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I fought the law and the law won

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'I fought the law and the law won': evidence on policing communities in Dire Dawa, Ethiopia

Abstract

This article examines the introduction of community policing in Dire Dawa, Ethiopia. It shows that the relationship between the security actors within the district is a complex one that neither represents a simple dichotomy between state and non-state, nor an emerging clear and hybrid system. Rather it is a negotiated arrangement between a top-down, statist ideology and local forms of justice process, a balance that has historically characterized Ethiopian internal security for decades. The community police initiative offers a positive way of reducing friction between the different policing providers through acting as interlocutors but also enforcing the state's legitimacy in others. Local providers can use local actors to enhance their reach and their effectiveness but also extend the reach of the state and the legitimacy of the law at the local level constructing a negotiated ambiguity between central control and local agency in policing.

'Police in previous times were brutal in their actions. We used to run when we saw them. Now the changes are dramatic and the reason for this comes from two sources: the policy directs all to behave similarly and hence developing a mentality of serving the. In general, the police are now the servants of the community, not superior to the community as in previous times.'[1]

Introduction

This article explores an example of hybrid security provision in Dire Dawa in Ethiopia involving a collaboration between the state and local community and the extensive development of community policing approaches. Within policing, and specifically within the discourse on African community policing, hybridity is used to describe the relationships and structures that arise when different policing providers co-exist and work together to police a particular community. Drawing on the experience of community policing in Dire Dawa, we explore whether this initiative, although successful, has anything to offer beyond a version of legal pluralism or adding additional resources to a stretched police service and, perhaps to reflect Abrahams '…fundamental nature of the problems of relations between ordinary villagers, criminals and government' (1998:52).

We address a fundamental tension within a hybrid approach between community policing as a means of control and as a means of actual policing by the community itself (Ruteere and Pommerolle, 2003; Cooper-Knock, 2014; Cooper-Knock and Owen, 2015). Our argument is that Ethiopia has been subject to a continual balance between a centralised, state system that is seeking hierarchical control and has historically clashed with entrenched local systems of hierarchy, including policing and justice. The introduction of community policing in Dire Dawa represents a new chapter in this continual negotiation between the central and the local and the net effect of the policing approach has been to grant significant roles for the local community in spreading ideas of formal justice as well as recognising the importance of local conflict mediation, for example. In one sense all parties have an interest in reforming a system that had become rotten, but tensions remain between those seeking more state control and those seeking local power according to tradition.

At the heart of the argument is examination of a fundamental tension that remains unresolved in Ethiopia: how does a state-led, top-down, government initiative manage to cede power to local systems of justice and why? Within this contradiction lies a series of issues including the relationship between a previously oppressive police force designed to terrify, the new police force and local resistance from traditional authorities; and the tension between customary law and formal, state law. This paper argues that whilst this tension is unlikely to be resolved any time soon, it forms the basis for a continuing negotiation between the state and traditional authority. Furthermore, whilst there is a recognition that local traditional authorities can play a role in some approaches to crime, conflict and justice, there is also a clear use of community policing to assert the power of the constitution, human rights law and formal systems, and to enhance the role and power of the police at community level.

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[1] Interview with Tadele and Motuma, aged 22 and 18, Village 5, 12/3/2017.

This article begins by outlining the links between community policing and hybrid security. It then briefly sets out the Ethiopian context and discusses the methodology that was used and the limitations of research in relatively unstable environments. It also highlights the lack of statistical or detailed survey information available – or indeed the lack of opportunity to carry out detailed surveys – and the continued reliance on perceptions of security rather than detailed data. The article then sets out the broad situation in Dire Dawa and, drawing on the extensive fieldwork findings, it discusses the tensions between hybrid approaches and assimilation in to the state system. Finally it makes the point that community policing here has been successful in building considerable trust, but this has resulted in every interviewee reporting reductions in crime, whilst the crime figures have increased. There may be several reasons for that, including under-reporting under the previous, oppressive regime, but this is unclear. Secondly, some specific groups have benefitted from the state led and sponsored reform, specifically women and girls. Certainly in Dire Dawa, whilst there remains an issue of gender based violence, female genital mutilation and early marriage, it is clear that the community police have managed to rapidly increase the numbers of females reporting these crimes. Previously these hidden crimes had been dealt with by local authorities maintaining traditional inequalities and social hierarchies. Finally, the process of community policing has been a delicate balance between recognising the legitimacy of local authorities to tackle certain instances of crime and also educating local people on modern law of the constitution. Ultimately there is a process of incorporation of traditional rule in to legal formality and subordination to the rule of law rather than a new hybrid system.

Community policing and hybrid security arrangements

Community policing is a concept that has been adopted across Africa in varying forms, including in Ethiopia (Baker, 2013; Di Nunzio, 2014), Mozambique (Kyed, 2010), Nigeria (Hills, 2014) and Sierra Leone (Albrecht et al, 2014). Much of this development has been undertaken by donor-led programmes reinterpreting approaches from the global North. The structures and processes of policing across Africa vary greatly, with institutionalised police structures being patchy and empirical policing characterized by a multiplicity of providers drawing on a wide range of authorities (Bierschenk, 2017).

As Baker (2009; 2013) points out, the interpretation of community policing in Africa has largely consisted of the creation, recognition and incorporation of a wide range of alternative security providers with a correspondingly wide variation in capability, legitimacy and links to the state. This is a pragmatic recognition of reality, with lack of resources available to the police preventing coverage, particularly in rural areas (Baker and Scheye, 2007). It also presents the African state in a permanent state of negotiation, or mediation (Menkhaus, 2006) with non-state providers and a hybrid political system (Boege et al, 2008) where the state is only one provider amongst many and where boundaries between state and non-state, international and local, are problematized by complex interactions and interpenetration of providers following different logics and drawing on varying sources of power (MacGinty, 2010; Richmond, 2011; Luckham and Kirk, 2012).

The hybridity debate partly addresses this discussion around balances of power between alternative sources of legitimacy, recognising that the extent of hybridity is partly a political choice and partly the result of institutional pressures arising from institutional constraints. The international categories of 'state' and 'non-state' create a bias that prevents analysis of the real nature of

domestic politics, or the 'politics of the everyday (Schroeder and Chappuis, 2014). This raises a number of issues around legitimacy and political power at the local level and part of any analysis of a hybrid system has to include a view of where the power lies within such systems and who exercises power and how. Hybridity is really an attempt to understand the empirical reality of power beyond the simple binaries of analytical categories like international and local. How they interact, with whom and what results from that interaction in both systems is the core concern of hybrid approaches.

Other literature examines the nature of these local political interactions and their role in shaping, resisting and constraining international projects. Pouligny (2006) and Autesserre (2010) both focus on viewing peacekeeping from below, whilst there is a growing literature on the role of domestic elites in both taking opportunities to benefit from international intervention, but also in developing international approaches to democratic transition. Richmond (2011) and Mac Ginty's (2010) work in particular takes this discussion forward by attempting to see the political actions of local actors as being more than mere 'spoilers' in a positive process of attaining liberal peace. Hybrid forms of governance are constructed by the complex interaction of multi-layered actors and it is the result of these interactions that can be said to be 'hybrid'. The particular outcome is unpredictable and variable – not all hybrid orders are the same. State and customary forms of government '…do not exist in isolation from each other, but permeate each other and, consequently, give rise to different and genuine political orders that are characterised by closely interwoven texture of their separate sources of origin (Boege et al, 2008).' In other words, the state becomes just one of many actors within the state building process (Jackson, 2011).

Hybrid order is difficult to examine empirically and may encompass actors and institutions that rarely measure up to western normative standards of justice, or even gain from political disorder as a tool of political power (Chabal and Deloz, 1999). In some places those responsible for delivering justice may actually be those most responsible for insecurity in the first place, or alleged agents of insecurity may be providing a particular form of security. This may explain why the concept of hybridity may actually be more useful as a tool to critique liberal approaches to peacebuilding rather than offering a credible alternative strategy or a practical approach (Luckham and Kirk, 2012). This is a feature of what Goodfellow and Lindemann (2013) refer to as substituting 'hybrid' for 'complex' and of using the term hybrid to describe what is actually institutional multiplicity. Hesselbein et al (2006) describe institutional multiplicity as a context where multiple rule systems confront individual actors providing distinct and different normative frameworks and incentive structures in which they act. An end-user seeking justice may therefore be faced with a series of institutional choices each with different consequences and different sources of legitimacy, power and agency rather than one coherent hybrid system.

Much literature refers to arrangements that are probably best described as institutional multiplicity rather than hybridity as a new form of institutional system (Cross, 2016). Multiple institutions co-exist and interpenetrate rather than merge in to completely new systems. International organizations also identify hybridity as one way of boosting the state by adding non-state multipliers to service provision. In community policing, there is logic in seeking greater governance effectiveness by incorporating local providers through, at the very least, improving intelligence gathering and managing local ethnic or family clashes before they get to the state. As Baker (2013) points out in citing Bourdieu, the police may be strong in terms of economic capital (state and donor

support), cultural capital (training and experience) and social capital (history), but private firms may be able to compete with the police in terms of economic and cultural capital and so there is a case for hybrid arrangements. Non-state actors are usually strong in terms of symbolic capital (prestige and local legitimacy), particularly where the police are perceived negatively or as agents of foreign powers. The attraction in a hybrid arrangement is that non-state actors and the police can both gain; non-state actors gaining economic, cultural and social capital and the police gaining symbolic capital (Baker, 2013). Cooper-Knock and Owen (2015) argue that communities are also implicated in the reproduction of police practice and that police forces can authorize or limit regulatory intervention; exercise a unique bureaucratic power over 'right' and 'wrong'; and, can take activity 'off the books' as vigilantism. In Ethiopia the history of political wrangling between core and periphery means that the development of community policing is the evolution of a political struggle between the central state and the local community.

In practice this is a difficult set of arrangements to develop and critics point to the idea of 'bargain based governance' (Meagher, 2012: 1078) or even an emphasis on potential coercion, vigilantism and settling local scores rather than service provision (Cooper-Knock, 2014; Tapscott, 2016). Local institutions may not have a monopoly on local legitimacy and also tend to reflect local social hierarchies. Access to resources and networks with which to engage in hybrid arrangements are not equal at the local level, which creates its own political logic. Actual hybridity may be characterised by a series of exchanges of capital on the boundaries between actors (Baker: 2013). Given this, such arrangements will tend to be dynamic and uneven and some will have more options than others. They will also rely on the motivations of the actors involved to frame the nature of those dynamics.

The context of Ethiopian community policing

Ethiopia has a population of around 102 million people, including more than 80 distinct ethnic groups and is governed by the Ethiopian People's Revolutionary Democratic Front (EPRDF), which follows a broadly socialist and state-led model of development. Emperor Haile Selassie ruled until 1974 with an elitist approach that created deep societal cleavages and inequality. He was eventually overthrown in 1974 by the Derg military regime of Colonel Mengistu Haile Mariam that espoused socialist intentions but was extremely violent, and left a lasting legacy of police brutality. As Ethiopia became increasingly riven by ethno-nationalist conflict, the Derg regime used the police to maintain control, meaning violence against the local population. The background to any police reform, therefore, remains a history of arbitrary arrests, violence and rape. In 1991, the Derg was overthrown, and replaced by Meles Zenawi, who ruled until his death in 2012. Meles remains an important figure, not least because he managed to use his cross-ethnic power base and credibility as former head of the Tigray People's Liberation Front (TPLF), to establish a new constitution, including reform of the police. In 1994 he established a transitional police regime comprising of former militia whilst he dismissed or retrained the Derg police force and trained a new force (Denney and Kassaye, 2013).

A history of violent regime change, oppressive militarized rule and strong separatist movements has produced a history of central-local tension within Ethiopia since the early twentieth century. The police have been at the centre of that. Regime security is regarded as a critical element of state

strategy given external threats from Somalia and Eritrea, internal threats from several separatist groups, and a significant threat from domestic and international terrorism[2]. High rates of violence, particularly against women, mean that personal security is also high on the agenda (Burton et al, 2011). However, as Baker (2013) points out, the state itself is aware of the limited resources available to it and its own inability to extend effective state control in some areas, particularly over the 83% of the population in rural areas. In keeping with much African practice, security is delivered alongside local providers, and traditional authorities retain influence at the local level. These authorities, however, have their own resource constraints and may also espouse values that are incompatible with modern perceptions of human rights or gender issues, for example. With a poor policing infrastructure, users are faced with a choice of inadequate state provision and lengthy delays in investigation or court cases, or facing a justice system that reflects local political structures and social hierarchies. The plural Ethiopian legal system, for example, incorporated strong influences from continental civil law and common law in the 1950s and 60s alongside traditional (or customary) laws and norms. This has resulted in multiple layers of formal, customary and religious laws and processes (Green et al, 2012).

The pluralistic legal system is partly mirrored by policing, with a strong influence of traditional forms of policing beyond the formal police structure. The formal structure is divided in to Federal and Regional Police. The Regional Police manage the nine regional states whereas the Federal police are responsible for the federally-administered areas of Addis Ababa and Dire Dawa. As the best trained and equipped force, they also provide support to Regional Police, varying from the 'more developed' regions of Amhara, Harare, Oromia, Southern nations, Nationalities and People's Region and Tigray where support is a negotiated activity, through to the 'less developed' areas of Afar, Benishangul-Gamuz, Gambella and Somali, where the Federal Police operate more extensively and frequently beyond the remit of the regional government (Green et al, 2012).

In reality, policing in many rural areas in particular is far more complex and is characterized by a multiplicity of institutions. These incorporate a variety of conflict resolution mechanisms including sharia courts, women and youth groups, peace committees and particularly traditional authorities and elders who are the most used reconciliation mechanism in Ethiopia (Baker, 2013). These leaders are in very respected positions and preside over crimes ranging from minor individual issues through to clan disputes over cattle raiding and even revenge killing, and the police frequently refer cases to them for decisions (Green et al, 2012; Baker, 2013). The judgement of the elders is frequently taken as the main form of justice and any leadership exercised in terms of community policing must take these leaders in to consideration. This leadership class can oppose or enact significant elements of security and justice emanating from the central state. There are also militia present at the local level, usually significantly outnumbering the Regional Police. Militia are effectively a politicized paramilitary comprising armed volunteers, frequently from the ethno-nationalist militia that opposed the Derg. They usually mount community patrols and man checkpoints on major roads, but whilst they outnumber the police, they are also seen as a political wing of the government and are therefore viewed with some element of suspicion (Denney and Kassaye, 2013).

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[2] The internal threats include active separatist movements for Afar, Gambela, Ogaden, Oromia and Sidama, or five out of the nine internal states of Ethiopia, whereas terrorist threats are frequently related to either Ethiopia's Somali Region on the East and South, but also from al-Shabaab (Green at al, 2012).

Policing and justice for many Ethiopians is therefore a process of negotiation between a series of multiple agencies and agents. There is also a form of continual negotiation between the central (and centralizing) authority of the state and state policing, and the local agency of the customary and religious authorities.

Community policing is seen as a way of bringing some of these diverse elements together and providing a leadership role for the police following perceptions of rising crime during the dramatic 2005 elections (Denney and Kassaye, 2013). In 2006, community policing was included as part of a broader police reform programme. In many ways this form of centralized introduction was surprising for a policy that is held to be a bottom up solution. Communities were essentially informed that they would get community policing as the new model and there does not seem to be any evidence indicating broad demand. In Dire Dawa, these reforms were embraced by the police and community policing incorporated in to police training. In addition, local community members were selected (by the community) to go for police training and were then returned to the communities as community police officers. As Denney and Kassaye, (2013) point out, the process of community policing was partly perceived at the local level as a means of formalising structures that had existed in some for some time, but it should also be noted that many of these systems have grown up in the absence of effective policing and whilst Ethiopia has a long history of dualism it has not been a hybrid, but has been one of interaction, not integration (Baker, 2013). The development of community policing since 2006 has been a fundamental change as the Government of Ethiopia explicitly pursues a policy of hybridity, by which they mean the incorporation of local justice in to the regular policing activity (Green et al, 2012).

A key narrative arising from the research in Dire Dawa is the underlying development of a relationship between the police and the community itself. This was routinely stated within interviews, usually using the official phrase of 'bringing the police and the people near'. Interviewees repeatedly identified this change while communicating support for the reduction in crime and satisfaction with the current practice of policing. Nearly all interviews contained references to practices during the time of Haile Selassie's time in power and the transition to the Derg regime:

> 'During previous times, we were afraid not only them, but their shadows as well. We attempted to escape … when we saw them patrolling … We saw the police as if they are always there to attack people.'

Many of the police commanders, clan elders, and community advisors lived through previous eras of brutality. These experiences influenced the national desire for police reforms and in their lifetime they experience a transition to a current of reduced crime and increased trust with the state police. In some ways, community policing arrived at a time when everyone had an interest in reforming a rotten system.

Baker (2013) outlines a number of reasons for the changes to a community policing approach and, in general, our research supports his assertion that whereas before 2006 and probably up until 2010, the process was really one of recognition and interaction rather than integration. After this, the process intensified and community policing has become about integration in to an approach that incorporates traditional policing. Given the top-down introduction of the reforms, it is perhaps unsurprising that there are several features that point to the formalization and incorporation of

traditional mechanisms in to the state system rather than the genuine creation of a new hybrid. the The overall philosophy of the state draws on a socialist and developmental ideology that seeks to provide services to all people. However, lack of resources meant that this could never be realized and so the state needed partners. Statist ideology also dictates that non-state actors should not sit outside the centralized system and so the process of incorporation has been largely that of systematizing non-state actors including popular mechanisms of justice provision (Baker, 2013; Di Nunzio, 2014; Denney and Kassaye, 2013). In practice police officers have more than one option open to them in dealing with any one crime and can refer cases to the traditional authorities instead of waiting for the inefficient court system to deal with the case.

Our research also supported the view taken by Denney and Kassaye (2015) that the absence of resources and the ideological drive of the state for control are not the only things that influence community policing. Whilst it may be that this makes community policing attractive for the government, the police themselves and the communities ascribe a different set of reasons for the introduction and subsequent success of community policing. The intention behind community policing is to improve outcomes, reduce crime rates and improve relationships with the community. Firstly, the police themselves very much saw community policing as a means of reducing crime. This was routinely mentioned in interviews, and the police are very keen to present community policing as being effective in giving people responsibility to tackle crime and support the police. Police officers brought up community policing as being effective in gaining intelligence on criminal activity, but also in empowering citizens to talk to the community police officers about crimes.[3]

Research approach

The research was undertaken by local and international researchers in Ethiopia and the UK between February and June 2017, including fieldwork in Dire Dawa in March 2017. The research focused on the district (*woreda*) and village (*kebele*) levels where most disputes are mediated. Seven *kebeles* were visited, four urban and three rural, and at each location police commanders, community police officers, clan leaders, and members of advisory councils were interviewed. When possible, a mixture of male and female police officers were interviewed. Advisory councils consisted of a mixture of male and female. Clan leaders are male, but in rural areas women's associations exist, and members of those groups were interviewed. Non-police interviews were conducted in private rooms without police presence. In total, 15 in-depth interviews were conducted with police commanders in both urban and rural locations and with 15 NGO representatives. There were 12 focus group discussions with clan leaders, police officers, local associations, and community advisory council members. These were led by both an international and local researcher from the University of Addis Ababa, who also acted as translator.

In 2016 Ethiopia experienced political protests resulting in a declaration of emergency, the suspension of some internet communication services, and restricted movement in the country. While in Dire Dawa, the researchers were escorted from site to site by assistants of the area police commander. At the same time, civilians involved with the community policing structure were selected for interview by the researchers, and were interviewed and participated in the focus groups

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[3] Interview with Dire Dawa Police Commissioner, Dire Dawa, 15/3/2017.

without a police presence. External organisations were also accessed by the research team to improve the cross-referencing of the responses. Clearly respondents were those who had some role within the policing and justice area either through membership of a committee or a local advocacy NGO. The security situation and the relationship with the police prevented a wider survey approach. This assessment is also cross-referenced with a wide range of published and unpublished studies in Ethiopia, all of which experience similar issues. The research team strove to make the research as objective as possible given the need for reliance on the police for access.

However, as Green et al (2012) notes, it is important to recognize that systematic government or other statistical or survey data on community-level insecurity, crime and justice problems in Ethiopia is scarce. All of the issues relating to the collection of data across much of Africa are present, but are also exacerbated by a combination of sensitivity about crime and security and weak, patchy and unreliable collection and reporting of data. There are very few large scale surveys with relevant data, and police and court data on reported crimes is not publicly available. Police statistics are made available to Ministers in a summary format in annual reports and is generally difficult to interpret, whilst court data may be more available in urban areas but reliability is unclear (Green at al, 2009). It is also clear that the majority of crimes and disputes are handled outside this system where there are no records. Perception surveys therefore remain key sources of general crime trends in the absence of reliable crime statistics, even though they may not correspond to actual rates of criminality. Perceptions of criminality, however, do matter because even if they are not accurate representations of empirical reality of crime, they directly affect peoples' behavior. In Ethiopia perceptions of risks of violence may affect willingness to travel to markets, schools, health care, etc.

What does policing look like in Dire Dawa?

 Policing structures in Dire Dawa represent something of a spectrum. There are five main policing departments: Criminal Investigation, Police Academy, Human Resources, Finance/Logistics, and Community Policing. The Criminal Investigation unit involves armed, rapid response units as well as units who handle more serious crimes. The Human Resources and Finance/Logistics departments provide administrative support for the police. The Community Policing department oversees the management of all the community policing officers in the region. Community police officers are nominated by the community to serve in that community, which also vets them. These officers are then centrally trained in policing and then posted back in to those communities as police officers. The community is additionally responsible for funding the construction of the community police stations in their immediate area. These stations are typically one room buildings open 24 hours a day with living areas attached to the station. Communities open bank accounts and citizens contribute money until the goal is met, then the community also participates in the construction of these structures.

The Community Policing structure in Dire Dawa consists of 11 urban zones and 4 rural zones. Each zone is then broken down into different subdivisions: *kebeles, katana*, blocks, and 'family police'. An important, but potentially confusing conflation of the word 'policing' emerges at this level. There are community police officers who are paid by the state who perform official roles, but equally important to the strategy of community policing is the assistance of the community in the process, and these members are also referred to as 'police' or community advisors. In one zone, there were 115 advisory council members, all elected by members of that zone. This is the same for village

'police', block 'police', campus 'police', and family 'police'. At the village and block level, the 'police' are members of the community, often elders, priests, or other individuals of influence. At campus level, the 'police' are children whose responsibilities include making sure peers do not bring cell phones to school and making sure students do not skip classes. The concept of 'police' is deeply entrenched within communities.

One of the most Orwellian sounding aspects of this approach is the idea of 'family police'. These are typically fathers or older sons within large family units at the local level, mirroring the social hierarchies of traditional structures. Family police essentially control small scale activity like petty theft, truancy and family disputes, but may also get involved in broader crimes related to marriage of underage girls or genital mutilation where the family police are expected to liaise with the community police. Once it goes beyond the family's ability to resolve the issue this will then be reported to block police and the community police will become involved. In this way, local disputes can be managed by customary or family structures that are incorporated in to a bigger policing structure, but which don't necessarily involve the police themselves.

Crime in Dire Dawa is dominated by 'assault'. Between 2012 and 2016 there were 6903 assaults, 3011 thefts, 2883 incidences of anti-social behaviour or minor fights and 2067 minor disputes[45]. Homicide is low with only 84 murders and 61 attempted murders recorded. Anti-social behaviour is acting outside of the desired cultural norms and 'minor fighting' was defined as a small fight involving punching or the 'breaking of teeth', but different from assault as there was no intent to cause great harm or potential death. All of these figures fluctuated significantly over the period, but there has been a relative increase. For example, theft increased from 301 in 2012 to 856 in 2016, which is clearly at odds with the overwhelming sense of reduced crime amongst local people. These are official figures, and so do not record instances that happened and were dealt with in the informal system.

It may also reflect a willingness to report crime. This is certainly claimed by local activists advocating against gender based violence and several members of the community and police reported an increased rate of individuals feeling empowered to report crimes, specifically domestic violence.[6] A women's group interviewed stated that one of the key factors limiting women from reporting domestic violence is an economic dependence upon males. Prior to the community policing reforms, if a wife's complaint about domestic abuse sent her husband to court, it might be months before the case was heard, and the accused might be held in prison the whole time, negatively impacting the family's financial situation. Thus, the decision to seek justice for abuse victims was both a question of justice and economics. Being able to address some instances of domestic violence at home, rather than involve the court, is reportedly encouraging women to increase their use of community policing/local mediation to address this. As one member of a women's organization stated: 'Female

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[4] We have already outlined the serious lack of reliable data in Ethiopia. This crime data was compiled and provided to the researchers by the Dire Dawa police commissioner. This information does not seem to be centralized in any meaningful way.

[5] Out of a total population of 341,834 and total reported crimes of 16,978.

[6] Interview with a Deputy Inspector in the Department of Women and Children Services, Gendekore, 13/3/2017

applicants are far more willing to come to us for justice than in earlier days. They do not remain in the home when they may be beaten or raped by males'[7]

Whilst the interpretation of crime figures is difficult, the perception of our interviewees was that community policing has certainly increased trust, which has in turn resulted in increased reporting. Additionally, interviews with police and other leaders identified interconnected changes in and around Dire Dawa. Both police and local leaders identified reduced caseloads in the court, reduced incarceration, lessening fear of police, and improved coordination with community leaders as direct results from the implementation of community policing. Previously courts were swamped and the accused forced to wait in cells for months. The extension of community policing and the incorporation of customary approaches has meant that petty cases can be dealt with outside the court system. Similar reductions in caseloads were also reported by the police as community leaders not only handled some small cases, but provided conflict mediation.

Mediation is important in a context where conflicts between pastoralists and farmers frequently lead to land disputes resulting in violence.[8] Police and clan leaders worked with people to reduce the long term impact of conflicts, through discouraging fighting with farm tools, for example. Clan leaders also created a rotating system of access to communal water to reduce tensions between farmers and pastoralists.[9] Land is one issue that traditional leaders identified as being continually negotiated and where there is some resistance to police intervention. Disputes over land are extremely common and traditional leaders frequently play an important role in managing land for the community and presiding over disputes. One meeting with elders and clan leaders specifically centred around land disputes[10] and revealed a dual responsibility: a government mandate for the police, but a need for community reconciliation and patience for long-term peace.

Beyond land, the most difficult issues related to the experience of women and girls. Female genital mutilation (FGM), child marriage, and child abduction were three issues mentioned in multiple interviews.[11] Despite the ongoing difficulty of under-reporting, several individuals commented that the rate of reporting instances of domestic violence to police or local mediators had increased.[12] Certainly, local advocacy NGOs and women interviewed all recognized that improvements had taken place, although, despite these gains, interviewees identified gender issues as a major continuing issue because it was so deep-rooted.

Impetus for these police reforms came from the highest levels of the Ethiopian government and resistance has been relatively limited in Dire Dawa. Clan leaders do occasionally attempt to settle violent crimes without notifying the police, but those interviewed insisted such behaviour was

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[7] Interview with a Deputy Inspector in the Department of Women and Children Services, Gendekore, 13/3/2017.
[8] Interview with Police Chief, Wahibia, 13/3/2017.
[9] Interview with Clan Leader, Wahibia, 13/3/2017.
[10] Interestingly there was also discussion of FGM, which these leaders all said had been 'un-seen before the police came along, but was being dealt with in a positive fashion. There was recognition that women could play an important part in the community.
[11] Interview with representatives from Dire Dawa Women's Association Interview, Dire Dawa, 14/3/2017.
[12] Interview with Officers in Women and Children's Department, Dire Dawa, 12/3/2017.

becoming increasingly rare and typically limited to rural areas.[13] The way community policing had been induced appeared to have placated local chiefs in terms of losing influence. The idea that they were still responsible for minor offences and took part in detailed consultations with the police, reassures them that they were still part of the security infrastructure. Where they seemed to have given ground was certainly in their management of social hierarchies, particular gender relations and this has gone from a system where almost nothing was reported, to one where the police deal directly with certain traditional practices. With FGM, for example, chiefs have largely stepped back from involvement, recognizing that resistance is futile. Where there have been disputes over this, the police are also quick to invoke the constitution and this seems to have an overarching positive effect on the incorporation of local communities.

What has certainly happened is a shift in perception of the police by local communities, summarized by one member of an Advisory Council:

> 'Police in the previous days were distant from people. Contemporary policing … cannot discharge all its responsibilities unless it obtains support from the public. Both parties in community policing attempt to build trust to collaboratively work against crime and antisocial behaviours.'

This would suggest that there has been buy-in from the local community in to the idea of improved information flows between the community and the police in tackling crime. The broad approach to policing has meant that community members can use their own accepted means of mediation and conflict resolution if they wish. It is also possible for community police officers to refer individuals to non-state conflict resolution groups. This is not really seen as a means of avoiding involvement of the police, but as the police being respectful towards the role of traditional institutions. It is also notable how the top-down nature of the relationship works here. Whilst there may be traditional rules for specific offences, the constitution overrules most of them:

> '…neighbourhood communities cooperate in passing information to police when they observe criminals in their surroundings. However, harmful practices, such as those oppressing women that are now against the constitution, still exist in those communities.'[14]

In other words, the Ethiopian Constitution has banned such practices so the only remaining task is to educate those failing to comply. As a rural chief told us, '…we developed the program to educate people to enhance their level of consciousness about the constitution of the country'. The overriding understanding of community policing both publicly at high levels and also within the community at *kebele* level, is the ideology of state development and of community policing as an integral part of that strategy. This includes the practice of further spreading state influence in to areas where it has previously been patchy. As one community police officer stated:

> 'Before the Police Commission opened an office at this rural village, the community was unaware of what 'police' meant. They do not recognize that the police have legitimate power to arrest criminal offenders. The community was resistant [to an external imposition

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[13] Interview with Dire Dawa Police Commissioner, Dire Dawa, 15/3/2017.
[14] Interview with Police Chief, Police Land Station, 9/3/2017.

of police]. However, the community did not take long time to understand the value of the police and their presence in creating a safe and secure environment.'

The ideology of community and police being part of an over-arching development strategy is present in several of the interviews. These issues were raised in conjunction with 'taking the constitution to the people' and over-riding local practices. As one police chief stated:

'The main problem here is … [that some decisions of the elders] … are compliant with the constitution of the country, while some others are designed to regulate the social order of the area. For example, when a homicide happens, elders attempt to settle the cases through traditional means, whereas homicide should only be subject to the formal, state judicial system. These are cases where the elders do not have a mandate and need to be placed under the court procedures. To avoid these misunderstandings, we developed a program to educate people to enhance their level of consciousness about the constitution of the country.'

The police, therefore, at least partly see community policing as spreading a judicial system in to community areas and using the constitution as the overarching vehicle for doing so. The power of the constitution is such that this was frequently cited by traditional leaders as a reason why they had changed their behaviour. The law seems to be winning.

Hybridity or assimilation?

The top down approach to community policing is an attempt to overcome some of the legacies of brutal regimes that used the police as a tool of oppression. Whilst labelling the approach as 'top down' implies a number of characteristics, it does represent a radically different approach to the past, not least in using persuasion and partnership rather than force. It also involves a wide network of actors collaborating to make it work. The initial decision to adopt community policing came from the national Ethiopian government. In each district, the police commander and their subordinates are responsible for implementing the reforms. With regional commanders onboard, it then became a process of convincing clan leaders, and creating community advisory councils in urban areas to assist in ushering in the desired change. Communities are now required to nominate individuals to be officers in their area which places the vetting demands on the community before an individual can even begin training at the police academy.

This networked approach also requires a shared philosophy and set of aims that we explored during the research. For the police, the main driver is one of using decentralization as a means of reducing local crime and increasing control. When asked about their aim for their community, officers repeatedly returned to the idea of a 'space without crime', or, as one police inspector stated: "to see an area where crime is less and [make] the neighborhood community free from the fear of crime."[15] Similarly, one community advisory board member said "our vision is to see an area not affected by crime and suitable to the [movement of people] without fear of crime."[16] A separate community advisory board member articulated a very comprehensive answer:

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[15] Interview with Police Officer, Village Six, 13/3/2017.
[16] Interview with Community Advisory Council Member, Amese, 11/3/2017.

'We need to see our country at peace. Our vision is to create a community sensible to peace and enjoying security of living environment. We need to ensure peace and reducing the congestions of the justice system is one of our major aims. This will be sustained by creating a number of platforms where people can freely discuss issues related to creating crime free areas and also social and economic development.'[17]

A youth committee interviewed echoed these notions. Taken together, a particular picture of policing in Ethiopia begins to emerge. The top down reforms were adopted quickly, and though the intention of decentralizing the structure of police to better reflect local needs, both local police and community advisory members mentioned that their actions were because it was written "in the constitution".[18] Clan leaders and community members regarded changes to gender-based issues as issues of the past because the constitution resolved them. The view of police reform, emerging from both police and members of the community was that policing focusses not only on crime, but on constructing the good relationships necessary for a peaceful community.

This was not always straightforward and met increased resistance in rural areas where clan leaders were more resistant to changes in their own power. Even here clan leaders work with the police if a crime occurs. If people are '…aggressive, their case will be directed to the police after leaders of the clan have exhausted all means of traditional problem solving approaches."[19] One clan leader said:

'I can say that the work of the clan leaders is almost the work of the government. Community policing in this village is organized by Clan leaders, the police and the community. The police teach people not to commit crime and inform the police when they observe suspects.'[20]

A significant issue facing the police reforms is the general view of women in society. This is a challenge because the Ethiopian constitution aims to have women filling 50% of government jobs, including the police, and generally improving their everyday lives.[21] One proverb dominated the all discussions around gender during the research: "women are for the kitchen." A local women's association interviewed was both realistic about the struggle, but encouraged by the progress. They said:

'…problems arising from culture still exist. For example, FGM was dates from Ferron[22] times and is religiously accepted. We struggled with feminist thinking and have tried to mainstream ideas of social and gender equality across the community.'[23]

This women's association found encouragement through a general reduction in early marriage, married women continuing their education, and increasing women's literacy. Any progress made has

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[17] Interview with an Orthodox Priest and Community Advisory Council Member, Village Six, 13/3/2017
[18] Interview with Dire Dawa Police Commissioner, Dire Dawa, 15/3/2017.
[19] Interview with Chief of Police, Wahibia, 11/3/2017.
[20] Interview with Clan Leader, Wahibia, 11/3/2017.
[21] VAW Report 2013: 6, Interview with Youth Association leaders, Dire Dawa, 13/3/2017.
[22] This word caused significant debate since none of us knew its meaning. In the end we discovered that it is a reference to 'Pharaonic' meaning that this was an ancient practice.
[23] Interview with Police Commissioner, Dire Dawa, 15/3/2017.

been achieved through dialogue with others, often in the context of traditional coffee ceremonies. This is a space where community police officers are particularly useful because they are embedded in the community and see gender equality and awareness as an important part of their job.[24] Gender-related crimes in particular were described as being 'un-seen' in previous regimes but reported now, which may indicate an increased confidence in the system and the police more generally, although this may be difficult to interpret. Certainly, women's groups recognized that gender-related crime remained a problem, but were also reduced and increasingly regarded as unacceptable.

It is interesting to note that the networked and broad leadership outlined above contains both enablers and obstacles to reform. The network at a local level is described by a sergeant in Village Six as follows:

> 'Traditional leadership has its own advantages and disadvantages. Ethnic conflict is common in Dire Dawa and the police are in charge of stopping the conflict. The main method the police have been using is through traditional conflict resolution by elders, working with the police in mediation. Participation of social institutions such as churches, mosques and other associations formed to extend help to each other during funerals and marriages may also be involved in the mediation process. Conflicts between the dominant ethnic groups – the Oromo and Somali - have been solved using all these approaches.'[25]

Such an approach requires four main pillars. Firstly, both sets of leaders within the police and community have to recognize that they have important roles to play in this. Such disputes cannot be resolved by either leadership set alone. This leads on to collaborative leadership based on trust. Secondly, this mutual partnership relies heavily on trust, both between the parties but also between the leaders and the community. Thirdly, the alliance between the police and community leaders is one of establishing legitimacy in resolving the dispute as well as a recognition that these conflicts relay on underlying issues that cannot be resolved by solving a case in a formal police enquiry or a court. Finally, what it also illustrates is some form of shared vision of why policing is important. What our fieldwork shows clearly is that shared vision comes partly from the legitimacy of the state as embodied in the constitution, and strongly identifying reduced crime with 'development', but also from the shared belief that reducing crime is a public good.

This raises interesting issues around the process itself and whether this is actually community policing, or an attempt by the state to use community systems as a multiplier to reduce crime. Certainly it is clear that community policing in Ethiopia more generally cannot be divorced from the political-economic context within which it takes place (Denney and Kassaye, 2013). There is clearly an element of that in the approach of the Ethiopian state, although that would be reducing the initiative in too reductionist a way. What does not seem to be emerging is a separate and completely new hybrid system, rather the development of a partnership approach whereby the role of the police is enhanced at community level through increased collaboration and intelligence and also the use of customary methods to deal with low level crime. The end result supports Baker's (2013)

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[24] Interview with Police Commissioner, Dire Dawa, 15/3/2017.
[25] Interview with Police Sergeant, Village Six, Dire Dawa, 16/3/2017

proposal that the community policing model is really about incorporation in to the state itself rather than the creation of a new system. The pattern of police engagement is also enlightening in this respect and implies that people don't follow the constitution because they know no better and therefore need to be educated. It also implies that if local authorities do not obey the law, then they will be educated: the law wins.

Conclusion

This paper has argued that community policing in Dire Dawa is certainly a success in terms of perceptions of criminality. Its origins in a top down approach have produced side effects that mean the system is not really a fully separate and new hybrid, but more of an extension of police power through operating alongside existing customary systems managed by traditional authorities. At the same time, the system has also managed to expand police power and influence through cooperation rather than through force, which in the context of Ethiopia is something of a novelty in itself. We partly agree with Baker (2013) who argues that the Ethiopian case is not simply a community policing model, but a more comprehensive system where there is not only an attempt to manage non-state systems, but a recognition and transfer of jurisdiction to them. In Dire Dawa, the police refer cases through the local court systems and police practice has altered as a result. Much of this is done through cooperation. However, it is arguable that the Dire Dawa model is not necessarily a hybrid system but has some similarities with other donor-led police reforms where community policing is about gathering intelligence to support the police, or the development of complex systems designed to extend central control as seen in Kenya (Ruteere and Pommerole, 2003) and in Rwanda (Purdekova, 2011). The Ethiopian approach can be said to be distinct in terms of accepting some principles of local justice, the approach to partnership, and that the community police are from and live within the communities themselves – it is an embedded approach (Baker, 2013).

The research also implies that the system relies on a complex web of leadership and agents who are constantly negotiating, developing and resisting. This requires mediation between the formal state policing backed by the developmental ideology of the government, and the local communities that have been locked in a localised struggle for authority over decades. Community policing in this sense is a means of reducing friction between these two distinct spheres of juridical activity, using the community police themselves as a bridge between the two spheres. Moreover, the use of the constitution as an over-arching framework is used by the police to assert the authority of the state over local justice systems where those systems are said to have encroached on to the legal ground occupied by formal institutions. This is primarily about serious cases of murder, rape or equivalent where the state will assert authority over local institutions even when those institutions feel that they should deal with those cases. Our research implies that there has been some conflict with regard to some of these cases with some local officials feeling that they should be responsible for all justice, but where the state has then stepped in.

One of the biggest areas of change has been in gender based crime, where the evidence shows a clear increase in reporting of crime to formal authorities. Respondents indicate that sexual and gender based crime was previously hidden, which would support the findings of earlier surveys that suspected under-reporting within a generally conservative attitude to women where beating was

commonly accepted (Burton et al, 2011).[26] The same survey also reported that more than half of the women surveyed felt that there was no-one they could talk to about domestic violence. The development of a highly publicised gender related legal framework, and training within the police appears to have emboldened women in terms of going to the authorities to report violence against them. Evidence from local women's groups as well as individual interviewees suggests that the community police are able to mediate and approach this issue far more than before and, at the same time, given that the local authorities rarely intervened in a case of domestic violence – reflecting the attitude that the male knows best within the household – this seems to be an area where local authority is happy to accept the community police as legitimate under the umbrella of the constitution.

The centrally led community policing programme is at least partly an exercise in recognising the benefits of working together rather than attempting a wholesale replacement of a local legal system perceived as legitimate by local people. The interviews show that even though reported crimes have increased, the increase itself is a result of fewer crimes and increased reporting partly due to improved relations between the formal and informal agents. However, whilst there is a recognition of the benefit on behalf of the police, there is also a hierarchy involved here. A very common theme within police interviews at the local level is 'they do not understand therefore we had to educate them', reflecting a modernising philosophy deriving from the overarching developmental approach of the Ethiopian state. The extensive use of the constitution as a framework has not only been successful but also indicates a process whereby local legal systems may in fact be incorporated in to formal, state approaches rather than forming a new, hybrid system of policing: there is a clear sense of direction towards state law here. Ethiopian community policing at least partly reflects the desire for the state to spread, but also recognition of the limitations of the state. This system of working together has had clear benefits for the population in terms of crime, or at least the perception of crime.

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[26] This report also contains significant baseline data from the *Ethiopia Gender Survey* that compared under-reporting of gender violence, and to a lesser extent early marriage, with a comprehensive attitudinal survey.

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