How to "Win Hearts and Minds"?

A Historical Criminological Approach to Policing Disorder, Terrorism, and Insurgency During Occupation

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Occupation policing typically examined through the lens of counterinsurgency.

We have to think about policing in a broader frame:

- As an aspect of governance that includes a range of equally important, interconnected priorities

- The collection of which will effect an occupied population's perceptions of an occupier's priorities

- Which in turn affect the extent of their confidence in the occupier to provide security

When we think about the US-led occupations of Afghanistan and Iraq over the last two decades, two things come to mind:

- 1) Continuing governmental destabilisation, social disorder, and insurgency, resulting in persistent warzone conditions

- 2) That the operations have been *very* long (Iraq, 2003 – 2011; Afghanistan, 2001 – Present)

Paul Williams, 26 August 2017

To raise two BIG questions:

What caused these failures?

What can they tell us about a theory of occupation governance in the future?

Explanations suggested:

- The failure of Iraqis or Afghanis to embrace democracy was due to culture and/or entrenched social and political systems.

- US/Coalition forces overly focused on combat operations.

- Were too centralised in Baghdad and Kabul (notably the Baghdad "Green Zone").

- And therefore provided insufficient provision of security and a presence of government to most civilians.

The latter three explanations have been wrapped together in counterinsurgency theory

Notably by David Kilcullen as "competing governments"

The issue is *predictability* and *order* in daily life

Melbourne

2nd most liveable city in the world because of:

- Healthcare
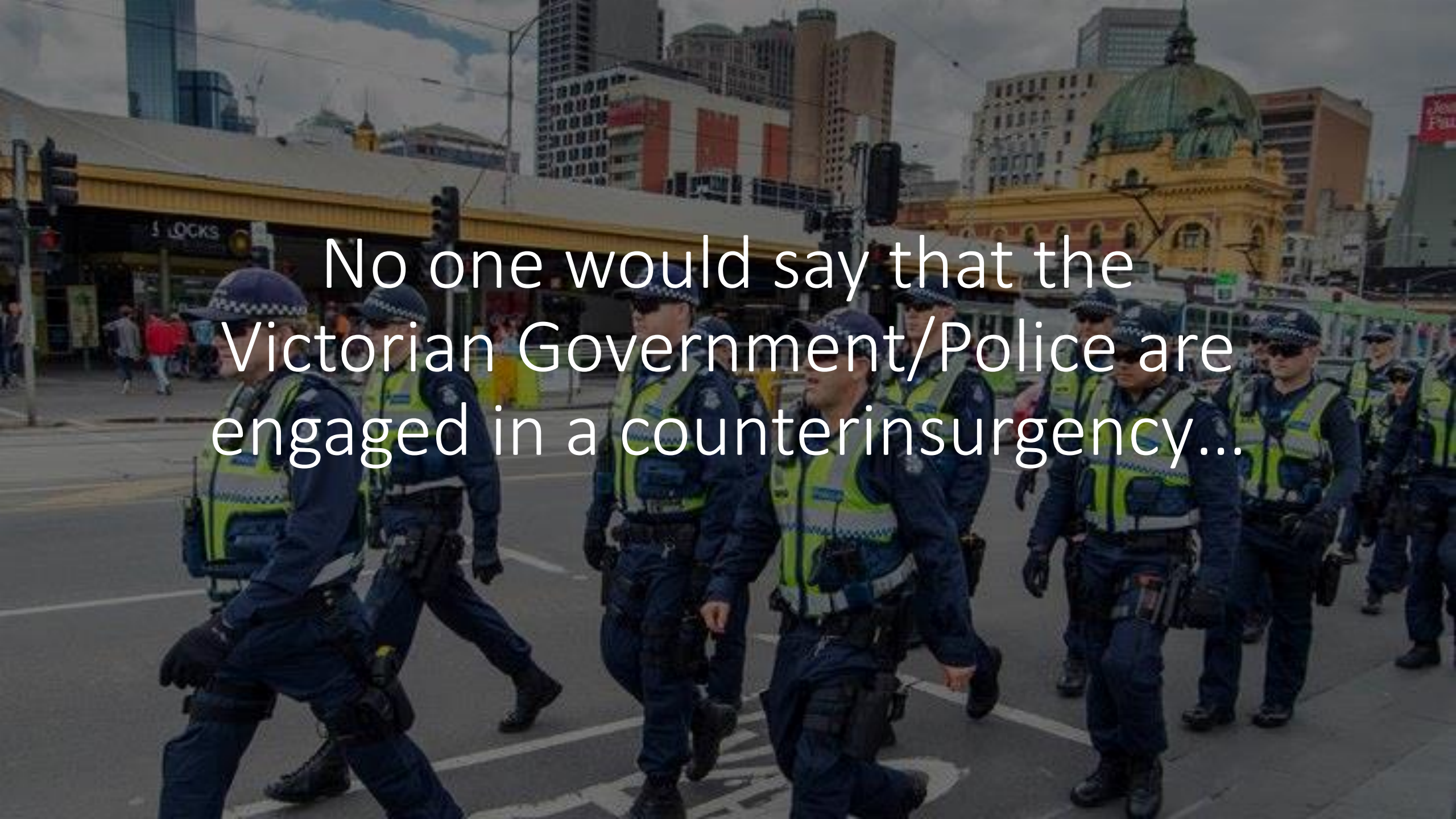- Education
- Infrastructure

And…

- Low crime rates

Yet…

- There exists significant fear of crime
- Belief in high crime rates
- *And* near universal belief in government's ability to control crime…

No one would say that the Victorian Government/Police are engaged in a counterinsurgency…

Drawing on:

- Moral panic/crime fear theory
- Policing theory – e.g. broken windows, responsiveness, importance of infrastructure etc.
- COIN theory
- Gang theory

All under *governance*

A similar, broader role of policing and security in the context of governing is required for military occupation…

We get a good sense of this broader theoretical framework from historic case studies:

Post-World War II Germany

Popular narrative: denazified, decentralised, democratised etc.

"We were following in the footsteps of Gen. Dwight D. Eisenhower in postwar Germany. Like the Nazi Party, the Baath Party ran all aspects of Iraqi life. Every Iraqi neighborhood had a party cell."

-- Paul Bremer, "What we got right in Iraq", *Washington Post*, 13 May 2007.

The reality was very different:

US and UK military government imposed:
- Strict control
- invasive policing
- high rates of arrest for minor infractions with near guaranteed conviction

Alongside restoring:
- Infrastructure
- markets
- cultural activities

← *Razzia*

MILITARY GOVERNMENT-GERMANY

SUPREME COMMANDER'S AREA OF CONTROL

ORDINANCE NO. 1

Crimes and Offenses

In order to provide for the security of the Allied Forces and to establish public order throughout the territory occupied by them it is ordered:

ARTICLE I

Capital Offenses

The following offenses are punishable by death or such other penalty as a Military Government Court may impose:

(I) Espionage;

(2) Communication with the enemy forces or, except through authorized channels, with any person in enemy territory not occupied by the Allied Forces;

(3) Communication of information which may be dangerous to the security or property of the Allied Forces, or unauthorized possession of such information without promptly reporting it; and unauthorized communication by code or cipher;

(4) Armed attack on or armed resistance to the Allied Forces;

(5) Acting in defiance or contravention of terms imposed by the Allies upon Germany on its defeat or surrender, or of any orders supplementing such terms;

(6) Acts or conduct in support or aid of any nation at war with any of the United Nations, or of the NSDAP or other organization dissolved or declared illegal by the Allied Forces, including publication and circulation of matter printed or written in aid of any thereof or the possession thereof with intent to publish or circulate, and the provocative display of flags, uniform, or insignia of any such organization;

(7) Killing or assaulting any member of the Allied Forces;

(8) Falsely pretending to be a member of the Allied Forces; unlawfully wearing any uniform of the Allied Forces;

(9) Unlawful possession or control of any firearm, ammunition, explosive, or other war material or of apparatus or other means for transmitting messages;

(10) Unauthorized use of any firearm or other deadly weapon, ammunition, explosive or similar war material;

(11) Furthering the escape of any person detained by Allied authority or assisting or concealing any such person after escape;

(12) Assisting any member of the enemy forces to avoid capture;

(13) Interference with transportation or communication or the operation of any public service or utility;

(14) Sabotage of any war material of the Allied Forces or of any installations or property necessary or useful to military operations or the Military Government;

(15) Wilful destruction, removal, interference with, or concealment of, records or archives of any nature, public or private;

(16) Plunder, pillage or looting; robbing or abusing the dead or wounded;

(17) Wilfully interferring with or misleading any member of or person acting under the authority of the Allied Forces in the performance of his duties;

(18) Incitement to or participation in rioting or public disorder;

(19) Stealing, or obtaining by fraud, property of the Allied Forces or any member thereof;

(20) Any other violation of the laws of war or act in aid of the enemy or endangering the security of the Allied Forces.

ARTICLE II

Other Offenses

The following offenses are punishable by such penalty other than death as a Military Government Court may impose:

(21) Disobedience of any proclamation, law, ordinance, notice or order of the Military Government or of any representative where a penalty is not expressly imposed or of any Germany authority issued pursuant to any such order;

(22) Circulating without a permit during curfew which, unless otherwise provided by public notice, shall be sunset to sunrise;

(23) In the coastal area leaving the shore in any vessel or otherwise except as authorised by Allied authority;

(24) Moving any ship or vessel or any aricraft except as authorized by Military Government;

(25) Failure, without authority, to have possession of a valid identity card;

(26) Making, issuing or knowingly having possession of any false permit, identity card or other document of official concern to the Allied Forces, delivery of any such matter, whether false or valid, to any unauthorized person or for an unauthorized purpose;

(27) Counterfeiting or altering any Allied Military Marks or any other currency, coin or stamps or having possession of or uttering any thereof, having reason to believe it to be false or altered, or having possession of or disposing of any property for use for any such purpose;
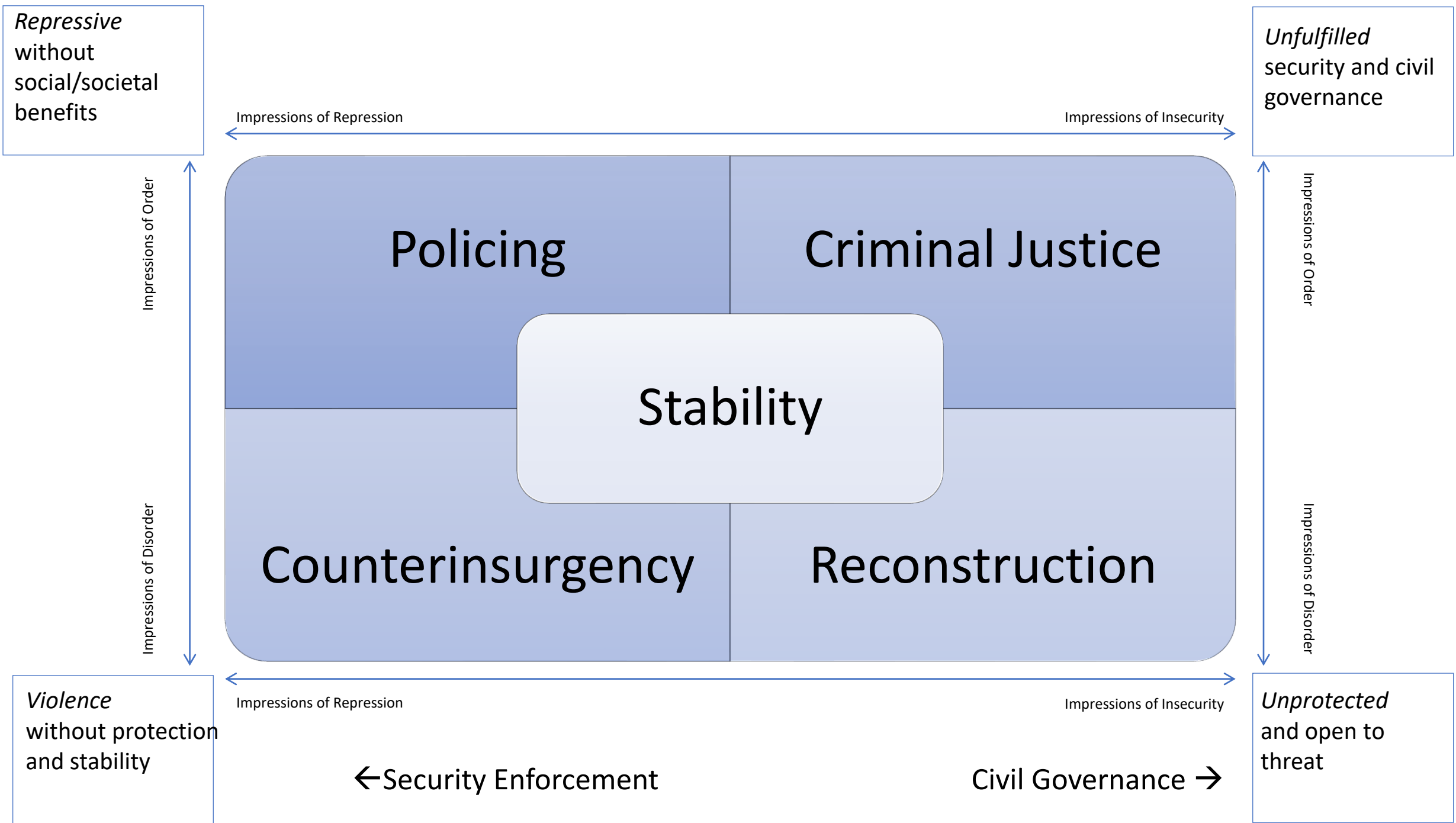
(28) Inviting or conducting any member of the Allied Forces into a place designated "Off Limits" or "Out of Bounds", or supplying goods or services to such member in any such place;

(29) Bribery, corruption or intimidation of any member of, or person acting under the authority of, the Allied Forces; receiving, or offering to receive, a bribe for non-performance of duty to the Allied Forces;

(30) Obstructing or contravening any announced program or orders of the Military Government with respect to Allied prisoners of war or nationals of the United Nations in Germany, or assaulting, despoiling or without justification confining or otherwise infringing the rights of such prisoners or nationals;

THE ART OF

OCCUPATION

- Policing in occupation exists in the framework of governance

- It focuses on providing a psychological sense of security along with actual crime control, but the two are related

- A military occupier's approach must be balanced in order to create the right perceptions of priorities and win popular support

Questions?