elite in government service. The President has direct control of the centralized structure of the police, as demonstrated in this thesis, and the relationship between the Senegalese state and the Senegalese police is a patron-client relationship. In this dynamic political elites hesitate to relinquish control of the police, because the police can quell dissent and control the population and advance regime

²⁰² Forrester, “Counterintuitive Behavior,” 9.

²⁰³ Meadows, “Leverage Points,” 19.

²⁰⁴ *Ibid.*, 2.

agendas. Likewise, the police are reluctant to disrupt state patronage without another resource alternative available. A decision by the President of Senegal to make the police a public safety and security organization active in fighting globalized crime would have immediate ramifications in the police force. If such a change in attitude is accompanied by funding and capacity building for the National Police and Senegalese Gendarmerie, true reform in these institutions will gain momentum. In a democracy driven by the President, a presidential decision to build a public safety and security police force would address the non-institutional leverage points of rules of the system, distribution of power, and the mind-set of the system-paradigm.

Another potential leverage point for reforms in the Senegalese political system is judicial reform, because it will assist the Senegalese courts in becoming more responsive to the rule of law than the political whims of the president. Judicial reform will assist the police by moving the Judiciary from the control of the President and building the notion of law and order. The SG and SNP Officers of Judicial Police could be helpful in tying judicial reforms to criminal investigations, and they must be a critical component of judicial reform. Also, making the Senegalese police as a critical component in Security Sector Reform programs together with basic and proactive efforts in police capacity building would help train and equip the police for a more modern role in their society and internationally.

External donors including the U.S., European Community, United Nations, and European nations can become leverage points through significant assistance in large and small-scale reform efforts. All of these communities are already engaged in capacity building with the Senegalese police, but at various levels. This community is a potential leverage point, if they coordinate their efforts and become a significant resource for police reform. The coordinated efforts of the international community, or a major investment in police capacity building and reform by a single donor could push down on leverage points within the police structural and help influence change. The object is to move capacity building for the Senegalese police into a similar dynamic as that of security cooperation in the military realm.

Finally, the institution of the police, comprised of the Senegalese National Police and the Senegalese Gendarmerie, represent leverage points, although significant changes still depend on elements from leverage points outside of the police to assert pressure for change. The police will need to improve their capacity to confront global security and human security issues such as international terrorism and transnational crime, migration, poverty and development while improving their technical ability to interface with citizens and deal with complex crimes. This means the police need to rethink their role and the methods of policing in addition to the structural changes that will allow for public safety to be tied to internal security. The move from the function of regime policing to public safety and security policing is dependent on shifts in the system's rules, the distribution of power over the rules of the system, the mind-set of the system inherent in its goals, power-structure, rules, and culture which needs to occur in attitude and structure.

This will not happen overnight, and the elites in the political system, judges in the judiciary, and senior police officials all need to be motivated toward accomplishing such goals in order to affect true reform in the police. Shifts in the leverage points need to occur simultaneously and requires the concurrence of political elites who must come to view the public service aspect of policing as something of equal value as the role the police play in maintaining the internal security necessary for accomplishing the political objectives of the regime. Additionally, civil society elements such as the press and student unions, which are often critical of the police, need to seek dialogue and constructive forums for new relationships police relationships beyond public criticism.

SSR programs fit neatly into the systems problem way of thinking, because they propose security reform at several different levels of government and incorporate civil society. The Geneva Center for the Democratic Control of Armed Forces (DCAF) published a book focusing on the Challenges of SSR in West Africa in which they advocated SSR programs in West African countries both emerging from conflicts and seeking democratic governance of the security sector. Countries such as Senegal fit into the latter category and DCAF concluded SSR programs are promising for such nations, because SSR “provides for a holistic approach by integrating partial reforms such as defense and police reforms ... as well as by linking measures aimed at increasing

efficiency and effectiveness with concerns of Democratic governance.”²⁰⁵ This whole of government approach to reforming the security sector follows the logic of a systems based solution, and the authors note that such a holistic approach encompasses organizations legally mandated to use force, justice and law enforcement organizations, civil oversight bodies, private security forces, and civil society bodies.²⁰⁶ What is generally lacking in SSR is a detailed account of and concentration on the role of the police. Countries like Senegal tend to get overlooked because of their relatively stable democracy, but, as this study shows, the public security capabilities of the police do not progress and the concept of democratic policing remains an abstract idea.

Recalling how to think in systems, it is important that the police are featured prominently in programs such as judicial reform and SSR and that these efforts are synchronized or anticipated reform in the police structure could be lost. As Bayley states, “Any sort of police training designed to contribute to the development of sustainable self-government via the protection of local populations needs to be facilitated by institutional reform. ... Effective reconstruction does not bubble up; it percolates downward.”²⁰⁷ At the same time, the police officer on patrol is the heart and soul of the police institution and has the most contact with citizens; those individual officers will need to be the focus of capacity building at some point.²⁰⁸ Therefore, police reform must focus on the government, political elites, and higher echelons of the police structure while simultaneously addressing police capacity building at the street level. The opposite of this dynamic is also true; programs in government reform and civil society will only reach half their objectives, unless the police are made a critical component of them. Over time, the political system and the police system will adopt policing methods conducive to the traditional security needs of the Senegalese state and the human security demands of the Senegalese people.

²⁰⁵ Alan Bryden, Boubacar N’Diaye, and Funmi Olonisakin, eds. *Challenges of Security Sector Governance in West Africa* (Geneva: Center for the Democratic Control of Armed Forces, 2008), 7.

²⁰⁶ Ibid., 8.

²⁰⁷ Bayley and Perito, *The Police in War*, 5.

²⁰⁸ David H. Bayley, *Forces of Order: Police Behavior in Japan and the United States* (Berkeley, CA: University of California Press, 1976), x.

VI. CONCLUSION: THE CHALLENGE OF POLICING SENEGAL

A. INTRODUCTION

Even viewed through the most optimistic of lenses, the Senegalese police are politicized agents of the Senegalese state. The semi-authoritarian nature of Senegalese democracy, the influence of patron-client networks, and a centralized police structure conspire to cause little change in the Senegalese police structure or mission from the era of the French colonial police to the decades following Senegalese independence. Although Senegal developed a stable democracy with free and fair elections, the President remains the focus of power in the Senegalese government and politics. This undermines government institutions and the effects are compounded when considered together with the prominent patron-client networks among Senegal's political elites. The deterioration of Senegalese government institutions is especially true of the police who are structured to respond only to state direction and rely on state patrons for resources.

The first challenge confronting the Senegalese police in general is their clientelistic relationship with Senegalese political elites forcing the police to rely entirely on the state for legitimacy and resources. This politicizes the police and channels their energy into roles of state agency. The state does not build the capacity within the police either to interface with citizens to address human security issues or liaison with the international community to tackle the globalized criminal issues in the new security paradigm. These issues are not in the state's interest and may actually be contrary to state political agendas in that they represent potential resource alternatives for the police and could require increased state transparency. The second problem facing the Senegalese police is that due largely to their colonial heritage, they are inherently designed to be centrally controlled, which makes them susceptible to becoming agents of the state. From Senegalese independence onwards, no attempt was made to alter their relationship with the state or the people and the police have essentially become enforcers for the objectives of the Senegalese political elites.

In the decades following Senegalese independence, a centralized police was critical to maintaining internal security and order while Senegalese democracy was consolidating. The end of the Cold War changed international security dynamics and was also a time when Senegalese democracy was liberalizing slightly. At the turn of the century, world leaders, particularly in the United States, realized the interconnectivity in Africa between underdevelopment, poor governance and domestic security challenges. The role of the police in providing for personal security gained prominence as it relates to these issues, but the Senegalese police had changed very little. The geographic position of Senegal, the Port of Dakar, and continued political stability makes Senegal a regional hub for many commercial endeavors, but also exposes it to the globalized nature of criminal networks in the Twenty-first Century. Senegal is increasingly asked to engage in issues such as trafficking in human persons, narcotics trafficking, transnational crime, and international terrorism, but the Senegalese police are neither structured nor designed to fulfill these roles.

Emblematic of a systems problem, the challenges facing the Senegalese police interact with the demands of the Twenty First Century security environment. Pressure for the Senegalese police to fight globalized crime is asserted from outside the police structure while obstacles to structural reform and capacity advancement, which would help the police combat global crimes, also lay outside their own institutional structure. The police are embedded in the larger government and political structure as the clients of state political patrons. The Senegalese executive branch, judiciary branch, civil society and the police themselves all represent leverage points in the larger Senegalese system, which requires adjustment in order to inspire police reform. Shifting certain things at these leverage points will result in meaning changes in the police forces.

Focusing on reforming the police themselves will not likely assist the police in overcoming the challenges inherent in Senegalese democracy, patron-client relationships, or centralized policing, although reforms in the police may have some short-term success. Additionally, for individual police officers, policing is their livelihood in a competitive job market with extremely high unemployment. Thus, the police as an institution are clients relying on state patrons, and the police as individuals dare not risk their livelihood

for the sake of democratic institutional change. Therefore, successful police reform in Senegal will require broader institutional reforms throughout the government.

It is tempting to view solutions to the challenges of policing Senegal in the framework of police reform focusing on the word police or reform and falling into the trap of solely providing technical assistance to the police. Instead, advances in several sectors of government and at multiple levels needs to happen simultaneously over time in order for police reform to be meaningful. As Bayley writes, “Any sort of police training designed to contribute to the development of sustainable self-government via the protection of local populations needs to be facilitated by institutional reform.”²⁰⁹

Judicial sector reform is the principal government-level reform that would have significant influence on the Senegalese police, especially given Senegal’s francophone policing system where judges and magistrates manage investigations conducted by judicial police officers. It provides a good example of the sort of change necessary to provoke police reform. Freedom House supports the notion that the Senegalese judiciary does not provide “a proper check on the other branches of government. Uncharged detainees are incarcerated without legal counsel far beyond the lengthy periods already permitted by law.”²¹⁰ Judicial reform alone, however, will not filter down to substantive changes throughout the institution of police especially in the dual system of francophone policing where administrative police have little to do with the judicial branch. Units of the SNP like the crowd control police (CRS) and the immigration police would not be influenced by judicial reforms. An entire division of the Senegalese Gendarmerie, the para-military Mobile Gendarmerie, which comprises the K-9 unit, special weapons and tactics unit, and dignitary protection unit are more tethered to the military than they are to judicial branch of the Senegalese government. In turn the Senegalese police work closely with the judiciary on criminal investigations through the judicial police. Judicial police will be affected by judicial reform, and should be a critical component of it. Therefore, the rejuvenation of the Senegalese police needs to occur at several points throughout the

²⁰⁹ Bayley and Perito, *The Police in War*, 4.

²¹⁰ Freedom House, “Senegal.”

government and, one could argue, the society, because the police are embedded in both Senegalese government and society systems.

This thesis has attempted to identify the challenges of policing Senegal. In defining these challenges, the police are examined based upon their colonial heritage and how they fit into the greater Senegalese political system. In summary, the semi-authoritarian nature of Senegalese democracy did not alter the role of the Senegalese police from a mission of internal security and population control to one of public safety following Senegalese independence.

B. POLICY IMPLICATIONS AND RECOMMENDATIONS

Moving the Senegalese police into the realm of a public safety institution capable of fighting modern, globalized crime is a process that will progress slowly over the course of decades in Senegal, and it is a challenge that encompasses the entire Senegalese government and society. Police reform is an extremely complicated and challenging task, and it is made more complicated when reform of the police depends upon reform in other entities. Like political systems, no police system is perfect, and policing methods throughout the world are constantly reshaped and changed to suit political and community objectives. Short-term fixes such as, forming a task force or providing training in a technical skill are only superficial solutions. While it is true that the Senegalese police will require new resources and professional, technical capabilities in order to combat modern crime, broader reforms throughout the government are needed in order for the new skills to resonate and take root in the police institutions primarily comprised of the Senegalese National Police and the Senegalese Gendarmerie.

In order for structural reforms in the Senegalese police to be formative, other adjustments to the Senegalese political system must take place simultaneously with reforms in the Senegalese police structure. This simultaneous approach to reform will help in addressing the two biggest challenges to policing Senegal by releasing the Senegalese police from their ties to state patrons and moving the police structure toward a service focused on the public safety. Some frameworks for such changes exist within the concepts captured by relatively new terms such as, Security Sector Reform, democratic

policing, and police reform. These are frameworks, because the ideas may not be entirely relevant or applicable to the context of the Senegalese police. Most international police reform efforts in Africa tend to assume a certain form of democracy already exists or that political elites and senior police officials are motivated to reform the police, but the reality may be different.²¹¹ Therefore, the intended reform does not resonate in the larger system and filter down to the police. Likewise, technical skills provided through police capacity building efforts atrophy, because political leadership is not truly motivated to use them to enhance personal security. Furthermore, many international programs within these frameworks tend to focus on reforms within the military or focus on democratic reforms in non-security organizations and ignore the police.²¹²

Last, the police will need to alter their structure and improve their capacity so they can confront global security issues such as international terrorism and transnational crime while improving their ability to respond to local criminal and security problems. Internally, the Senegalese police will need to assess locally what role Senegalese citizens envision the police playing in public safety and adjust their current structure accordingly. The police should take the initiative by starting dialogues with civil society groups and as many people as possible in and out of Senegal to find a system that will work for them as police officers and for the citizens of Senegal.

Police reform and capacity building for police forces tends to be overlooked by U.S. Policy makers. The fragmented method of policing employed in the U.S. splits law enforcement into several agencies ranging from the local, to the state, and to the federal levels of government ultimately leaving policy makers with no definitive organization responsible for and qualified in police reform and capacity building. Therefore, the reform and training of international police is done by the U.S. in an ad hoc manner or through a number of broader programs such as SSR and judicial reform, which tends to dilute the ultimate impact of police forces. A Center for Strategic and International Studies (CSIS) report says, “The U.S. security agenda has largely focused on bolstering militaries while democracy strengthening efforts have tended to favor non-security

²¹¹ Hills, “Police Commissioners, presidents,” 404.

²¹² Downie and Cooke, “Police Reform in Africa,” 1.

institutions. Civilian policing has tended to fall through the cracks.”²¹³ The CSIS report emphasizes that Africa’s security challenges are better met by police forces than by military forces, because a public safety oriented police service that is part of a functional judicial system reinforces security and democratic consolidations. They also note that police reform in Africa has been neglected and under-resourced by both the international community and African governments.²¹⁴

While the security environment in Africa changed, U.S. policy still reinforces traditional, cold war models of security cooperation by focusing on developing military capabilities. A concentration on building democracies and helping form civil society movements grew out of personal security concepts, but as the CSIS report noted, concentrates on non-security institutions. The police continue to fall through the cracks as concerns security cooperation.

As this thesis discussed, international police assistance was once a part of U.S. policy through the U.S. AID Office of Public Security until Section 660 of the Foreign Assistance Act passed in 1975 severely inhibited police assistance as a part of U.S. foreign policy. Together with a lack of motivation for police reform by some African regimes, Section 660 of the Foreign Assistance Act will remain a significant obstacle in finding a U.S. policy path to African police reform and assistance. Even if these obstacles were lifted, a myriad of organizations emerge each addressing different aspects of policing such as, the Department of State’s Bureau of International Narcotics and Law Enforcement (INL), USAID’s Office of the Coordinator for Reconstruction and Stabilization (S/CRS), the Department of Justice’s International Criminal Investigative Training Assistance Program (ICITAP) and Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), and the office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict/ Counter Narcotics and Global Threats (CNT). Thus, there is no one group to single out for advice, strategy, and engagement at the policy level, and appropriate channels for direct police assistance in Africa have yet to be determined.

²¹³ Ibid.

²¹⁴ Ibid., 3.

In addition, the context of the police changes from one African nation to another and a country specific, detailed analysis of policing must be done prior to the application of police assistance programs. The CSIS report states that “civilian policing has tended to fall through the cracks,” but at the country specific level police assistance programs must identify not only how to assist the police, but what are the cracks in the system that police have fallen through and then integrate the police into existing programs. This will require U.S. law enforcement officers with international experience and who are trained in foreign languages so they can capture the value of country specific contexts. A number of such officials exist in the Regional Security Officers of the Department of State Diplomatic Security Service, the special agents in the Military Investigative Organizations such as the Air Force Office of Special Investigations, U.S. Army, and the Naval Criminal Investigative Service, and the Federal Bureau of Investigation’s Legal Attaches. Until the U.S. develops a systematic way of supporting foreign police that is tied to policy agendas, the police will continue to be recipients of ad hoc reform campaigns and technical assistance programs that only address part of their challenges.

Until there is a conduit for sustained conversations with senior police leaders in Senegal, and Africa in general, the police will remain on the receiving end of reform instead of becoming an active component of it. At worst, police leadership may not be motivated to change the status quo at all. International donors and the U.S. should push for police reform, because it is the right thing to do, but also try to develop a strategic vision concerning the police. The principal first step of any such strategy should be to enquire of senior Senegalese police leaders as to their vision for the future of policing in Senegal.

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