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COMMUNITY POLICING: A COMPARATIVE VIEW

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ABSTRACT

If community policing in Western democracies is often a unilateral action of the police promoting community selfrule, in most of the rest of the world informal policing in communities is ubiquitous, popular, sometimes excessive. Bracketing the Western ideology of community policing as state-initiated and controlled (top-down) allows to discover a rich field of informal policing widely practiced by communities in Asia, Latin America or Africa (bottom-up). Using secondary data as material, the article suggests accounting for these patterns of community policing with a state-centered model. Key variables identified by the authors are the service delivery capacity of the state, the dominant ideology, indirect or dual rule, political alliances as well as the framing of opportunities by civil society entrepreneurs or police managers and available cultural repertoires of policing.

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Introduction

Reflecting upon the American experience, Buerger deplored the view that community policing is mainly a “unilateral action from the police” in spite of a rhetoric ascribing powers to the communities to regulate themselves (Buerger 1994:270). This observation is not a valid one in Africa. Security in many parts, and perhaps most of Africa, seems, on the contrary, a unilateral action from the communities. What is difficult to achieve in the US and Western democracies in general exists in abundance, perhaps in excess, in African towns and villages. There, community self-rule is ubiquitous, informal policing a net contributor to local safety enjoying popularity, while it is the state that appears distant to local residents, and sometimes inhospitable. Community policing in Western democracies is a policy in search of a community; in Africa we may argue without too much exaggeration that it is a community in search of a state.

Using the term ‘community policing’ (CP) to discuss state formal policing and informal policing altogether is unconventional. For most authors, community policing refers to a particular style of formal, *de jure*, state policing. CP is defined as philosophy or a strategy of the police, not the communities. In turn, “informal policing”, the “policing of everyday life”, or “community-generated policing” (Schärf 2000) are favorite terms to describe a *de facto* policing taking place (mostly) outside of the regulatory framework of the state. Community policing in this sense is more than a *terminus technicus*: there is an ideological twist in it. The terms refer to a legal form of policing well anchored in the nation state with its Weberian bureaucratic model as sole and unique source of the legitimate power. Community-generated informal policing, in this context, has a dubious legitimacy, seems slightly anachronistic, sometimes subversive and, at the very best, problematic. This diagnosis, of course, is in sharp contrast with the views of those communities who practice informal policing. To them, it is the state that is

often problematic, sometimes irrelevant, while informal policing brings the otherwise absent public good of security in their daily experience.

The conflict between these two views is *grosso modo* reproduced by the two main schools of criminology in Africa. With few exceptions, South African criminologists, as noticed by Jensen and Buur (2003), have been prompt to point to the inherent dangers of informal policing, its dubious compatibility with human rights, the inherent lack of accountability.¹ Informal policing is associated with a plethora of abuses of all sorts: criminalization, ‘gangsterism’, ‘commodification’, ‘warlordism’, terrorism radicalization, ignorance and abuse of basic human rights (Minnaar 2000, Schärf 2000, Shearing 1997). While acknowledging the risks, the Nigerian school of criminology has organized a barrage position with a number of empirical studies demystifying informal policing. Informal policing is shown to be omnipresent in poor communities, to separate between civil and criminal cases (Okerafoeze 2006), to work (Meagher 2006), to be popular (Alemika and Chukwuma 2004), and to be anchored in a system of local, traditional governance (Heald 2002).

A similar impatience with studies of policing “importing” preconceived views of the nation- state can be observed in policing studies in China. Wong recently judged sterile and irrelevant studies of imperial policing using a Weberian/Western state model (Wong 2000, 2007). Like his colleagues of the Nigerian school of criminology and others², he calls for more descriptive/empirical/anthropological than normative analyses, more bottom-up/inductive than top-down/deductive research designs, putting brackets over preconceived and imported ideals of the nation state, human rights, and legitimate policing. These calls revive the “*epoche*” (bracketing) methodology Edmund Husserl advocated in his critical phenomenology: put into brackets for one moment claims of existence (ideology) and provide more good, detailed,

¹ Jensen and Buur (2003:1): “Academics, by contrast, seem largely to have shunned the phenomenon of vigilantism in South Africa, as a hostile and anachronistic interloper in the new nation-state and have instead concentrated on exploring the values and normative reach of the new Constitution and human rights.”

² Jensen and Buur (2003).

description of the phenomenon how it present itself, without prejudices, to the researcher.

Such calls are methodologically legitimate, as the nation state is far from an empirical reality in a good number of regions of the globe. While the rhetoric of “criminalizing” informal policing can serve the normative long-term goals and enterprise of state-builders, they might not correspond to the reality of informal policing in an incomplete and weak state. Calls for a phenomenological analysis of community policing might be more useful in the short term to identify the reality of policing, how security is produced in various contexts and the concrete, daily, interactions between civil society and the state. And such research might prove quite useful for international cooperation projects in the security sector in Africa who, we would argue, might unfortunately often be subjected to the same irrelevance argument made by Wong at a more academic level. While western police officers turned overnight into experts in cooperation will always find willing police managers ready to embrace the ideal of the nation state that they implicitly import piece by piece, and the dollars that go with it, these projects might be taken place in such different states that their failure is programmed in advance.

Using an aerial non-ideological perspective, the methodology of the *epoche* and a cross-national one, we will propose a nomenclature or a typology of community policing styles independently of their origin in the state or the communities. After having done that and provided a brief overview of how patterns of community policing seem to vary regionally worldwide, we will turn to the more challenging task of attempting to elaborate a model for understanding the constitution of these styles and their regional patterns. One key argument will be that the notion of the state should be “brought in” the sociological analysis of community policing. The type of state, we believe, is likely to produce specific forms of policing might have intuitive immediate value or sense for top-down, state-led and controlled policing approaches, but, building up on social movement literature, we will argue that community-led initiatives are also highly dependent on the type of state or, more precisely, by what we will call the “political opportunity structure”. The chapter will use secondary data offered by the literature as material to both

propose a classification of community policing styles and substantiate hypotheses that we will develop for a heuristic model.

A typology of community policing

Unloaded from a normative character, the (slightly adapted) distinction Schärf suggests between top-down and bottom-up community policing is a good starting point to operate a first distinction between two main patterns of community policing. Some community policing initiatives, then, originate from and are controlled by the state (top-down), while others originate from and are controlled by civil society (bottom-up). We immediately should add the caveat that this distinction will not “hold” perfectly empirically. As Jensen and Buur (2003) correctly state, empirically it will always be difficult to tell exactly what is state and what is society as the two are in constant negotiation over the exact location of the frontier between them. When this happens, more “Kleingeld”³ (“pennies”) or description will be needed by researchers to discuss their cases.

CP “bottom-up” can take the form of *vigilantism* if it involves as one main strategy the use of violence. It can take also other forms closer to the notion of *social control*, as in China for instance, when by definition it does not include the use of violence. Vigilantism, in particular, finds often its origin in a social movement (bottom-up strategy) crystallizing in an urban environment (Bakassi Boys, the Taxi Association (CATA) in Cap town, the People Against Gangsterism and Drugs (PAGAD) movement in South Africa, townships in South Africa) or in tribal communities in rural environment (Sungusungu in Tanzania, Peoples’ Courts in South Africa) claiming to take the law in their own hands. The degree of institutionalization of vigilantism, as we will argue, varies across country from mostly rejection (South Africa) to partial institutionalization (Tanzania). In any case, as mentioned above, it involves a great deal of negotiation with the state. At the far end of the institutionalization, once vigilant groups are fully institutionalized, they may become “militias” run by the government as auxiliary

³ Edmund Husserl is indeed reputed to use to tell his students “mehr Kleingeld” or “more pennies” to emphasize the necessity to provide detailed accounts of how the world presents itself (the phenomenon) to the researcher as a recipe against quick existential judgments loaded with prejudices.

police. This is, however, not an ineluctable fate as legislative frameworks can be imagined where the vigilant groups continue to respond to “local traditional leaders” in a legal framework of local governance (Heald 2002).

Another version of the bottom-up origin of CP can be found in the spread of “*gated communities*” and “neighborhood watch schemes”, particularly in the US. There are many cases, however, and probably most cases, where the neighborhood watch schemes are initiated by the police who encourage residents to adhere to such programs. China CP-style, as argued by Wong (2000, 2007), corresponds also to a bottom-up process deeply anchored in the traditional values of Confucianism. Unlike vigilantism (use of violence) and gated communities (creating safe private zones through physical inaccessibility), it emphasizes policing through the inculcation of social norms by clans, families and other groups. The model has been institutionalized in imperial China and through the “*massline*” ideology of Popular China and, in the process, involves a degree of control by the state of the informal as well as its transformation.⁴

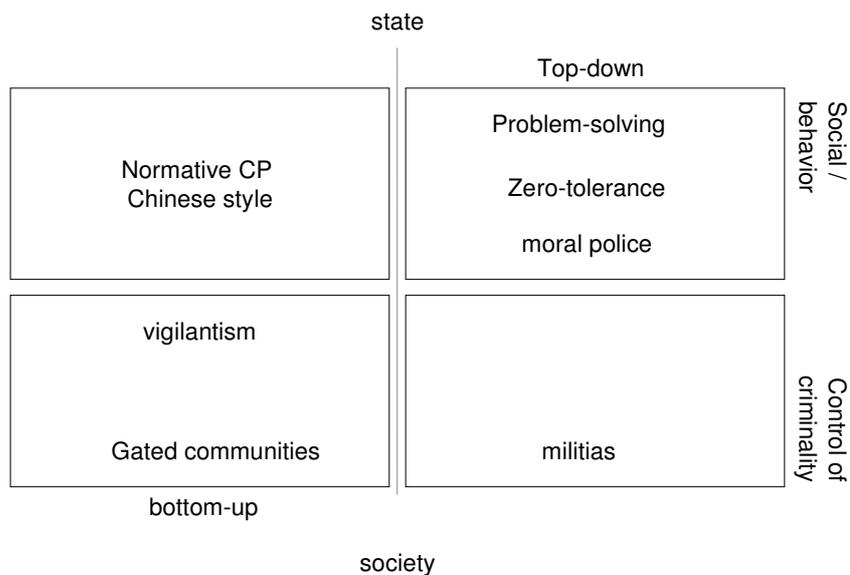
Top-down CP initiatives are defined here as being initiated and controlled by the state. Such a strategy can take the form of instituting *militias*. Militias are auxiliary police with policing powers (power to arrest), are recruited, trained and paid by the state that they serve. They are often recruited locally and they have a formal status of auxiliary to the main police force. Uganda and Sudan, to take only two examples from many, maintain such militias. In Sudan, these militias, called the *Shurta Shabia* (popular police), are paid “informally” through the system of the *Zhat*, an informal Islamic system that has been largely colonized and captured by the state after the 1989 coup (Heanni 1998). Militias can be further distinguished according to their goal: they can be tasked with pure public order and territorial control tasks (the Local Defense Units⁵) or, in some cases, function as “*moral police*” (as it is partly the case for the *Shurta Shabia* in Sudan).

⁴ See Chen (2002) on this point. While CP Chinese style relies heavily on the informal, that is how communities solve problems, the local resident committees are “government controlled and organized organizations”. Chen writes: “theory and practice of Chinese social control indicate that it is not a completely informal system; rather it is formally invested in less formal structures – in mass groups more than in traditional social institutions” (Chen 2002:11).

⁵ In the 2003 Police budget, the share of the Local Defense Units was 18.5% (CHRI report 2006).

Western/European community police fit also in the top-down strategy. Unlike the “militias” form, CP in this form is performed by one division or department of the regular police or the whole police. While militias are auxiliary police, often poorly trained, equipped and have a military-style, Western CP involves in general more training, an investment in and the use of social sciences (problem-solving), a focus on vulnerable groups, and more governance (partnerships, transparency, consultations). Community policing Western-style involves a shift of the issues that are seen to be relevant to policing: small public order problems (labeled as incivilities) and quality of life issues are the main concerns of CP departments. Similarly, there is an organizational or methodological shift of emphasis: problems rather than individual incidents are the unit of work of police (Goldstein 1979).

Figure 1: A Typology of Community Policing



Regional variations

In Africa, while there have been numerous attempts to import laterally the top-down Western approach to policing—which takes place in a context of limited state resources—it must be underscored that factors, such as incomplete state-building, high levels of criminality, rampant official corruption and inadequate salaries accompanied with limited trust of the population in the police make it complex to fully adopt an Euro-American centered police style. CP, in African states, takes often a radically different shape from the known models in Western democracies. In a number of cases, CP is understood as vigilantism or involving community-based quasi-police groups in managing public order at the community level (Nigeria, Tanzania, Kenya). The degree of institutionalization of vigilantism seems to vary across states. Tanzania is a relative strong case of institutionalization of vigilantism; Nigeria a case of partial institutionalization. South Africa is a case of stronger “state resilience” to vigilantism, but, as Jensen and Burr (2003) argue, the state response oscillates between repression and toleration, depending on the group level of violence. At local level, vigilantism finds more receptive ANC authorities. In a context of repression, vigilante groups have become more radical and more anti-government (see below).

Africa is also a fertile ground for militias. Uganda, Sudan, at one point of time Tanzania, have all created auxiliary forces, often poorly trained, disciplined and paid, to serve various functions. Uganda maintains Local Defense Units that can be mobilized for specific purposes by the police (and respond to the local governments) (see CHRI Uganda Report 2006). These auxiliary police are cheap, ubiquitous, and in a number of cases are the sole representations of the state in remote areas of the country. One of these auxiliary police, the *Shurta Shabia* in Sudan, paralleled the constitution of the Popular Defense Forces to control both the territory and society with an agenda of Islamizing society.

China might be an original case of community policing by itself. Wong states that 80% of villages perform self-governance tasks, including public security (Wong 2000). However, it does not seem that villages maintain vigilant groups. Rather, enforcement is achieved mainly through informal social control that is education, persuasion, moral values and discipline. CP, in China, takes the form of social

prevention rather than enforcement. The state in China maintains the monopoly over repressive policing tasks. As argued by Wong, “strong communities” (mostly rural families, clan) organized around the model of the “Kongfu” combined with a religious respectively state ideology (Confucianism and Chinese “popular mass line” ideologies) are key factors explaining CP Chinese style.

CP Western style might be taking distinct avenues in the US and continental Europe. Popular schemes such as neighborhood watch communities in the US enjoy little popularity in Europe. CP takes rather the form of new methodologies (problem-solving), policing in network (partnerships), and local governance mechanisms involving consultations with civil society of the police agenda, a stronger emphasis on social sciences, training, communication and transparency. The top-down approach involves in general the decentralization and deconcentration (Belgium, France, Spain) of police services, but always with a concern that security remains a monopoly of the government. There seems to be more concern than in the US with the privatization of security.

A theoretical perspective

The intention of this section is to suggest a model explaining patterns of regional variation of community policing. Patterns of community policing, we would like to suggest, relate to features of the state or, to retrieve a useful concept from social movement studies, the “political opportunity structure” (POS)⁶. The POS can be defined as a set of constraining and enabling state-related factors affecting directly patterns of informal policing originating from civil society. POS features, as convincingly argued by della Porta (1996), can also apply to policing (see also della Porta and Reiter (1998), Wisler and Kriesi (1998)). POS features, in other words, are relevant to both bottom-up and top-down community policing approaches or styles. POS features particularly relevant to policing styles in our view are the service delivery capacity of the state (weak states/strong states), the state dominant ideology and the state informal tradition in dealing with

⁶ For early theoretical studies on the POS, see Tilly (1978, 1984), McAdam (1982), Kitschelt (1986), Kriesi (1995).

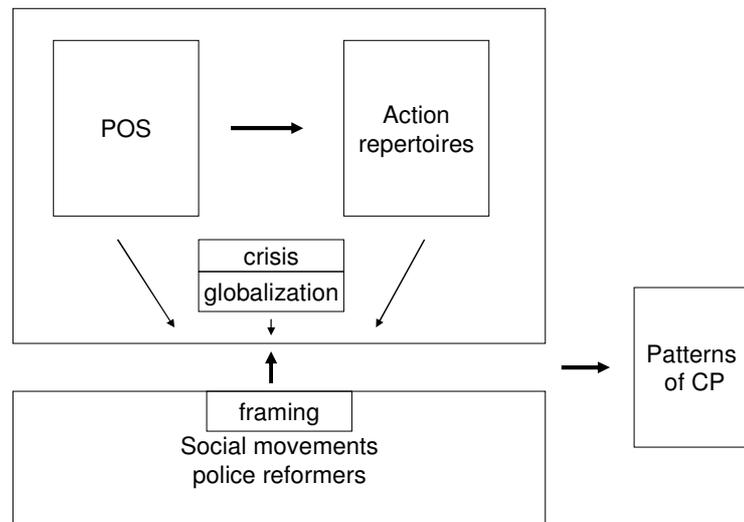
challengers, and, finally, the “configuration of power” or, in other terms, the political alliance system.

Patterns of community policing will be influenced by the POS in ways we will discuss later, but, additionally, the model we suggests, attributes to traditional repertoires of policing an important function. They are likely to function as “tool kit” (Swidler, 1986) that can be mobilized and framed by civil society entrepreneurs or police reformers in favor of some forms of policing. The availability of these repertoires and their nature, in turn, will vary depending on the degree of institutionalization of the nation state. In ex-British colonies, where to some degree a dual policing and legal system was well established, it is likely that these repertoires are still in good memory, partially still in use, and constitute important stocks of resources for political entrepreneurs.

The model will further accept that institutional change is generally and historically precipitated by a context of a crisis. For early risers, crises are the likely trigger of the introduction of changes in community policing while, for late risers, other mechanisms such as diffusion and globalization are at work.

Finally, crises and institutional opportunities, as we will argue, are mediated by social representations and the framing activity of police reformers or social movements. In bottom-up processes leading to CP (when the initiative is with social groups) or in top-down processes (initiative by the state), framing respectively by civil society groups and states of the issues at stake and the solution to the problem will further determine how CP will take shape eventually. The model we suggest is sketched in Figure 2. Below, follows a discussion of the model with the elaboration of a number of hypotheses using as material the available literature on CP.

Figure 2: A Model of Analysis



The service delivery capacity of the state. One of the critical variables that seems to be associated with vigilant forms of CP is the service delivery capacity of the state. Weak states, incomplete states from a state-building perspective, are enabling factors for civil society to contest the state monopoly over policing. In an analysis of vigilant mobilization against cattle rustlers in rural Peru, Giltliz and Rojas (1983) argue that vigilantism emerged in those provinces that had been only recently pacified and with little state-building. The resources of the police in many African states can be shown to be (very) weak by international comparisons. Tanzania has a ratio of 1 officer to 2000 inhabitants.⁷ Uganda has a ratio of 1 officer for 1800.⁸ These numbers pale in comparison to the average of 1 to 350 in Europe for instance. The United Nations' recommendation is 1 police officer for 450 inhabitants. Confronted with high level of criminality, civil society groups might be tempted to take the law into their own hands in these contexts. Jensen and Buur (2005) believe that there is a causal relationship between the

⁷ One may object that this assertion is not true anymore if the whole security sector is considered, knowing that security services in many of these states or the army have *de jure* or *de facto* policing competencies. Policing, in these states, is not a monopoly of one agency, the police. However, this is part of our argument. Using militias or other means instead of the police is a strategy.

⁸ In 1990 in China the ratio was 1 officer for 1500 inhabitants (Chen 2002).

weakness of the state and vigilantism. Alternatively, however, the state might take the initiative by establishing auxiliary forces or, in our terminology, militias. Militias might be a favorite choice for states as they are cheap⁹, require less training, are controlled by the state and, as militias are often recruited locally, they have a useful knowledge of the local contexts they police. Militias, per definition here, have full policing authorities. The downside of militias is, however, that they might be vulnerable to corruption abuses, and, as a matter of fact, worsen the problem. Militias or alternatively vigilantism, as we will argue below, can also benefit from a strong ideological state backbone.

Vigilantism is unlikely in high service delivery capacity states or “complete” nation state. While some form of “delegation” (see neighborhood watch schemes) exists, states will not be likely to delegate policing powers valued, in a Weberian tradition, as a “nonnegotiable monopoly” of the state. To “reach” communities, police reforms in nation states are likely to involve decentralization rather than delegation of policing competencies to civil society, non state groups. Decentralization or, as in constitutionally centralized states, deconcentration of services means that policing (strategic planning, budget, even police laws) is delegated to subnational level of government. It does not involve a delegation of policing competency to non state actor.

The (State) ideology is a factor that plays an important role in the style of CP. It seems critical to explain the *degree of institutionalization* of vigilantism or other forms of informal policing. In the social movement literature, the idea of “discursive opportunities” has been advanced recently (Koopmans and Olzak 2004 for instance) to explain why some social movements (claims) can be more successful than others. Another word for discursive opportunity is the more traditional “dominant ideology” concept of (neo)Marxist studies. What is important, in our discussion, is that we are talking of the ideology located at governmental level. In Tanzania, for instance, the Sungusungu vigilant groups

⁹ For instance, the Local Defense Units (auxiliary police in Uganda) consume 18% of the budget but constitute 80% of the police staff. They are paid less, trained less, and their paid services are only “on call”. In the Sudanese case, which is a good example of Heanni’s thesis of a colonized and captured civil society, the Shurta Shabia is financed privately by the Islamic informal tax, the *Zhat*, and do not appear on the state budget.

have been progressively partially institutionalized as they fitted with the dominant (Nyerere) ideology of village socialism and self-reliance (Abrahams 1987, Heald 2002). Their institutionalization, Heald indicates, has, however, never been fully achieved. She argues that while some regulations have been passed, the co-optation of the group has mainly informal and subject to short-term changes in policies.

In Sudan, the new state ideology after the 1989 coup was instrumental in the *creation* or strengthening of para-military and auxiliary policing institutions (popular defense and popular police), institutions which played an important role in the jihad against the South, the Islamization of society and the marginalization of competing local Islamic congregations in Darfur or the eastern provinces.¹⁰ Zellman (2006):

“Institutionalized as the Popular Defense Force (PDF), this semi-formal paramilitary structure was legislated into existence in 1989 with the Popular Defense Act along with Turabi’s other populist initiatives which promoted universal free education (instituted primarily in the North only), a new focus on rural populations including outreach to previously disenfranchised Muslims from remote areas such as the Fur in Darfur and the Beja in the East, and other “popular” security agencies such as the Popular Police Corps and Popular Neighborhood Committees. “[They] were intended to counter the popular support enjoyed by the Ansar and the Khatmiyya, which the NIF sought to eliminate and replace. Of these, the PDF was the most significant, since its final aim was to replace the army and thereby eternalize Islamist rule as propagated by the NIF,” the Ansar and Khatmiyya being rival Islamic parties with the former led by the previous elected Prime Minister, Sadiq al Mahdi.”

In China, Confucianism and *mass line* modern community party ideology combined to solidify communal/clans/families to deal with public security issues.¹¹ In Western democracies, ideology is also at play in Community policing.

¹⁰ Zellman (2006) notes that while the military viewed the paramilitary groups as an instrument to win the war against the South, the Islamic Front viewed them as a means to islamize society (See also Simon 2006).

¹¹ Another case in point is Cuba. At local level, so-called popular councils maintain “guardas” – militias in our terminology – who patrol the city at night (Kruger 2007).

Clifford Shearing (1997) provides for an interesting discussion of the neo-liberal ideology and its impact in CP initiatives (gated communities, privatization of policing, neighborhood watch schemes). In France, the French socialists, while supporting and having initiated the programs of decentralization and “police de proximité” during the Mitterrand Presidency, were viscerally opposed giving the local mayors the responsibility to head the Local Council of Security in place of the Prefects as figure of the central government.

In Africa, “republican” understanding of the state and a strong state-building agenda can explain the rejection of vigilantism after the democratic transition (Mozambique, Nigeria, South Africa) even when facing strong social movements in their favor. In Mozambique, even a CP controlled by the state (top-down) was not welcomed in the first decade following the peace agreement in 1992 as the ruling party (Frelimo) feared that a decentralization of security would threaten the peace.¹² In Nigeria, political considerations are also at play in the repression of vigilantism. In South Africa, informal policing did not find its way in the post-1994 South African Police Service law, as Dixon and Jones (2001) argue, a Western liberal democratic policing model was imported by the ANC state-builders instead.

State (dominant) informal strategies with challengers. Vigilant groups operate at the periphery of the state whose frontiers they contest. To survive, vigilant groups, so Jensen and Buur (2003), are constantly negotiating with the state. “Vigilante formations”, they argue, “are similar to what Lund refers to as “twilight institutions”, and where it becomes difficult univocally to distinguish between what is state and what is not” (see Lund 2006). Heald’s discussion of the Tanzanian case (Heald 2002) supports this statement as would Chen’s discussion of the China case (Chen 2002). Heald argues that while vigilantism has operated in a minimal legal framework, vigilant groups could still be prosecuted for extra-

¹² The Mozambican authorities selected the Spanish Guardia Civil to support the police reform. This led the British to leave the police contact group and abandon projects of supporting the reform. The rationale (interview of Dominique Wisler, 2002) was that the police was the only national organization capable of controlling the territory (the army had been drastically reduced by the peace agreement) and community policing forum and decentralization, as advocated by CP experts, would come only after the state would have reasserted its authority through a paramilitary policing organization nation-wide.

judicial killings and other activities. To avoid prosecution, a great deal of negotiation and lobby by local tribal leaders with the state was necessary.

Given the often dominant informal nature of the relationship, we argue that the state tradition to deal with challengers (of its authority) and peripheries has an independent effect on this CP form (its rise, growth, form, success). This mechanism has been discussed in police studies. Della Porta, analyzing the Italian case of protest policing, argues that a fascist tradition and the dominant view of the police as the strong hand of the government has translated in hard protest policing styles in Italy in the seventies and the eighties. In a more “rule of law” tradition of Germany, protest policing has been much more legalist, moderate and selective in style. Similarly, many have argued that a “colonial style of policing” have survived decolonization in Africa (Deflem 1994). This is one fertile angle to look at the effect of indirect rule on policing in Africa. Indirect rule attributed a legal and political space to native authorities and community self-rule, a system often continued by governments after the decolonization, and, in this sense, as tradition, likely to lead to the institutionalization or at least some toleration of vigilantism and other forms of informal policing when they arise. We will argue, later, that indirect rule can also be seen as an enabling factor for informal policing as it produced stocks of knowledge readily mobilizable by political entrepreneurs.

The informal strategy of the state towards vigilantism will impact the action (and ideological) repertoire of the movement. Depending on the informal strategy towards vigilantism, the movement can radicalize or not. Using the example of the PAGAD vigilant movement in South Africa, several studies have documented that vigilantism in South Africa has radicalized its discourse and turned progressively anti-government as a result of increased repression (Minnaar 2000, Dixon and Johns 2001).¹³

Elite division or the configuration of the system of political alliances. The emergence of the Bakassi Boys in Nigeria has been shown to be closely associated with the power struggle that took place between state (local) governments and the federal government over the control of public security.

¹³ On the relationship between repression and social movement, see for instance Tilly (1978) and Kriesi et al. (1996).

While the origins of the Bakassi Boys vigilant group (Meagher 2006) are associated with urban shoe-maker associations facing rising criminality in the local markets, the group's growth benefited from the support of the local governors. The "support" turned into an instrumentalization or "hijacking" of the group, as Meagher argues, by local governors in their attempts to gain control over policing in their states in times of intensive electoral competition. In a few states, laws were passed accordingly to legalize the Bakassi Boys. The federal government initial toleration for these local political maneuvers could itself be explained by the fact that many involved governors were from the ruling party; this toleration came to a (provisory) end with the obvious increased politicization of the Boys, 'mediatized' human rights abuses and a campaign by Human Rights NGOs to end the violations. This story line is useful as it shows that even when the state ideology (and the formal constitution) is in principle adversarial to vigilantism, powerful allied in a decentralized political system can secure the necessary political space for these initiatives to grow locally. A limited and precarious level (constitutionally doubtful) of institutionalization can be the result.

In the Tanzania case, Heald (2002) argues that the state was and remains divided over the issue of how to deal with the Sungusungu movement (see also Abrahams 1987). The political wing of the state has traditionally supported the movement while the judiciary (with the support of Human rights activists and lawyers) and the police have been concerned by the challenges to their exclusive field of competencies implied in the movement (Heald 2005:3). Critical for the growth of the movement and its partial institutionalization were the endorsement by the ruling party CCM (Chama cha Mapinduzi, revolutionary party) and the historical support by President Nyerere. Contrarily to what is the case in Nigeria, the movement has also more recently benefited from the support of UN organizations such as UN Habitat who have lobbied and initiated projects strengthening urban Sungusungu initiatives in Tanzania (UN-Habitat 2000, Lubuva 2004).

One recurrent theme in the literature is that while vigilantism can benefit from powerful political alliances in the party system, the bureaucracy, especially the criminal justice institutions, are likely to oppose vigilantism for corporatist reasons as it infringes on their prerogatives. This division in the state is mentioned in Tanzania (Health 2005), but also in South African studies of the PAGAD

movement. Schärf (2002), for instance, mentions that while political negotiations with the PAGAD movement were going on at government level, the police was launching a repressive campaign against the movement.

Indirect rule might be a facilitating factor explaining (a tendency to) vigilantism in ex-British colonies. Similarly, in South Africa, for instance, the Apartheid regime might have a similar effect. Indirect rule (legally constructed by native authority acts) meant a dual judicial (a legal pluralism as framed by Niekerk and quoted by Schärf 2000) and a “pluralist”/dual policing system which, often, survived decolonization for some time (Nigeria) (Okerafoezeke 2006, Marenin 1985:83-4) or in some form (Kenya).¹⁴ Some have argued that indirect rule might have done much more than just consolidating a pre-existing tribal system of governance in Africa: it engineered it as it served the interest of the European colonial powers (Vail 1989).¹⁵ While at the law enforcement level the dual/plural system was discontinued officially in Nigeria in 1966 - and perhaps more generally during the “socialism wave” in Africa -, policing was then centralized by state-builders at federal level, it has provided to what was left/constructed of tribal elites, political entrepreneurs, and associative leaders with historical references, policing repertoires (Swidler’s “tool kit” (Swidler 1986) or Tarrow’s “collective action repertoires” (Tarrow 1994)), and a credible frame (resonance) (see the discussion of framing below), which, confronted with a failing state, a weak state unable to deliver public security good, and in times of “crises”, could be successfully mobilized in favor of vigilantism portrayed as a reverting to past, efficient and legitimate protection means. A number of studies further indicate that vigilantism “works” in curbing crime (Okerafoezeke 2006, Meagher) or is perceived to work by communities providing further mobilization potential for vigilantism and their patrons. Most studies underline the fact that vigilant groups often enjoy high levels of popularity in local communities they police informally (Okerafoezeke 2006, Meagher 2006).

¹⁴ See also Nina (2000): “The emergence of vigilantism in post-1994 South Africa is a continuation of old practices of popular justice and policing.”

¹⁵ See also Ranger (1989) and Iliffe (1979).

The dual system existing under the Apartheid regime in South Africa is a functional equivalent to indirect rule and can explain the growing movement of vigilantism in South Africa after 1994. The African National Congress (ANC) mobilized against the Apartheid regime with slogans such as “power to the people” and “making South Africa ungovernable”. In townships and other suburban places, the ANC built “non-state mechanism” that were “counter-hegemonic” or subversive. In times with disenchantment or disillusion with the democratic transition, these practices can be mobilized again by political entrepreneurs.

By hypothesis, we could expect that vigilantism is less likely in a colonial context where state-building has been more complete and did not follow the “multiple sovereignty”/legal pluralism model of indirect ruling. Indirect rule, while not confined to British colonies (Vail 1989), was not everywhere as strong. A case may perhaps be made that (some) French colonies involved a more assertive nation-building project as in the Maghreb for instance. In these North African states, rural country was policed by a military police, the “gendarmerie” - a model that has largely survived the decolonization process. Ex-French colonies are still policed by military-status gendarmerie, seem to have a higher ratio of police per capita than other African states, leaving in end result a more limited space for vigilant formation to take foot. It might well be that in these ex-colonies the model of community police adopted is rather a Western-like model where the security forces remain in control of the process (top-down approach with little delegation of policing competencies to non state groups). In broader terms, we hypothesize that the policy of assimilation and state-building utilized by France and the indirect rule model preferred by colonial Britain are likely to produce different patterns of policing, a more top-down one in the former and a more bottom-up one in the later contexts.

“Crisis” In Tanzania, Sungusungu vigilantism seems to have emerged in a period of rising pastoralist conflicts and cattle theft. Heald (2002) quotes a chief commander of a village group in Shinyanga District in January 2002 whose account of the creation of the Sungusungu runs as follows:

“There was so much cattle theft in Kahama, especially in the Buruma area which has many trees. The thieves came in broad daylight and captured

herdsmen out with their cattle. Often they would tie them to a tree and just leave them there. Sometimes, it took several days to find such a herdsman, and they could be dead by then, while others could not speak for days. There were also night raids and the owners were just ordered to hand over their cattle. Going to the police was pointless. It took too long. By the time the police came, the thieves were far away. In 1982, this kind of raiding was at its height and so they looked for a solution and formed *basalama* in Kahama.”

Similarly, in Western Sudan (Darfur), villages have started to arm themselves with the rise of intertribal conflicts (Tanner 2005). *Omdas*, that is the lowest level of the tribal leaders in Darfur, seem to have taken the decision to organize vigilante groups to defend villages against raiding groups (interview, August 2006)¹⁶. In Nigeria, a crime rise seems at the origin of the Bakassi Boys phenomena (Meagher 2006:5). According to Meagher, the South Eastern region of Nigeria, where the Bakassi Boys emerged, was particularly affected by crime for historical reasons.

While crises triggered by specific events (catalytic events), an increase of incidence of crime, or other security issues, are certainly important to explain social change, it is doubtful, however, that we can find a correlation between the level of the crisis and the rise of vigilantism or the creation of a militia for instance. “Crises” or a “sense of crisis” are not enough. As the Mozambican case would show and in general social movement theories would confirm, in other context there might be similar level of criminality, cattle theft, or else without giving rise to a vigilante movement. In the Tanzanian case, Abraham (1987) underlines the fact that the original areas where the Sungusungu movement established itself witnessed a high level of cattle raids but no more than other regions. Rather, crises need to be *framed as such* by (political) entrepreneurs and responses proposed to crises “make sense”, have a “resonance” to acquire the necessary credibility they need to be sustainable. Additionally, as we just saw, a political opportunity structure must be favorable.

¹⁶ Interview conducted by Dominique Wisler

Social movements, police reformers and framing. Vigilantism can emerge from rural, poor policed tribal communities (Darfur, Sungusungu) or in more urban environments (townships in South Africa, Nigeria). Vigilantism, as opposed to cases of spontaneous mob violence, is the product of an (organized) social movement. In Nigeria, the original Bakassi Boys vigilant group is associated with the shoe sellers association, who created the organization to fight against rising criminality in the markets. Similarly, the Sungusungu and other vigilant groups in Tanzania are associated with tribes mobilized against an increase in cattle theft (Heald 2002). In the bottom-up strategy, to be able to transform crises and opportunities in action, social movements organization and tribal leaders will need to engage in a good deal of framing activity. Building on Erving Goffman, and before him the phenomenological school, David Snow and Robert Benford (1988) proposed to call “framing” the process by which groups make sense of reality. “Diagnostic frames” identify a problem, its source and describe the problem, while “prognostic frames” build on this initial process to propose solutions to the problem. Not all framing activities by actors are successful. To be successful, frames must “resonate”. Frame resonance, so Snow and Benford, can be achieved by actors through the mobilization of myths, historical references and other symbols that talk to people (“narrative fidelity”) as well as through empirical test (“empirical credibility”).

African studies of vigilantism reveal that vigilantism is associated with a frame identifying a “crisis” and the lack of “trust” in the formal criminal justice system (Heald 2002, Nina 2000)¹⁷. The crisis is generally a (sudden) rise in criminality, while the statutory police are not trusted to deal with the problem. Reviewing the literature on the causes of vigilantism, Alemika and Chukwuma write: “Lack of confidence in the police appears to be the most important reason found in the literature on why citizens embrace informal policing structures.” (Alemika and

¹⁷ Nina (2000): “Vigilantism arises from the perception that the state is doing nothing to assist the community in guaranteeing its safety.” See also Rosenbaum and Sederberg (1974: 545): “the potential for vigilantism varies positively with the intensity and scope of belief that the regime is ineffective in dealing with challenges to the prevailing sociopolitical order”.

Chukwuma 2004: 11).¹⁸ This lack of trust is often associated with “inefficiency”, “leniency” and “corruption”. Discussing the Nigeria phenomenon of vigilantism, the Alemika and Chukwuma quote a survey run in 2001 showing that 95% of Nigerians consider the National Police as corrupt (Alemika and Chukwuma 2004). Chabedi accounts for the appearance of vigilant groups in Apartheid Soweto in these terms (Chabedi 2005):

“Caught between criminals and minimal state policing, and tired of being ‘bullied by our children,’ older residents banded together to wage a bitter war against part of society that they felt was morally and traditionally decaying. At a meeting in Naledi, Soweto in early 1974, two like-minded civil guards from different corners of Soweto merged and formed a movement called ‘*Makgotla*’—a Sotho word meaning meeting of elders. The rationale for such a movement was simple: the ineffectiveness of the South African police, the inappropriateness of the Western judicial system, the breakdown of parental authority and the spiraling of crime could not go on unchecked. At the heart of *Makgotla*’s ideology was a belief that urban life had brought moral decay and degeneration of Africans. The movement emphasized traditional family structures, developed a vision of an ordered society based on age hierarchies. A vigorous response to a moral crisis, especially over the excesses of youth was imperative.”

Vigilantism, as these studies tell us, is seen as having an “empirical credibility” (it works!) in a context of weak service delivery of the police. Vigilant activities in Africa often enjoy popularity and the reputation to be effective. A study quoted by Minnaar (2005) on public opinion in a settlement (Diepsloot) in the suburb of Johannesburg associated with vigilant activities underlined that residents believed that vigilantism was effective in curbing crime and perceived the vigilant response as the result of an ineffective police and criminal justice. A large

¹⁸ According to a household survey run in 1996 (4561 households) in Tanzania, 35% responded to have to pay for a service by the police (CIET Report 1996). In Uganda, two-third of respondent in a similar survey responded to pay bribes for service to police (Uganda National Integrity Survey 1999). In both countries, police arrives at the top of services workers to whom solicited bribes are paid.

household survey in Tanzania conducted in 1996 showed that local vigilant groups were seen as more effective than the police (CIET International report 1996). Another study quoted by Minnaar (2001) in neighborhood in the Cap found that “there was a significant support among rural and black respondent for alternative or traditional forms of punishment” (Minnaar 2005:21).

In Africa, another key factor that might explain the popularity of vigilantism is that social movement entrepreneurs can tap into repertoire of actions, popular myths, and other cultural framework that were in use in a not so distant past. In other words, it has narrative fidelity. In states with a recent past in indirect rule or a dual administrative system, political entrepreneurs are likely to have fairly easy task in framing vigilantism. Apartheid might be a functional equivalent to indirect rule. In these contexts, entrepreneurs can tap into a recent past with action repertoires familiar to communities. Some studies have indeed stressed the remarkable “continuity” between traditional form of justice and the “new vigilantism” (Reno, Okerafoeze 2006, Chabedi 2005). Jensen and Buur (2003) argue in the South African case that communal traditions were continued - and radicalized - by the anti-apartheid movement. The post-1994 vigilantism echoed directly the repertoire of action used by the ANC in its “power to the people” campaigns. Okerafoeze (2006) and Kellsall (2005) show that tribes respectively in Nigeria and Tanzania exploit their rich traditional repertoire of (criminal justice) action to deal with crime at village level. Heald (2002) documents for the Tanzanian case how informal policing takes organizational forms associated with the type of tribe and their cultural traditions. In this context, it is not surprise that the Bakassi Boys in Nigeria have actively cultivated tribal symbolism to “legitimize” their activities. While rejecting a strong thesis of continuity, Meagher admits that traditions have been mobilized by the Bakassi Boys and have impacted their organizational form:

References to charms and occult practices, while somewhat overstated, indicate a tendency to bolster the contemporary organizational structure of the Bakassi Boys with an older informal institutional repertoire of communal security organisations and secret societies. (Meagher 2006: 98)

In the nation state, communal repertoires of informal policing have been progressively replaced by formal bureaucratic policing the Western nation state

and are no longer available in the “tool kit”.¹⁹ The situation in China, for instance, is quite different. Wong (2000) argues that “modern” policing in China is a fairly new policy whose origins he locates in a 1979 Community Party decision. Wong argues that policing was, and still is, largely informal in China but action repertoires are quite different from those in Africa and anchored in its own value system and the paradigmatic “Kongfu” household. Wong: “Kongfu (Confucius) household in imperial China is an ideal type of self-governance and informal social control.” China’s modern community policing style still relies heavily on informal policing at local level with a dense network of resident committees invested with informal policing tasks echoing a set of traditional values – self-reliance, discipline, and normative conformity, etc., - mobilized by community party political entrepreneurs to create a sustainable ordering system (Chen 2002). These committees, in a strongly institutionalized informal policing in modern China, resembles the “twilight” institutions discussed quickly earlier, where it becomes difficult to tell exactly what is state and what is not.

In Western police departments, the police rather than a social movement is at the origin of the reform movement that brought the wave community policing. This

¹⁹ Abrahams (1987) discusses briefly and skeptically whether mafias and the “primitive rebels” of Hobsbawm are similar to the Sungusungu phenomenon (see also Heald 1986a, 1986b). The popular justice and vigilant tradition of the so-called “frontier” states or the states west of the Mississippi in the US are much closer examples of informal policing as witnessed in Africa (see, for instance, Johnson 1981). The “populist” rhetoric of distrust in the effectiveness of the formal justice system, weak law enforcement, and allegation of corruption in these states is not dissimilar to the discourse observed in vigilant social movements in South Africa, Nigeria or Tanzania. In California, this popular justice started to decline in the mid 1850 accompanied with a rising public criticism of the practice which, in the first half of the century, enjoyed high levels of popularity (Johnson 1981). As working hypothesis, we may argue that this American tradition is at work in explaining the relative success of some bottom-up aspects of community policing - neighborhood watch schemes, gated communities -, in the US while, in European nation states these schemes seem to be less successful.

does not mean that police did not react in some way to pressures from outside the organization. In fact, in the factors identifies as having given strength to the police reformers were both internal and external to the police institution. CP was framed masterfully by Goldstein as an organizational strategy for regaining a lost efficiency (Goldstein 1979) (internal). Eck and Rosenbaum (1994) do argue that some of the key features of community policing – equity – could be interpreted as a result of the civil right movement in the US (external). Further, the police witnessed a degradation of their image in the seventies, which led managers to search for new solutions to regain the confidence of the public. A key feature of community policing Western style crystallized from this: more equity, fairness, an emphasis on minorities and vulnerable groups.

Conclusion

We have attempted break the rigid ideological framework that confines “legitimate” community policing to the Western democracies models. Taking a more aerial point of view and practicing the husserlian *epoche*, widened the horizon and allowed to look at bottom-up cases of community policing. There is a rich world to be discovered. While informal policing has by and large been replaced by formal policing in the nation state, it is ubiquitous in Africa and, as seen, in China. We have attempted to suggest a model explaining the reasons behind this community policing patterns with type of state, policing repertoires and the framing activity of police managers and social movements as key variables. The model needs more testing by adding more “dissimilar” cases in the analysis²⁰. Most of the article has focused on material from Africa, cases of incomplete state-building and Western democracies with only brief incursion into Asia through China. The real test will come with the inclusion of more dissimilar states from Asia, Latin America and the Middle East.

The *epoche* brackets might have been quite useful for another purpose. While globalization is taking place, clearly Western community policing models have seen the light in very specific contexts and the rational behind the exportation of

²⁰ See the “most dissimilar cases approach” of Ragin (Ragin 1989).

the model can be questioned. Does it fit? Today, in the West, community policing is associated with democracy and countries in transition are most certain to witness hundreds of Western police experts debarking from intercontinental planes to offer their good offices to local police managers. Dixon and Johns (2001) discussed this point for South Africa and concluded that in the South African case Western practices were not blindly imported but rather “adapted” by local police managers. Nevertheless, both authors admitted that informal policing did not find its way in the South African Police Service law in 1995 and, after over a decade of Western-style community policing in South Africa, the results seem meager while others have argued that SAPS management, disenchanted with CP, have returned to a more directly repressive approach. Perhaps what did not “fit” was no community policing, but community policing Western style. There is a risk that the Nigeria government and the police fall into the same trap. Nigerian criminologists have been mobilizing to give credentials to informal policing by providing enlightening phenomenological accounts of the daily practices at village level. Their efforts are important and should be supported.

We can probably not conclude this piece without, even for one paragraph, taking the brackets off. As a matter of fact, by now it should be clear that this is not the Damocles glaive that some in the beginning of this piece might have predicted. There are a number of models – China, Tanzania – where the linkages between informal and the formal are institutionalized and they can serve as model/material for further discussion. There are many cases of formal linkages between traditional and state criminal justice systems. In Africa, as a UNDP report underlined recently (UNDP 2004), people are more likely to use traditional and customary systems rather than formal courts to solve disputes. In China, Chen reports that popular mediation bodies at local level are the favorite forum for solving local cases. The “nexus” is not a Pandora box. This is, in our opinion, one of the areas that need to be studied further to avoid the programmed failures of imported pieces of states that do not fit, while overlooking the readiness and the resources of communities for self-regulation.

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