



INNOVATIONS FOR SUCCESSFUL SOCIETIES

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GORDON PEAKE: I'd like to begin just by asking you to reflect upon your career working on the police, working with the police. I wonder if you can begin by telling me how you began working with the police and some of the jobs that you've been involved with subsequently.

ERIC SCHEYE: *I got assigned to a peacekeeping operation, UNMIB (United Nations Mission in Bosnia) in '97 and pretty quickly decided that the most interesting part, in fact, the only part of the mission, of the Bosnia peace accords that were UN specific were on policing. So I ended up being a civil affairs officer, sort of specializing on policing, police development throughout Bosnia. Then after three years there, I got the job in what was then called the Civilian Peace Unit in DPKO.*

PEAKE: Department of Peacekeeping Operations?

SCHEYE: *Department of Peacekeeping and was a, or the, I don't remember which, policy planning strategic person for almost two years. That was the two years of the Brahimi Report, it was the two years where the police unit became the police division, got separated off from the military. Then after two years I moved over to UNDP, United Nations Development Program, and was asked to create their justice and security sector reform group in the Bureau of Crisis Prevention and Recovery which was supposedly dealing with countries in crisis although that was a totally undefined notion.*

I spent almost two years there and then left and have been on my own ever since working beginning in Latin America and then Yemen, Central America, most recently in Southern Sudan, Kyrgyzstan, here, there and everywhere.

PEAKE: Thank you. I wonder if you can talk me through a little bit about some of the actual projects or reform programs that you have been involved with vis-à-vis the police, beginning in Bosnia and moving on through these different iterations of your career.

SCHEYE: *In Bosnia the job was to reform the police and further the Dayton Accords. So it was about putting the police together, putting the ethnic groups together and/or eliminating pernicious politics from the police. All the bad guys who had done various things during the war and things of that nature. So I was involved in, let's say on the Croat side I think it was Canton 10 in Livno, in trying to negotiate bringing the Bosniaks into the police with HDZ (Croatian Democratic Union of Bosnia and Herzegovina) political leadership. That was one of the things. Negotiations went absolutely nowhere. There wasn't the right political momentum or leverage used on the Croats. It wasn't attempted. Whether it could have been used was another thing. Then in Banja Luka which at the time was the capital of the Serbs, Republika Srpska, it was all about trying to figure out what their structure was.*

For example, after four or five years, there was still not a single person in the UN or publicly in the international community, who actually had their hands on the budget of the police of Republika Srpska. I remember finding the person who allegedly wrote the budget and the budget was a two-line number created essentially out of the blue from the last year's expenditures. It was also trying to break down all the various types of policing units that existed. They had railroad guards, to forestry guards, etc., etc., and just list them. Know who had policing powers and then disentangle the politics from that. There was an awful, awful lot of politics because of the division of Republika Srpska and use of the police for political purposes, often criminal purposes.

Then in Brčko, where I spent about a year, year and a half, almost a year and a half, something like that, it was actually trying to put the police together and make up the first and only at that time multi-ethnic police in Bosnia. That was actually in many ways running the management of the police, quite literally, from the international side or persuading the three parties, Croats, Bosniaks and Serbs how to run their police in a, I wouldn't say an efficient manner, but in a less than prejudicial manner. We ended up creating the first multi-ethnic police service in Bosnia where all three groups worked together in some size, shape or form and the leadership of all three ethnic groups worked together. So that was Bosnia.

In New York it was trying just to put some organization to the unit and to the division in the bureaucratic empire of the UN, first to separate it and then to give it some structure and then to try going out to—I think I went to East Timor two or three times. I think I went to Kosovo once or twice at this time. I keep on, DPKO, UNDP, what I did where, it gets slightly confusing, to try to put some structure and systems on the relationship between headquarters and the field mission. I remember going to Timor and trying to get them to think through how to budget because that was an administrative—. They still had executive authority. To try to put some budgetary numbers on the development of the Timorese police, which there were none.

So you had ideas of creating a Coast Guard in the police without any rhyme or reason or logic other than it was someone's good idea because he had done that in Spain as the police Coast Guard unit. So he thought oh, it's a good idea, let's have one here. A lot of the work was that, just trying to put rationale between what was going on.

UNDP it was setting up programs in dozens, half dozen, dozen, different UNDP offices. Whether it was Honduras or Guatemala or Brazil or Kosovo or Albania as well as consulting other country offices in the regional bureaus on how to go forward all over the place.

PEAKE: Since you left UNDP you said you've been working as an independent consultant?

SCHEYE: Yes.

PEAKE: Can you talk us through some of the projects you've been working on there?

SCHEYE: *For, one of my first projects was for UNDP in Belize because they wanted to put a project together on police reform and police development in Belize. So I went down for two weeks to look at the police, to talk to everybody and to try to ascertain "what were their needs" and to correlate the perceived needs, the real perceived needs, the professed needs of the police and the wishes of UNDP. Those are often three different elements that need to be correlated.*

I spent on and off almost two years in various parts of Brazil. Whether it was for the National Secretariat of Public Security in Brasilia or the state government in Belo Horizonte (the capital of Minas Gerais) which is the state of, can't remember the name of the state but Belo Horizonte is the name of the capital. Or, in Natal or Coyaba, various other states and their capitals throughout. Worked in Argentina both for the Minister of Justice because he wanted to put something together, but as is often the case by the time you put something together he got fired, because most Ministers of Justice/Interior in Latin America, I think their

average life span is about nine months. The smartest people I've ever met were in the Argentine Ministry of Justice

I asked them once, why don't you have a strategy. This guy just looked at me as if I were one of the stupidest people in the world and he say, "Why in God's name would we have a strategy? The Minister is here for nine months. It takes us two months to figure out where our offices are. If we develop a strategy that takes five, to six to seven months to put it together, then we have one month left to implement it. It's a lot better, given what we know, how things will work, given the politics, just to start throwing things against the wall, see what sticks and let our successors follow it up. It puts the lie to a country where you have excessive political turmoil in developing strategic plans, given that one Party will succeed another, one political faction in the same Party will succeed another and, as is human nature, one minister will always say that the minister before him or her was a complete and unmitigated fool and disaster. Therefore everything that happened has to be redone. It was a brilliant statement of political reality.

I also worked in a couple of different states in Argentina, Mendoza and God-forbid I can't remember, it's up north and west, tiny little state, deeply corrupt where the governor and the vice governor had a political warfare and therefore the project got canceled but it was the only project I've ever been, until Yemen, where actually the minister promised, and I've never seen this in another project, that if anyone were trained, he would not move them and transfer them to another job for two years and he was willing to put that in writing. It was also the state where we were going to an international, multilateral bank. The bank would offer a few million dollars and we were only asking for 600, or 700,000 because the absorption capacity and the needs were smaller. The bank, if the project had continued, and the money probably was available, the bank would have given three or four times as much money as was required. There was no way to limiting the money to purely what was needed. Just, so you know, you'd end up building football stadiums and fueling massive corruption. Made no sense, but that's the way the international system works, I suppose.

So those were two states in Argentina. Mendoza had done some brilliant work on creating demand from below within the police departments itself for development by looking at social services and housing and education and welfare, pensions, healthcare for the police which is just a brilliant way of trying to stimulate development and reform and cut corruption in various ways.

I've done projects for USAID (United States Agency for International Development) in Guatemala. I've worked now for 2-1/2 years for the British doing an integrated justice program in Yemen. I did a joint DFID (Department for International Development)-USAID project in Southern Sudan looking at non-state justice and policing. I helped write the OECD (Organization for Economic Co-operation and Development) guidelines on SSR (Security Sector Reform), etc.

PEAKE: You mentioned Yemen a couple of times in your discussion. You used the phrase integrated justice program. I wonder if you can talk a little bit about what an integrated justice program is and how that, does that relate to the police, where do the police figure in?

SCHEYE: *It's just nomenclature, it's just jargon. In Arabic or in Arabic countries, security has the implication always, or often, of intelligence services, secret police. So instead of saying security, we had to call a justice and security program an integrated justice program. It is a justice and policing program which is intended*

to work with the Ministry of Justice, judges, supreme judicial counsel, prosecutors and police.

PEAKE: What are the goals of this program?

SCHEYE: *Good question, since we're writing them right now. I think there are three. There was an inception phase, but we're now on the long term, five-, six-, seven-year program that we're just designing. The first one I think is effectiveness of services, service delivery. The second one is trying to improve internal accountability. Third is strengthening the use of information. This is across, so it would not be just in one institution, this would not just be in the police. The fourth is to improve local services in specific locations. So if the first three are institution building, the last one is actual providing of services. So those are the four major goals.*

PEAKE: I wonder if I could ask you a couple of questions about context and knowing about background. You're modest enough to admit that you couldn't remember the exact name of one of the states you were working in in Argentina. From your description of your activities over the last ten years you've been to a lot of countries and have gone in and had to work with a very dynamic and sort of complicated institution, the police. How much would you say, looking back, how much contextual knowledge did you have of the countries that you were working in in terms of political context, linguistic knowledge, etc. and how much has that helped or hindered you in your efforts?

SCHEYE: *When I worked for UNDP, how much knowledge did I have before I went to Albania? None. I knew six words about the history, maybe 60, but that was about it. Did I know significantly anything about Albanian history other than post-World War II rule—one-man, authoritarian, totalitarian, whatever you want to call it, Communist rule? No. Do I know anything about Albanian culture? Can I say more than seven words in Albanian? No. Kyrgyzstan, I did a project there just recently and I was given zero information on the police, virtually zero. If I were to say reliable information, absolutely none prior to my arrival.*

I can say that I was teaching, quote-unquote, the trainers course on police management. During the week of teaching I learned everything I now know about the Kyrgyzstan police and I can say quite simply that I still do not know if they have a separate criminal investigation department inside the police, or if the prosecutors are the ones responsible for criminal investigation.

In Yemen it was a different story. It was a much more coherent and cogent and thought-through program. So I can say I know a minimal amount about Yemen, but significantly more than let's say I knew about Guatemala, Albania, the history of Mendoza, one of the states in Argentina. Policing in Belo Horizonte or Belize, no, I almost never got a systematic briefing or materials from the people I was supposed to support about the context. Does it matter? Yes. In some ways.

The way the programs have been designed in the past where you're given two weeks and then you have to come up with a three-year, five-million dollar program, context is just irrelevant because you're designing a program out of thin air and the likelihood of it succeeding will be slim to none if it is programmed in that way. My favorite example on that one is Honduras. We had a Honduran researcher who was helping in UNDP. We came up with the idea of doing a program on, or helping on a program on private security guards and how the government and the Ministry of Interior can regulate private security companies. We did know a bit about the context about the use of guns, the number of guns,

the fact that the military is the only people who can sell, legitimately stockpile and sell guns, though the police may confiscate them and so forth.

The head of the police, the head of the Ministry of Interior, the chief of staff or the President, they all signed off on one element of the program on helping support the licensing regulation of private security companies, which turned out to be an enormous flop because, as I was told, and whether this is true or merely hypocritical, the police basically told the Minister of Interior or the head of the police that if he continued with this program on regulating private security companies that they would kill him because it was directly targeting, incidentally, their income because when they confiscate guns they sell them. That's where context would have been quite useful, to know these kinds of things ahead of time. Did the researcher, the Honduran researcher, supposedly a renowned, well-connected person know this stuff? If she did, she didn't tell anybody. If she did, maybe we didn't hear it well enough and she wasn't forceful. I have no recollection that this was ever mentioned other than, yes, we knew in passing that police sold guns. So that whole part of the program just caved.

Would knowing the context in Timor have helped what I was supposed to do in Timor? Given the narrow focus of the job of institutional development, no, because it was how to budget and set up the UN people to help the Timorese police budget. Would it have helped if I knew more in the larger sense? Yes, because then I could have questioned even more the utility of creating a large police service in a country where outside a couple of towns, there was no recognized state and most of the policing was not done by state institutions but rather by village chiefs, village elders, various councils and so forth. So if I had known more about the context, the suggestions we would have made about how police development should have gone would have been entirely different.

In Sudan again it was slightly better planned and we were given lots of information beforehand. Sufficient never. Knowledge will always be incomplete. One of the great lessons of Bosnia as well as half a dozen other places I've been, but particularly in Bosnia, if you think you know what you're talking about on the context, the likelihood is that you are so far off the truth that it is pathetic. A donor, people who work for donors, unless they have lived in the country for fifteen years, can never know enough. Knowledge will always be incomplete and you have to feel comfortable with working on incomplete knowledge of the context, that's just the way this world goes.

The folks in the country whether they are individual police officers, heads of the police, ministers, prime ministers, will always know a million times more than you and will necessarily manipulate you, inevitably, not necessarily, inevitably manipulate you because: a) they can and b) that is what they should be doing because it is—. People act according to their self interest, however grandiose or narrow one wants to define self interest. If they didn't manipulate the flow of moneys and aid, they would be doing themselves and their country a disservice. The question is how are they manipulating you. It's not malevolent, it's not duplicitous, it just is. The question is how they're manipulating you, when they're manipulating you, and why. If you can just get a sliver of understanding of that you're doing incredibly well. Probably that's the best you can get, is a sliver.

After three years in Bosnia, I could understand a sliver of what was going on and why. Did I have good contacts? That's for others to tell. In Yemen, you can see how you're doing and how much you know of the context by how people react. Do you know the cause, the motivations, the dynamics? Absolutely no. Can you understand some big macro pictures? Yes. Will you necessarily be correct in the

assumptions you make? That's a question of how astute one is. But I would generally work under the assumption that what you know, what you think you know, is unlikely to be true. So one has to be very, very, careful.

There's a story of a shrink I used to know when I did clinical psychology. He had a Puerto Rican woman he was providing counseling to. She was a patient for three or four or five years at this point, so he knew her extremely well. Then he tried to generalize from her to Puerto Ricans, big mistake. She just smacked him down right in the session. He was my teacher, so he told us. Always avoid that. Go for the particular of what you see, what you hear, and try not to generalize. Be modest, be humble. That is the same thing about context. You can only know the context, I believe, that is right in front of you and hopefully you can expand it slightly. Unless you've been there ten, fifteen years, you're a variant form of Helen Keller: blind, deaf and dumb.

PEAKE: Thank you. You mentioned in your opening remarks that you've worked a lot in the field, in actual practical context, working on police reform but at the same time you also have a degree of experience working in New York, in headquarters for DPK, the Department of Peacekeeping and then UNDP's Bureau for Crisis Prevention and Recovery. I wonder if you can talk about any reflections that you may have about the relationships between headquarters and the field in police reform? Those in headquarters who are working on guidelines and policies.

SCHEYE: *There's no, virtually no relationship between headquarters and the field. I was told by one police commissioner that he, himself, and he instructed his staff, that under no circumstances were they allowed to tell the field what to do. I have almost never seen in DPK while I was there, and I've recently done a study on Kosovo, any cross-fertilization or any taking of a lesson from Timor to Kosovo, Kosovo to Timor unless it happens that an individual who worked in Kosovo ends up transferred to Timor or Haiti or Burundi or that one has developed coincidentally a friendship between and therefore in round-about ways knowledge gets passed.*

In Kosovo, given that I just did this study there for the UN, not a single person that I talked to, and I interviewed 85 people, in headquarters and in Kosovo, not one ever referred to a single model, example, program, lesson learned from any other peacekeeping operation, never, ever mentioned. When you ask the police division, did they talk to people in Kosovo? Yes. It was 98% on administrative details. Are there enough cars? Did the cop from Japan show up? Did the cop from Portugal actually speak Serbo-Croatian or Serbian, or whatever language it happens to be?

There's a famous story, I think it was of a European country who said that their police spoke French, the interview was conducted by headquarters personnel. The person in the interview did speak French. When the person arrived in the country, they couldn't speak a word of French. This is the massive lack of communication between headquarters and peacekeeping, DPKO headquarters and their missions at least when I was there. Again, that ended in 2002. Having done this study in Kosovo about what has happened up to 2006, the last five years of Kosovo, I would say my experience of 2002 is fairly well replicated, at least in Kosovo. In fact, the desk officer of DPKO, in charge of Kosovo said, "We don't tell the police in Kosovo, the UN police in Kosovo, anything, because they should know what they're talking about. So you had the political desk not telling them, you had the civilian police division absolutely not giving any advice, not forwarding lessons learned, nothing.

UNDP, again, I left there four years ago, give or take, at this point, three years ago, whatever. Any lessons learned were in my head. I do not believe BCPR (Bureau for Conflict Prevention and Resolution) has really done much in lessons learning. Again the Kosovo UNDP office has said straight out that they got no assistance from BCPR in lessons learned, so their entire police program, police support program, SSR program was done based on the people they knew but no support from headquarters. Is that generalizable? I can't say, I can only say what people in UNDP headquarters said: "No, we don't give advice to Kosovo;" Kosovo UNDP said, "No, we have never had a substantive conversation."

I can tell you that I have worked, seen other UNDP offices most recently as I've walked around, and they clearly get no advice from headquarters. There is the UNDP office in Yemen who has a justice program, not a police program but a justice program run out of Beirut, which is a regional office for UNDP and the office in Yemen has no idea about the regional program run from Beirut in Yemen, none whatsoever. Again, I can't speak for whether that is generalizable, I can just tell you what I have seen and heard myself.

PEAKE: Thank you. I'd like to take up some of the points that you made in your opening remarks when you talked about some of the functional areas that you've worked on or been involved in. The first one I'd like to talk about is recruitment. You mentioned in your opening remarks that you'd worked in Brčko in recruiting, developing the first multi-ethnic police element in Bosnia-Herzegovina, not a multi-ethnic police element in the entire country but for just one city. I wonder if you could talk through some of the recruitment and vetting issues that you would have been involved in in developing that multi-ethnic element.

SCHEYE: *It comes in two things, and remind me if I forget the two. The first was a purely political issue of getting percentages of ethnic groups agreed upon by the varying groups. The second goes into a management issue. It was recognizing that we were dealing with entirely corrupt and crooked leadership. The question was, how to bit-by-bit weed them out while keeping political stability in this autonomous—and Brčko was an odd thing in Bosnia. You had the Federation and you had Republika Srpska, Brčko was independent from both, a completely independent entity within the two entities that made up Bosnia which is the reason why it succeeded. It was under international supervision.*

The political game in recruitment, and it's not recruitment of individuals but there is a story there, too, and if you remind me after I finish the first part—it was saying you've got three ethnic groups. You have to divide the leadership of the police between the three, so who gets to be Chief of Police, who gets to be chief of uniform, who gets to be chief of criminal, who gets to be chief of communications. So all the chiefs across. Who gets to be head of internal affairs; you had to divide them out.

You had to divide the percentage of then the people inside. I have no recollection of how many people in the police. If there are 500 people in the police, 20% Croat, 35% Bosniak and then therefore 45% Serb and you had to play that political game. It was an entirely political enterprise as was, in Kosovo what percent of the police come from the UÇK or—

PEAKE: The Kosovo Liberation Army.

SCHEYE: *Yes, or in Timor, what percent came from the FRETILN (Frente Revolucionaria de Timor-Leste Independente) and the army and so forth and so on. These were inherently political questions. Vetting, recruitment, always, in a post conflict world*

when you're amalgamating, merging, trying to bring together warring parties will always have this political element and you can't get away from it. The question tends to be, how do you get less sullied individuals and more, and cleaner individuals.

In Bosnia I remember that a particularly high level political person came to me who, at that moment was in favor, was favored by the UN and the international community, a Serb. He came to me and said, "I need a favor from you, and you can do it." This was when I was in Banja Luka. I said, "What's the favor?" He said, "Some guy has just been thrown out of the police; what can you do for me?"

Now, here I am, I am making a deal with a person who the UN favors at the moment, to get people into the police who had been chucked for some reason, the reason being political. Were they more evil people? Were they more sullied by the war than the person who had chucked them and who was replacing them, probably not. They were equally bad or equally good. But you had to make a political deal. And then what are you going to ask in return for that political deal. That is the post conflict game. If you can't cut deals with bad people, because most of the people who are in power are bad people, have done bad things, you shouldn't be in this game. That's a personal opinion because you have to accept that it is all compromise and it is all about keeping people at the table who have irreconcilable views and who are furthering whatever interests they have in the infamous nexus between politics, business and criminal enterprises. What are you going to ask them for those deals? Most of the time in Bosnia it was always cattle trading, horse trading, whatever the right phrase is. And, as it pertained to recruitment.

The concept, the idea, that you're going to get a clean service after a post conflict and that all the cops you're going to get or all the judges you're going to get are clean is just naïve and idealistic. The issue is, how, over time, can you cleanse it. Can you get the worst out in the first year and a half. Can you get the really bad out in the next five years. And if in twenty years you've got a service that has some respect for human rights and so forth and so on, however defined, then you've done an Einsteinian brilliant job. So it's a time-scale question. And there are thousands of little stories one can tell about all of that.

PEAKE: Are there a couple that you think would illustrate this point further. You mentioned the Bosnia example. From your work elsewhere, have there been other examples you've seen in which the intrusion of politics, to sort of paraphrase what you've said, has been this prime determinant in a recruitment strategy?

SCHEYE: *I would never say prime but it is always significant. The percentages, is it 30% or is it 90%, that's the question, in a post conflict world which is UN peacekeeping and so forth. In a developing world, it should be significantly less because their police are more institutionalized and you can hopefully, slowly build up the powers of an internal affairs department. It is, I believe, personally, a fundamental mistake to begin with outside accountability, outside accountability mechanisms in order to clean a police because of that thin blue line and the code among cops. If it doesn't start internally in an internal affairs department it will never, in my opinion, ever succeed and I think that's the history of the Western world. So why should that be different. That actually goes back to the context question.*

A lot of what we do is technical in a political environment. If one listens very, very carefully and has a grasp of the technical issues and the dynamics of police

development, one can offer suggestions to the people who are supposed to be doing the development because internationals should never be doing the development anyway, the whole concept of local ownership and blah, blah, blah. Our job is support, mentor, guide, advise. By listening very, very carefully and using one's knowledge of the dynamics of police development one can offer a reasonably good sounding board for the people who have to implement the development which would be the Ministers, the heads of police, the heads of departments, the mayors if one is trying to do community policing, the department heads of labor and education and things of that nature. So there's always that tension of context and technical knowledge.

Then if one is a political beast, by listening carefully one can hear a bit about what is really going on. Will one know? No. But one can hear it. That's also the answer on your recruitment about the over weaning power of politics in police development, at least in my personal opinion and I would hazard to guess it is the way it is all over the world. Just look at New York City police development, that was a political game with some extraordinarily bright people doing the technical work. But politics writ large.

The other one, to actually wean out bad people, especially if you're trying to wean out the Chief of Police who is a bad person, corrupt. In Bosnia, in Brčko there was an internal affairs commission on which the international community sat which was IPTF, the International Police Task Force and civil affairs and UNMIB, the police mission. So I was sitting on it with the head of IPTF in Brčko and the way the voting worked was that no vote could succeed if we, the internationals voted against it. If we said nothing, the three ethnic groups had to agree.

It turned out that the Croats did a beautiful, beautiful job in catching the head of uniform police in Brčko running a car-theft ring. They knew it, they got him, and they got him with exploding money so he had the dye on his hands. It was gorgeous. Did we know ahead of time that this guy was involved in criminal activity? Yes. Did we know what in criminal activity? No. Could we catch him? No. Were we lucky that the Croats caught him? Yes. But, once he was caught, we easily saw how the Serbs tried to protect him even though he had the dye on his hands that night and later, partially the next morning. And the way that the Head of Police who ran that disciplinary commission, on which we sat, tried to protect him.

So we could therefore, in one fell swoop, we nailed both of them because the Head of Police lied in a hearing about the Chief of Police, about the time he heard. So in one fell swoop, we get rid of the top two Serbs. It also turned out, not in this incident, but over the course of time, we caught the Head of Communications because he was actually communicating in ways that were inappropriate for Brčko given its unique status, and was communicating and not allowing Bosniaks and Croats into the office, so we could get rid of him. We did this all through the institutional mechanism. Brčko was an extraordinarily unique experience because of that.

We also were very, very successful outside Brčko in basically decimating a Croat police service because we caught them all, not all but a significant percentage of them, being involved in prostitution and trafficking of women.

PEAKE: What year was all of this taking place? This was '95, '96, '97?

SCHEYE: *No, this would have been '98-'99. The outlying Croat police, we got rid of, I can't remember how many but a significant number of people because we got them and we made their, the cantonal, federation (Federation of Bosnia and Herzegovina), cantonal police actually follow procedures. That's the best way to do it, to force, persuade, convince, mentor, depending on your degree of leverage, Brčko was force, because legally we had the mandate. In the canton (Federation of Bosnia and Herzegovina) we had to do it other ways to use their own legally mandated mechanisms. They had the mechanism, they just never followed them. By sitting with them, and in some cases on them, you could make them—and then you could clean a police force. So this wasn't recruitment per se, but it was having gotten a particular police force, we could help weed it out.*

I also remember down in Mostar I was involved in an audit of the police and things of that nature. That was generally less successful because we were the outsiders. It was always so much better when you could work inside the police and you had some rapport and you could persuade them to use their mechanisms when you've got the information that was useful. Therefore the person couldn't complain that the internationals were doing it. No, no, no, their own systems were doing it. That was the beauty of it.

I remember, one could say in Timor, and this will go back to non-state. There was a police area that had no reported crime. Highly unlikely situation. So I went out there and I chatted with the guy and he took me to a little village meeting and explained what they did. Essentially what they did when they caught somebody stealing a water buffalo or a minor vandalism or something like that, they took him to the village elder. Now, was he doing his police job. According to the rules and regulations absolutely not. Was he doing his policing job, the difference between police and policing? Yes. Because there was safety, there was security in that area. Should that person have been vetted out because he broke every single police institution rule? No. That's where context becomes—and politics. I don't necessarily distinguish those, become crucial. So again, different situations, different things are required.

Otherwise I've never been personally involved in recruiting new cops into a police service so I don't know. I mean I've read and talked and blah, blah with lots of people about how these are done, but since I've never personally participated in one, I'm sure there are better people about it.

PEAKE: Thank you. Before we move on to talking about the next topic which will be training, I'd like to get some brief reflection from you about how you evaluated the success of these programs. In the course of the conversation that we've been having, you've characterized some as a success, a relative success you mentioned in the case of Brčko and then you seemed to evaluate Mostar as being somewhat lesser of a success. So what evaluation mechanisms did you use? Were these inherently subjective mechanisms or was there any external material that you would have read or internal material germane to the organization that you were working for that you used to evaluate the success of your recruitment and integration and amalgamation programs?

SCHEYE: *Evaluation. I spent 2-1/2 years now, roughly, in Yemen. If one would ask has the crime rate gone down given the development program, inception phase only, no. Are the police better trained, more effective? No. Has the inception phase been a success? Absolutely yes. Why? Given the fact that there are no concrete measurable, performance service delivery indicators that would say it's a success, even in the inception phase, why is it a success? Simply because now*

the Yemen Minister of Interior and the Head of Police have a modicum of trust and confidence in the advice and support that DFID is giving them.

From the first meeting when we were, second meeting, when they closed the door in our faces and said, "Go away, we have not asked for any support," to now, when we can have lengthy conversations about police development and some ideas they accept, some ideas they say, "not now" and some ideas they say "not at all." That trust, confidence, is a clear indication that the 2-1/2 years have been extraordinarily successful. Perhaps happenstance, but the evaluation therefore of police development, DFID's program inception phase in Yemen, extraordinarily successful.

We had a number of "indicators" ahead of time that we said—or objectives that the inception phase was supposed to meet to say were we successful or not. Increase of trust and confidence was one. Ability to determine the commitment of the Yemeni Ministry of Interior to continue development. Is that quantifiable in a statistically reliable, valid and measurable way? No. Is it possible to see their commitment? Absolutely yes. This bizarre concept of political will, as I always say, no one has ever met Mr. Will and I doubt anyone will ever meet Mr. Will, but you can actually, over a two-year period see measurable instances of actions taken to see commitment.

Commitment can be an increase in budget. Commitment can be changes in procedures done. There are all sorts of ways of seeing actual commitment. Here the commitment is evident. They have formed a Community Policing Committee. They have instituted a survey of performance from their internal affairs department, no malfeasance but of service delivery.

PEAKE: This is in Yemen?

SCHEYE: *This is in Yemen. Has that anything to do with us? Maybe in the conversations we had over 2-1/2 years they've listened and took what we said and did it on their own. Maybe it's pure happenstance that they decided to do it. Doesn't matter particularly, cause and effect, you're really not going to be able to nail down each and every time, but yes. Therefore on that second measure, commitment, it is demonstrated that the police have done things.*

I can go through other variables of the inception phase if I remembered them, but I can't. Other cases Brčko, yes. How did we know we were successful in Brčko? I always say we knew we were successful because during a riot, minor riot, stone-throwing incident a Serb cop pushed aside his Bosniak colleague, stepped in front of him and took the rock. Wow. Never happened before. Were we successful? We promoted a guy to Chief of Uniform Police, Serb, who said, after we got rid of all the bad, the really bad people, who said, "I know there are two cops who are stealing cars," different car theft ring, "no one is going home until we catch them" period. "The entire police service will be on 24-hour duty until we catch them." I think it was 16, 18 hours, the two guys were brought in. Was that success? Serb senior officer going after a Serb criminal ring? Yes. Success.

Crime rate go down? They were not measuring crime rates so we didn't know. Efficiency of budgets? They weren't in control yet of their budgets and we couldn't yet institute a budgeting process. Can't tell. Weeding out bad people through the commission? A success. So there are all sorts of different ways. If you've got five, four years, three years, and you're working in Bogotá and you can measure crime rate going down, great. If you're measuring over a four-five year period and you can do customer service and confidence in the police goes

up, great. If you can measure over periods of time not necessarily the increase in complaints, but the way the police resolve complaints of abuse, malfeasance and so forth, yes. But these require length time periods, number of years, and the institutions existing and the ability to process information.

In a post conflict world, Southern Sudan, none of that exists. So your indicators can't be a statistical gain.

PEAKE: This was a place that you visited this year, 2007?

SCHEYE: *Yes, Southern Sudan. So again, in Timor when I was there, there were no statistical measurements. There was no information coming in. There was no collation, analysis, use. So any of the customary ways one would measure success, you couldn't. So you had to look at it in entirely different ways such as commitment in different forms and so forth. One can always measure, it's just being a little bit clever about it and careful. It's listening, always listening and being politically astute, which is hard. It's not a job for cops necessarily because cops are cops. They're technically bright, they do their jobs well, but for this political game which is the post conflict game, they may not be the ones who know how to measure and evaluate success. It has to be done, but it can be done by varying different ways.*

PEAKE: Thank you. I'd like to move on to talk a little bit about training programs. You mentioned in your opening remarks some of the places in which you've been involved in training programs. You mentioned Yemen, you mentioned Kyrgyzstan. I wonder if you could talk me through in very practical, very concrete, very detailed terms some of the training programs that you have been involved in. How many people would have been trained in the programs that you ran? What kind of people were you training, how did you go about deciding levels, etc.?

SCHEYE: *It goes back to your question of evaluation. It's never about training, it's about learning, and therefore about changing behaviors. You can train a thousand people in human rights but if they haven't learned anything—. Somebody in the UN in Southern Sudan wrote a human rights program upon which people would be trained in English when the illiteracy rate of the Southern Sudan police is above 70% in Arabic, let alone what the illiteracy rate in English would be. So it's not about training, it's about learning.*

Training programs in Belize are one of my favorites in the sense that if you ask people—you could train the Belize police in whatever you wanted, but they were unable to take criminal statements, criminal reports, incident statements, witness statements, because they were functionally illiterate mostly. So it didn't matter what you trained them on, you had to train them how to read and write in their own language which happened to be English.

Guatemala there were X thousand, I won't get the number, it's in a paper somewhere, X thousand of cops trained in criminal investigation. I think after two or three or four years, the number left in the police was in the single digits. Why? Because they went to different jobs. Why? Because they left the police. So it's never about training. It is about imbedding training in a management program which is why this one minister in Argentina was so brilliant when he said, "Anyone trained will stay in their job for two years." That then can be a training program. I did this training, trained the trainers in Kyrgyzstan which was for the police management. So I trained 15 people, half of them were from the various academies who may be smart, may be good, but didn't know anything about

policing. Therefore if they quote-unquote tried to train the police in police management, the police wouldn't listen. The other half were real cops, none of whom were trainers, none of them who worked in the academy, all who had been called three minutes before by the Minister to attend the meeting who didn't give a damn. Was the training program a disaster? Yes. Should it have been cancelled? Yes. Did I tell the organization that ran this training program that they should have canceled it, they wasted their money, they should never had me come there? Yes. Did they want me to come there? Yes, but they had to check a box with their headquarters to run a training program that was a complete, unmitigated waste of money.

In that group of 15 did two or three perhaps learn something? Yes. Could they use it later in the next 20 years of their career? Yes. Was that worth the money? No. There was a lot of work in Guatemala done on civilian, community policing. It was a large effort on getting civil society groups and the police to get together on community policing, and it was training. What year? I went down in 2001, so the training must have been from after the war until 2001. The civil society group said community policing people do not arrest. I have no idea who trained the civil society groups. To say police don't arrest, even if they're community policing officers is a travesty, a complete and absolute travesty. It's not just a question of training having to be imbedded, but it's about the people doing the training knowing what they're talking about. This is well-intentioned, enthusiastic—my guess is civil society/human rights people who had not a clue about technical policing issues, who passed on absolutely detrimental advice to civil society groups. The police refused to talk to them because they said, we're cops, we have to arrest. This was another case about measurement in the sense going backwards it occurs to me.

The Guatemalan police measured success by how many people they arrested. So what they were doing was arresting drunks. Therefore their arrest records were great, so they could promote themselves, so everybody got promoted based on arresting drunks. When you said, maybe that's not the right idea and community policing programs can do other ways of measuring arrests, different kinds of arrests to measure performance, or maybe arrests isn't the right way of measuring performance. This is what those people should be trained on, not telling people oh my God community policing officers don't arrest people.

PEAKE: You characterized the training you did in Kyrgyzstan as sort of, I think the phrase was, a waste of time—.

SCHEYE: *And money.*

PEAKE: I wonder if you could talk—what strikes me from your characterizations of these other training programs is that they were in many ways standalone events. I wonder if you could talk me through any training programs that you have been involved in in which there was a follow up or follow on to the training program or were these just standalone events that were conducted for a particular purpose. What was the follow up to these?

SCHEYE: *Leaving Yemen aside, virtually everything I've ever seen or participated in as training were standalone events and therefore had very little chance of succeeding over time. One-off courses, specialized courses. There was an Albanian cop who told me he had been trained seven times by five different nations in the course of three years and he had not the slightest idea what was the correct procedure any more in his sub-field of policing. That would have been in 2002, 2003, roughly. That was continual, individual, standalone. If it is not*

imbedded in managerial reform, managerial development program, training is throwing good money after bad. However, you may want to do a training program because it buys you political capital with the minister, with the Chief of Police, with politicians. That capital, that spending of money for a training program which will not have policing effectiveness but may give you entrée to do other things, to develop a more systematic program would not be a waste of money and one has to be able to distinguish between those things.

PEAKE: I wonder if you could give me an example from your own career about when that has happened, in which you've used training almost as an entrée, I think was the word that you used, into a wider political engagement?

SCHEYE: *In Yemen there was one person who we took, fortuitously, who ended up going on a three-month training program in England. That was a one-off training program, not embedded in anything else, but, boy, did that buy us political capital (A) and (B); he came back a different person. He happens to had become or had previously an extremely pivotal and influential role in the ministry.*

PEAKE: The ministry of?

SCHEYE: *Interior. Brilliant. Fortuitous event. I have done giving of equipment as entrée in Yemen in order to buy political capital.*

PEAKE: Equipment such as?

SCHEYE: *Computers. What we have done, I'm trying to think of where. In one place in Brazil we had tried to create a police management training program while simultaneously building up a master's program in Public Administration so imbedding it in a public school, a master's program in Public Administration to which police would go so that they could then rewrite the course after we had given it once or twice. We also gave, as part of the program, or hoped to give as part of the program, a library to this institute and continual support over a year or two years to this institute. None of it worked for political reasons and ministerial changes and so forth in the city. That is the kind of follow on in my opinion that training succeeds and where it succeeds.*

You can give technical assistance, which is a form of training because it is advice to a person, or over time mentoring to people, which buys you a lot of confidence and trust because you're developing, the person stays there two months, three months, over a period of a year is there for 90-120 days. That may not necessarily improve performance but will give you a much better picture of the real needs of what is going on. In Yemen we specifically tried to have advisers, and this is on the justice side in court inspections and court administration whose job was to mentor and teach new ways of doing inspections. In order to give them concrete benefits, in order to find out more about the context, the political dynamics, the organizational behavior dynamics in the institution. Would that be effective in changing mechanisms and instruments and systems? No. Over one year probably not. Does it give you incredible buy-in to create a five-year program where you could then really imbed that mentoring/training program? Yes. In the UN I've never seen it.

PEAKE: I want to ask you a question. You've drawn together two of the things that you said. You started off beginning this by talking about the difficulty that you had in doing a train the trainers' program in Kyrgyzstan, your unfamiliarity with the country and the basic—

SCHEYE: *Ignorance.*

PEAKE: Basic elements of the institution that you were working in. Then, in a separate issue, you talked about the program that you were working on in Yemen in which you had trainers, I believe you used the phrase mentors and advisers in the judicial element of it. This is leading me up to a question about how do you establish a form of rapport, a form of good will with those that you are training? How do you—can you talk a little bit about the relationship between the trainer and those that he or she is training?

SCHEYE: *Personal dynamics. I don't think—A) start with knowledge of the subject matter. If you don't have it you're dead. Respect and listening. The rest is just personal dynamics.*

PEAKE: Just to prod you a little bit further about—a lot of places, presumably Kyrgyzstan was like this as well, your words were being rendered into another language, probably Russian in that case—.

SCHEYE: *Shouldn't have been, should have been into Kyrgyz, there wasn't a native Russian speaker in the room. But, separate issue.*

PEAKE: I wonder if you can talk a little bit about some of the difficulties or some of the challenges that may present themselves when you have done training programs whether they're being translated into a language that is not your own. So, in other words your words are being mediated and being channeled and trammed through another source in order to get to the intended recipient, some of the personal experiences you may have.

SCHEYE: *I did a two week program in Brazil where everything was translated into Portuguese. Is that good? No. Is it optimal? No. Can it work? Yes. It requires care. Assuming a certain level of competence of the translator. It's going to be difficult in many places. If you're going into Timor and you're out in the fields, getting translation, getting a competent interpreter, translator, might be very difficult. In Brazil, were they understanding what we were saying? Yes. Were there times of miscommunication? Clearly. Again, it's just did you understand that? Is there a better way I can say that? It becomes a question of a give and take, a rapport.*

PEAKE: Between you and the translator?

SCHEYE: *No, between me, the trainer and the trainees.*

PEAKE: I understand.

SCHEYE: *The translator, one of the things at least I learned in Bosnia, never look at the translator, always look at the people you're talking to, pretend the translator is not there. Because if you look at the translator everything gets mediated. If you deal directly one-on-one with the people with whom you're talking or one-on-ten or whatever it is, fifty, it becomes a personal relationship even if you're waiting for the translation, whether it's simultaneous or consecutive. It's just listening carefully, looking at their faces.*

I've heard translations where the person thought they had said—[interruption]

PEAKE: Sorry.

SCHEYE: *Where the person thought they were saying, we are here to support you, and in fact the translation came out, we are here to execute you.*

PEAKE: Where was this?

SCHEYE: *Don't worry about the country. The person on the other end just jumped out of their seat because it was a one-syllable change of the word. The translator just missed it, or it got missed. You noticed that something is just very wrong. You've got to pay attention to that, and that's why you don't look at the translator or the interpreter. You look at the person to whom you're talking.*

Could the information being passed go down to as low as 50-60%? Yes. That's why you want people hopefully who can speak the language doing the training, working the game, whether it is being as a mentor, guide, adviser, trainer, can't always get optimal.

PEAKE: I want to focus in on something that you've talked about and alluded to, a kind of framework if you will in which you talked about recruitment and training and that is this framework of management of internal management. I think it could mean many things, but core elements would mean the promotion system, disciplinary system, financial accounting, etc. So it is a term that has many meanings. But I think we're agreed on what its core constituent elements are.

SCHEYE: Yes.

PEAKE: I know from the conversation that we had before this interview commenced, that you had been involved in various internal management reform processes. You've also mentioned your work in Brazil and Argentina especially with regard to management. I wonder if I can ask you to expand a little bit on some of the work that you have done in terms of managerial reform in police institutions?

SCHEYE: *In trying to put in new systems?*

PEAKE: Put in new systems, work with, reform old systems, refurbish old systems, etc.

SCHEYE: *Other than Yemen, and Bosnia most of the time I have not spent enough time in the country to actually be putting in new systems. Except in UNDP in Kosovo, which probably is the best example here, where we consciously decided to put together this whole—I can't remember the name of it, but it was a police management program. UN DPKO peacekeeping was developing the Kosovo police and unfortunately forgot to touch, at all, the administrative managerial side, the logistics, the communications, the promotion systems, things of that nature. As the UNDP person, I said that's what UNDP will do. We got over a three to four year period 3 to 5 million dollars to do it from the Swedes, the Norwegians and so forth. We put in an entire managerial system, logistics, procurement, personnel. We attempted budgeting, it didn't work particularly well.*

Hired in the hundreds of people, civilians all. Put in systems. All with the advice of a small, core group of internationals. I think we had one logistics, one procurement, one personnel. Maybe there was an IT person in and out at various times and one Chief of Party which is the USAID term, head of program manager, head of program. It ran for at least three years and it took that length of time to put in an entire managerial system, back office. There were many issues that went along with it but it takes a concentrated, concerted team of five, six, because they're all different expertises who are living there over the time. They don't necessarily have to be there 365 days of the year but they have to be on

site for significant periods of time continuously. That worked. That probably did work. If you want to go back to success measurements you can see there systems that from one day to the next didn't exist and from one day to the next, over three years. People hired, people promoted, procedures put in place, checks and balances. Transparency not from the outside world but inside that. Accounting system, so forth and so on.

PEAKE: You mentioned, I'd like to talk a little bit more about that. You mentioned that the six, I think it was six internationals, five to six internationals, you can't remember the exact figure, but a relatively small number of them, and a large number of Kosovars that were working on the programs. I want to draw that in with something you said earlier on which is that all too often police officers are hired to carry out policing tasks and development in peacekeeping. So who were—?

SCHEYE: *Not a single cop. The head of the project, the first head of the project, after it was designed, the first head of the project was a city administrator from Florida, brilliant man. Got it up and running after it was designed. The second head of the project was, I believe, a brigadier general, US. He understood how to manage projects, that was his job. Each of the individuals were experts in what they did, procurement, logistics, communications, IT; none of them was a cop. Could they have been cops? Absolutely, if the cop had the skills of the technical subject matter, procurement, logistics, and had the skill required for development. Those are two different sets of skills.*

A brilliant cop on the streets of New York, a brilliant cop on the streets of Berlin, may not be able to transfer his or her skills to Juba in Southern Sudan or Priština because it is not their world and their job is not to do but to teach, guide, mentor and support. That's a completely different mindset. So a highly skilled cop may not have that mindset and therefore is a duck out of water. The question is not are you a good cop, the question is do you have good development skills. Cops need to be tested and hired and recruited, internationals, based on their development skills as well as their technical knowledge.

PEAKE: I wonder if I can ask you to expand upon what exactly is it that you mean by development skills?

SCHEYE: *Ability to accept you have no clue of what's going on around you. To accept that you don't know what you're doing because it's not your world. Use you're technical professional skills to build confidence without trying to control. It is in the fingertips, in the eyes. It is not—it's hard to discern, it's hard to detect but you know when the person has it. Could you develop recruitment mechanisms and methods for finding this out? Absolutely, but they'll take time. You can't say to Portugal, you can't say to Germany, you can't say to Malaysia or Brazil or the United States, send me fifty cops, all of who do community policing. That's not it because you get fifty great cops from every one of those countries, all who are technically brilliant, the least technically brilliant may be the best because he or she may actually have the development skills and know how to teach and guide in a completely foreign environment.*

PEAKE: Thank you. I'd like to go a little bit back to your example when you talked about this UNDP sponsored project in Kosovo that was based upon enhancing the internal managerial capacity of the KPS, the Kosovo Police Service. You mentioned that there was a relatively small number of internationals but this was far outweighed by the number of Kosovars who were involved in the process. I wonder if you can talk a little bit about their role—?

SCHEYE: *Their?*

PEAKE: The role of the Kosovars that were hired and the process. These were Kosovo civilians that went to work inside the Kosovo police that were given managerial tasks?

SCHEYE: Yes.

PEAKE: Can you talk a little bit about how these individuals were recruited?

SCHEYE: *I have not the slightest idea because I wasn't on the ground. I assume it was a competitive recruitment process, which probably in Kosovo means they knew somebody, but I don't know details.*

PEAKE: How would you have gone about—you may not know this and I don't want to put you in an awkward position, but how would one have gone about building up the management skills of those that were hired to work on the project but also the management skills of police officers, whether in Kosovo or elsewhere where you've worked?

SCHEYE: *The first thing I would do to build up management skills is teach the basic principles of problem solving. The way to address a problem. Now a lot of people in any country, cops in any country, will know it intuitively but they may not be able to put it in a structure. Management to me is always about problem solving one, and second it's about understanding—this is going to be a Western notion here—understanding your subordinates and being able to put yourself in their shoes and see how they look at the world from their side. That's Western and that may not be translatable to many countries because it is based on the concept of individuality, autonomy, and a peculiar Western notion of self. But concepts of problem solving are not.*

I would always start on the lowest level and start with questions and trying to get across the idea of problem solving. Because what police do is help people solve problems. So that's how I would always start a police management program. Build up to how does one solve a problem. With whom does one solve the problem, police are not experts. Police are helping neighborhoods, communities solve problems. That would be the whole way I would design a program. Then you get into the whole much more technical questions about the use of information, statistics and so forth and so on. That requires a degree of human capital, financial resources, institutional structures. Some places have them in post conflict worlds, some places don't. Then you have to make sure it's appropriate to those circumstances. I'm not sure I'm answering your question.

PEAKE: No, you are answering my question. It prompts a follow up question which is to talk a little bit about—you've mentioned some of them already, financial resources, human capital, that are obstacles to actually instantiating good management practice within a police institution.

SCHEYE: *Not obstacles. One has to calibrate it to the right level. You don't want to put in top-heavy management structures of data processing in a post conflict world where they don't have regular electricity, where most of the police are illiterate, where the police only provide 10% to 15%, 20%, 30% of the service delivery of safety and security. Everything has to be appropriate to the country. Can it be afforded and can it be financially sustained. Do they have the human capital to use what you think is common sense management but may not be common sense to them. Community policing at least in the West depends on a concept of*

individual responsibility. A young cop, walking the streets, being able to have discretion and making judgments and as flat as possible managerial system. The last one is the availability and use of information. If you have that, then you can put in a Western system of community policing.

In Argentina when you ask the sergeants how they supervised the cops on the street in Buenos Aires and they said, "Yes, we supervise them. We give them advice, we manage them." Their management—when did you go to the bathroom? Did you have either your alcoholic drink or a cup of coffee? Are you warm in winter, have you drunk enough water in summer? The cop on the street was not allowed to exercise discretion, was not allowed to exercise responsibility. Therefore a community policing program with all its managerial apparatus a la the West was utterly inappropriate because it didn't fit the value systems of Argentina—let me rephrase that, not of Argentina policing and the police institution.

The citizens of those many neighborhoods in Argentina didn't want the 23 year old to make decisions because they didn't believe the 23-year-old had the clout to make the decisions. The only person who had the clout was the Chief of Police of the district. Therefore community policing as we know it is utterly inappropriate because the community wouldn't trust the cop on the street to make the decisions, the only person who could is the chief of the district, that's what I mean by thinking appropriately in management.

PEAKE: I'm going to start the recording again and I want to return to something you said—.

SCHEYE: *Should we finish anything on Argentina about management, management training, community policing as management? I don't remember where we left off.*

PEAKE: I think we left off, actually, at a good juncture.

SCHEYE: *Good.*

PEAKE: I'd sort of like to bring you back to something that you said earlier on, quite a provocative thing which is, you believe that external oversight and accountability mechanisms—I may be mischaracterizing you, but can only succeed, will only work if there is good internal accountability, good internal management.

SCHEYE: *Yes.*

PEAKE: I wonder if I can press you a little bit on that and ask you to expand on this thesis of yours.

SCHEYE: *At least the literature in the United States has shown that external accountability mechanisms usually arise because of a particular incident that has happened of an egregious nature that therefore causes political action to follow. They tend to last for a short period of time—two, three, four, five years—and then die out. If the issue, however, is to get the police to be the front line of protection of human rights, to get the police to police themselves first, then the outside—and I'm now speaking in the West—can exercise oversight and engage in certain accountability mechanisms. But if the police don't take responsibility for themselves, the police will resist, and that's the history in the West, anything that comes from the outside.*

So a lot of places now, they're trying to do, in the west, auditing systems. Not auditing as in accountants auditing but where they take an individual incident and see how it shows that wider systems and wider managerial systems need reform. So you're not crucifying anyone on the individual incident though that may happen too, because it may be egregious violations of law, but that the incident becomes a way of auditing systems and procedures and larger scale. That's because in the West you have well-functioning, relatively speaking, in some cases very well functioning, institutions, divisions of labor, mandates, laws, regulations, principles.

In most of the countries in post conflict, where the institutions are weak, all of these systems don't exist. So you want to start inside the police to try to begin to build these systems and the notions and the values that these systems have in terms of promotion and how do you promote people. In terms of discipline—not administrative that your shoes have to be clean—but how you treat people. But that in a fragile state or post conflict is an extremely long endeavor. As I think it is the World Bank calls it, that's the long route to accountability. The short route to accountability is to get the people who are the recipients, the beneficiaries of the service of policing, or justice, to participate in the delivery of their service, so that they see a service being provided that they need and that they want and that they're involved in that service delivery.

You can have all sorts of—I think the Vera Institute actually did a very interesting way of having communities go into police stations and measuring police stations. It has to be done with the concurrence and the agreement of the police, but that's the way that they're involved in the delivery of the service itself. That's the short term, because the institutions don't exist. To build an institution with its mechanisms in a Southern Sudan, in a Liberia, in a Sierra Leone, in a Timor, is a 20-30 year process, and how do you get accountability before them. It isn't going to be from an ombudsman's office which is not financially sustainable by the public tax revenues of the country once the donors pull out after three to four or five years. It has to be done by participation between the users of the service and the people who provide the service, in this case we're talking police institutions. It is the only way it can be done.

PEAKE: From your experience is there any case of good practice that you can draw me to in any case or a bad practice, because often one tends to learn more from one's mistakes in life.

SCHEYE: *Oh, one always learns more from mistakes. I'm not saying don't do external. I'm not saying don't do ombudsman's office. I'm not saying don't work with Parliaments. But that shouldn't be the first place one looks. One should do that when opportunities arise and moneys exist and it can be sustainable. In Parliament it is much better to look at the budgetary process than to try to create a staffing person on justice and security because Parliaments should exercise budgetary responsibility and therefore see policy. But will they be able to financially afford staff who are knowledgeable about justice and security? No, because those staff will always be poached by internationals and will pay significantly more. Or often poached by internationals. I don't want to be accused of saying don't do certain things. I'm just saying be realistic and pragmatic about what one does. Good practices.*

I know I put together a project of doing an accountability book and nationwide conference in Brazil. Best practice there would have been, and which we could have done, is get the Brazilians to comment on the book and the course materials before they were delivered to the conference so that they would be

shaped more appropriately. We did not have the time nor the money for a reiteration of the book and a revision based on commentary.

Yes, UNDP did comment on it but it wasn't substantive comments by knowledgeable people who knew the Brazilian policing context. Building in that extra iteration is necessary, it's also another two months or three months. And it depends upon the country having the expertise. Brazil has it. You couldn't do that same type of iteration in another country, you have to do the iteration in a different way.

PEAKE: Before we conclude I'd like to ask you a couple of questions. You said something that really interested me earlier when you talked about Timor-Leste, and you mentioned that 20-30% of policing was being carried out by the police, which really leaves open the question which I'm going to ask you which is—.

SCHEYE: *Before you do that, that number is one of these wonderful hypocritical, anecdotal numbers. When people always ask me I always say, is that number statistically reliable? No. Is it measurable? No. Is it valid statistically? No. Is it true? Probably yes. Is it accurate? Yes. So does anyone know if it's 20%? Is it 30%? Is it 2%? No one knows.*

PEAKE: Thank you for the clarification, let's sort of work on the thing that the preponderance according to your perception, of policing that goes on in Timor you mentioned and I think you also said Southern Sudan, the preponderance of policing is not carried out by the police but by other entities, other groupings, other constellations of actors. I wonder if you could expand a little bit on that thought and maybe with reference to Timor and maybe with reference to Southern Sudan and talk a little bit about what these other groups are. What sort of policing did they do?

SCHEYE: *They do real local safety and security and justice because they are often considered more legitimate than the state institution. They're more trusted than the state institution. They're more democratic than the state institution. A sheikh in Yemen can be replaced in an election by the local community. I was just in a local village right outside Sana'a, where the villagers, town, the people of the location said they were in the process of voting out the local head man, democratically. Western democratic notions, Germanic, American, British no. Consensus oriented democratic yes. Absolutely. So therefore it is considered, that person becomes the head chief. It happens to be male and in many of these cases might be or will be, has legitimacy where the state doesn't and will consult with the other notables of that area. That then is a version of, I prefer the term, local justice networks, non-state policing, whatever one wants to call it. Perfect example there. This person was responsible for—in Yemen you have Sharia and tribal law. You have three types of law, Sharia law, tribal law and local law. Sorry, Sharia, tribal, state law, those three. All decisions, safety, justice, security, disputes, are resolved within that triangle of three laws, three different types of laws, in pragmatic ways. Will they be just ways according to Western human rights? No. Will they be equitable for women? No. Will they be equitable for children? No. Will they exhibit comparable violations of all those things as does pure state law? Yes. Is one less or more human rights friendly? It's a purely empirical question, in each location and there should be no assumption whatsoever that "non-state law" is better or worse in terms of violations of equity and fairness and human rights than state law or vice versa.*

Who are these non-state actors? They run from private security company who guard banks, gated communities, Pepsi-Cola trucks where they're standing on the back with a shot gun, who drive chauffeured limousines for rich people.

PEAKE: This is in Yemen?

SCHEYE: *This would be private security companies in Honduras, private security companies in Brazil, private security companies Liberia, Sierra Leone. Yemen they may not. I don't think they exist yet because private security companies may be the army who are guarding oil installations. The oil company will have its own internal, inside-the-barrier, but the army and police may be doing outside. But I can't answer that question because I don't know exactly how it goes in Yemen. But private security companies, for profit companies.*

Then you have community neighbor, community groups, neighborhood groups. Honduras where they have a whistle and are associated with the police. But they may have certain prerogatives to detain which in it of itself is a policing mandate. They may be taxi associations who provide security so their commercial trade association who provide security in taxi parks in African, in Southern Sudan. They may be market associations such as in southern Sudan we met the Ugandan Trade Market Association in one of the major Juba markets.

PEAKE: This was in 2007?

SCHEYE: *This was 2007 in Sudan. They took all their disputes between Ugandans in Juba, southern Sudan and between Ugandans and Southern Sudanese and they got, they had tremendous problems of discrimination, violence against them and so forth. They asked the police for a liaison officer. It was also a language problem. They asked the police for a liaison officer who spoke, not just Juba Arabic, but English, because the Ugandans spoke English. And the police assigned somebody. So you had a non-state group, the Ugandan trade association of the Juba market working intimately with the police and a liaison officer to resolve problems. Did these problems go to the police? Often not. But the presence of the police as a liaison officer gave confidence and strength to the Ugandans to settle. Internal Ugandan problems they didn't need the police, but Ugandan, Southern Sudanese problems, between people buying and/or other merchants. So that people didn't have to resort to the police.*

You had the same thing in market associations in Malakal, which is a town in Southern Sudan but closer, further north, where you had, if I'm not mistaken you have an Arab Trade Association who dealt with the Arabs which was the Northern Sudanese working in the south, or Islamic, people of Muslim heritage and religion and then you had a southern Sudanese non-Muslim trade association. Each dealt with their own communities. Neither was legal because the regulations hadn't been passed, but they both worked. Previously, about three years ago I think there was just one, but now that Southern Sudan and the peace treaty, the CPA (Comprehensive Peace Agreement) has been signed, they've broken apart into two because of ethnic, religious issues.

In Timor there were the village elders that I had mentioned. They were clearly working with the police. So this concept that non-state is sharply differentiated from state is just incorrect in most cases. There is often, I would say probably in most cases, there is an intimate working relationship between and among the non-state local justice networks and state systems, because the state systems don't function, don't have the people, don't have the money, don't have the legitimacy, cost more and are less effective.

You go 15 kilometers outside of Malakal where there is no state presence whatsoever and when the rainy season happens which can be up to six months or more of the year, physically they can't move. So it is going to be the village systems. And in a place like Southern Sudan, the density of these local justice networks and customary chiefs and subchiefs and local headmen and so forth is extremely dense in certain areas and is considered legitimate. I have seen cases in Southern Sudan where the police bring the case to the customary court and the Appellate Court, First Instant Court officially delegates the case back down to the customary court.

In one case the customary court had three tribal chiefs, one Arab and two Southern Sudanese of differing tribes and the case was a fight between an Arab and a black African Southern Sudanese. The court didn't want to deal with it because they couldn't. They didn't have an African on the bench. They brought it to the customary court because of the presence of one on the panel of customary chiefs of the Arab chief, customary chief. They can resolve the problem because they were considered legitimate. That is an excellent use of a non-state system, of the connection in relationship between state and non-state that works.

Was the delegation of authority from the Appellate Court or First Instant Court, I can't remember which, to the customary court legal? No. There was no law that allowed that to happen. Was it an effective and fair rendering of justice? Absolutely. Is what we should do in a situation like that is help them change the law to make the local customary court, or local justice network, legally responsible for the case rather than force the case into the state system. So what we should do is help them re-write the law to mandate the customary court and give it responsibility. So it becomes a legally appropriate—I don't know the word right now—way of executing justice.

PEAKE: Thank you. Something that struck me as you were talking is that you said that the vast preponderance of policing is carried out by non-state police entities—.

SCHEYE: *Providers.*

PEAKE: You mentioned taxi drivers associations, you mentioned clans, you mentioned elders, always going to be dependent upon circumstance and context. Yet what struck me is that when you outlayed this very wide-ranging non-state sector, the dissonance between the non-state sector and all the programming that you've been involved in by donors or within the UN which is all focused upon the state, police sector, am I misreading you? There seems to be a dissonance between the preponderance of non-state providers, let's say for sake of argument, somewhere in the region of 70-80%. Yet if I hear you correctly Eric, you're really saying that 70-80% of assistance is given by donors and international organizations to the 20%.

SCHEYE: *It's 99% of donor aid and UN involvement is given to state institutions and almost nothing is given to non-state. Where? Southern Sudan is a perfect example right now given the study that I was recently involved in in 2007. That was the case that almost nothing was being given to the non-state.*

PEAKE: Why?

SCHEYE: *Why is that? There are lots of good reasons why that is. States work with states. The UN works in a state system and their first relationship is to states. Has to be. They often work with permission of states, particularly UNDP.*

PEAKE: They work with what states, particular states?

SCHEYE: *It would be the state of Yemen, the state of Southern Sudan. It's not a state but the government of Liberia, Timor and so forth. Because the world that they work in is a country, nation-state world, it is normal that they go that way first. The people who run states, don't necessarily want donors, in many cases they will resist donors working with non-state actors. Why? Because there's an inherent conflict of interest here. Western ideology is a state bias, state centric ideology at this moment which is curious because we're actually deconstructing our states in many places in the West, yet we still only think state-state.*

It's foreign to us over the last 200 years, we Western donors. Why are we dealing with tribal elders? They're bad people. They don't like women. Yes, yes, yes. But are they worse than the state? No, no, no. We don't know, it's an empirical question. Shouldn't be assumed. It's much more difficult to work with non-state local justice networks, much more difficult because it's micro, not macro. It's much riskier because you can unintentionally affect balances of power that you've no idea what you've done. So you need many more people on the ground for longer periods of time to understand the subtleties of it. It is taking power out of the hands of the donors because the only people, or primarily the people who can work with non-state actors are people who live in the country, therefore it takes power out of the donors' hands. It diffuses the spending of money because the absorption capacity of non-state actors is low and they often don't need much money.

So if your promotion at USAID or UNDP is pushing through a 5 million-dollar program, it's much more difficult to push through a 5 million-dollar program helping the non-state world because you may then be dealing with 500—I'm making up the number—different organizations, different clans, different customary courts, different neighborhood groups because each one may not need much.

So all of this complicates. So it is perfectly understandable why we don't think that way. Perfectly understandable that we generally don't act that way. It is madness that we spend 90 plus percent of our money on 20% of the marketplace. That's just cognitive dissidence and complete madness. It is not about undermining the development of the state, it's about providing service today, tomorrow and for the intervening period as whatever state we're trying to develop learns and extends its reach.

As someone said in Southern Sudan recently to me, it's going to be 30 years before the police are able to do any policing outside the garrison cities. Good. Then what are we doing in the next 30 years to provide safety and security and justice to people. The only people we can work with there are the local justice networks. That doesn't mean we work with them to the exclusion of the state, we try to figure out all the ways in which they are currently linked to, associated with, part of the state because there is no sharp distinction. Help strengthen those linkages in innumerable ways.

We can, and I believe should be providing customary chiefs with all sorts of aid and using them as a mechanism of delivering all sorts of services in addition to policing and justice. We can use them for delivering health services, malaria nets. By giving the chiefs the distribution centers, giving them the ability to distribute malaria nets through customary courts which would then become community centers. We're elevating the prestige of the chiefs, getting out much

more locally micro-leveled health services, building their legitimacy so they can then provide better services.

What is most interesting to me is that the head of the Southern Sudanese human rights office, a woman, pleaded, begged us, as representatives of the international community, to strengthen the chiefs across the board. Whether it is in justice, policing, or the provision of other social services because, she said, that is the only way that we, the human rights commission, will be able to gain access to improving the chiefs' human rights records and performances. Because unless they were then elevated, she couldn't help them improve their rights.

It turns out in many cases that women's groups are the most resilient during conflict. They're much more resilient, women's groups, as a civil society organization. UNDP did a brilliant study in Nepal on this, in Somaliland and in other parts of Ethiopia, women's groups are the peace groups and they tend to be much more resilient in post conflict environments. If one wants to improve women's rights in post conflict environments, we should be aiding women's groups to work with customary chiefs, women's groups to be working with whatever form of justice networks that exist, because they can talk directly to their compatriots and step-by-step improve. That's what I meant before about the short route to accountability. It's about delivery of services, delivery of performance. That is what we should be doing and that would mean working directly with local justice networks.

Someone has recently done studies in Liberia and Sierra Leone and it turns out, reputedly, according to these studies which were interview-based, that the youths who in these civil wars committed barbaric acts are actually now considered, in many localities, effective, efficient, cost-effective, legitimate providers of safety. The former abusers are now considered safe and secure service providers. Wow. They're not vigilantes we should be working with. Even if they are, perhaps we should be working with them so that they become less vigilantes. The police will commit the same violations because they all come from the same culture and their institutions are so weak they don't have the accountability mechanisms.

PEAKE: What was the name of that someone?

SCHEYE: *It's by Bruce Baker.*

PEAKE: Final question for you. Thank you very much for your time and for all the insights that you've given, a very open-ended question, but if you were given the task of writing a handbook for those who were about to go out into this very messy, very complicated world that you have described over the last hour and a half, what bits of advice would you give. You've already given lots of it, but are there any kernels, any words of wisdom, any particular areas that you think are worthwhile emphasizing?

SCHEYE: *Guidebooks, handbooks and all those wonderful books are obsolete by the time they're published. That said, guidebooks, handbooks, as far as I believe, are not for the people practicing in the field; they're for the policy people in headquarters. Even though they're obsolete by the time they're published, they tend to advance the discussion. So they are worthwhile endeavors but not necessarily in the way they're conceived as for the people actually doing the work on the ground because the people doing the work on the ground will never read them if they even knew they existed which in nine times out of ten, in all my experiences in the UN and elsewhere, they do not know they exist.*

So the OECD handbook guidelines on SSR.

PEAKE: SSR, Security Sector Reform.

SCHEYE: *Security Sector Reform, I would assume that seven out of ten DFID offices do not know that the handbook exists. The varying policy statements and handbooks that the UN puts out, I have never seen anyone in Kosovo know of their existence. I've never seen in my time in Timor anyone—and that was years ago, know of the existence of these books. Again, these books therefore are for the people in headquarters to advance their ideas and they're useful for that, but they're not useful because they're not going to be known and they're not going to be read, because they're really not written for the person in the field.*

What kind of guidelines would I have or believe in or what books? I think we said before most lessons learned are learned from mistakes one makes. I think there needs to be all sorts of ways of—and if you ask me how or what I'm not sure I would be able to give it quickly—ways that these negative lessons learned which are the productive and effective ones get disseminated. It's probably through informal systems. Many of us know each other and we try our best to get these basic lessons learned across. Local ownership is not a complicated concept, it should be an outcome of everything we do. Doesn't require a 300-page book. There are thousands of things like that. But how to disseminate them? I'm not sure writing is the way to do it. Not sure video is the way to do it.

Knowledge networks? I have seen knowledge networks and I think they're viruses of bad practices. I have seen people ask very good questions on a knowledge network and then I listen to the answers that are given, or I've read the answers that are given, that are so completely ignorant because there is not a moderator who is responsible for editing out answers.

One UNDP country office asked for a police adviser and they got fifty recommendations but never once did anyone ask what kind of police adviser do you want. Is it community policing, is it logistics? Is it problem solving? So you've got a neurosurgeon trying to do podiatry, not going to work well. This was Bangladesh if I'm correct or Pakistan. I can't remember. I remember the knowledge network prison question, it was a West African UNDP country office that was asking it and they got brilliant answers on agriculture in prisons, prison farms, but was that relevant to the question asked? Absolutely not. So knowledge networks require knowledgeable people editing the answers because it's not a free-for-all. Highly dangerous in my mind. Is that a good way of disseminating knowledge? No. If you had a knowledgeable person editing, could be a very, very effective way.

Guide books, not an effective way. I think the most effective way is for incentives for the people working in the field that they don't get promoted because they've passed \$5 million worth of funding. They don't get promoted because they trained 1,000 people. That their evaluations should be based on the evaluations of the institutions performance delivery of the people they're supposed to help. So I get promoted because crime rate went down. That's a bad indicator, I know. But crime rate went down in Bogotá, I was the adviser in Bogotá, therefore I get promoted. Not because I gave the mayor of Bogotá \$5 million for a community program for safety and community security, but because the crime rate in Bogotá went down. My evaluation should be based on the actual what happens on the streets of whatever country I'm offering the support for, not on anything else. Those incentives have to be built into our contracts. Once those incentives are

built into our contracts, we will all be doing a lot better work because damn, crime rate, customer service didn't go up, confidence went down, shit, I lose my job. I do not get my next consulting assignment. That is how it should work. The UN people should be promoted equally. That would truly get very, very productive lessons learned, passed through a system quickly, by forcing the internationals to be only promoted based—it's never going to happen, I know that, but based on their performance and their performance can only be measured by the performance of the people they're advising and supporting.

PEAKE: On that we'll leave it. Thank you very much, Eric Scheye.