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Paradise Lost:
The Misuse of Caribbean Militaries in the Fight Against Spiraling Crime

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Abstract

Over the last two decades, CARICOM states have been increasingly deploying their militaries in law enforcement operations in response to rising criminality fueled by gangs and the drug trade. This continuous increase in violent crime poses a serious threat to the stability, cohesion and continued development of these societies. In the face of resource and institutional constraints, the states are severely challenged to generate sustainable solutions.

This paper contends that the approach which sees the military as the primary source of a solution to the current crime epidemic sweeping the Caribbean is fundamentally flawed. The militaristic approach has its roots in Caribbean's colonial past as well as the aforementioned constraints. The scope and depth of the problem suggest that leadership and participation from a diverse range of players across the society on multiple fronts is required. More importantly, any solution which hopes to succeed must view effective policing as an indispensable requirement.

The military itself, while blessed with the discipline and flexibility which allows it to accomplish varied missions, cannot function effectively in this environment, without clear parameters which leverage its strengths and recognizes its limitations. The military's utility as a force multiplier must be appreciated. Its roles should then focus upon providing support to law enforcement agencies. A continuation of the practice of inserting the military into law enforcement activities without a clear strategic mandate runs the risk of being not only counterproductive but harmful to these societies and the military itself.

Introduction

Background and Statement of the Problem

In the early years of the Post-Colonial period, the military and the police forces/services generally occupied distinctive niches in the Caribbean.[1] Not unlike most liberal democracies under the Westminster system, the police maintained law and order. The military performed ceremonial duties, provided limited defence, as well as served as a resource pool that the Executive could call upon routinely, or in extraordinary circumstances such as during rioting by the local populace.[2]

Although Caribbean militaries have a history of support of law enforcement, the last two decades have seen an intensification of that support.[3] Some might add that these arrangements have progressed to the point where there is now a blurring of the line between de facto military functions and law enforcement. Increasingly, the military is involved in routine law enforcement operations in partnership with the police in countries such as Jamaica, Trinidad and Tobago and Guyana.

This paper argues that the utilization of the military as the principal element in the fight against crime in countries of the Caribbean, as a result of the fragility of their

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[1] In this paper Caribbean refers to the English Speaking Caribbean. These countries are members of the regional political grouping known as The Caribbean Community (CARICOM), and include Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago. The region is also sometimes referred to as the West Indies. (See Figure 1)

[2] Ivelaw Griffith, *Quest for Security in the Caribbean*: *Problems and Promises in Subordinate States* (New York: ME Sharpe Inc., 1993), 85-107.

[3] Anthony P. Maingot, "The Challenge of the Corruption-Violence Connection," in *Caribbean Security in The Age of Terror: Challenge and Change*, ed. Ivelaw Griffith, 129-153 (Kingston: Ian Randle Publishers, 2004), 129.

governance structures, limited resources, the increasing globalization of crime and the innate inefficiencies of their criminal justice systems is a poorly conceived and deeply flawed practice. This initiative is not based upon any holistic and well structured plan, does not fully appreciate the essence of what militaries are trained to do, and is many times driven by immediate political imperatives and not long term, lasting solutions. This may result in short term gain such as the disruption of the activities of a drug cartel, the reduction in murders in a locality or the temporary appeasement of citizens. However, Sustainable security in the region will remain an elusive target until there is an appreciation of the difference between utilizing the military strategically as part of a grand plan and its misuse. There are serious implications for this issue. For example, the militarization of law enforcement in Caribbean states has proven to be counter productive. [4] Consequently, serious consideration must therefore be given to any initiatives that further militarize this domain. Prudent and urgent action is therefore required to ensure that the utilization of the military in law enforcement helps to generate new solutions while not exacerbating old problems. Failure to do so could help to perpetuate the very conditions these measures are meant to address and adversely affect civil society as well as the military itself.

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[4] Anthony Harriott, *Police and Crime Control in Jamaica: Problems of Reforming Ex-Colonial Constabularies* (Kingston: The University of The West Indies Press, 2000), 92.

Figure 1. Map showing Caribbean states.

The pace and complexity of change, brought about principally by globalization, have had a profound impact upon the countries of the Caribbean given their small size and openness. One of the negative effects has been an increase in the occurrence, gravity and sophistication of crime. But the evolution of the criminal justice system and social institutions in these countries has not kept pace with the crime phenomenon. The net effect is that these institutions are hard pressed to curtail, and even cope, with this trend. Understandably, the military, commonly seen as the last line of defence in civil society, has been pressed into service in search of solutions.

Notwithstanding, there are implications for these security initiatives. It is crucial that these impacts are understood in all their dimensions. Only then can a true appreciation be had as to the extent of the effectiveness of these measures as well as the risks which accompany their implementation. The increased interconnectedness of

today's world makes this a concern not just for CARICOM countries but surrounding region as well. This is reflected in the focus now being placed on the issue of violent crime and its solutions in the Caribbean by organizations such as the UN. Consequently, this paper will answer the following questions; What are the key concepts that underpin the entire issue of the security of small island states? What are the implications for civil-military relations of the military's involvement in law enforcement? If crime is the principal security threat in the Caribbean, what are the major characteristics of the Caribbean crime environment? How has the US dealt with this issue? What are the implications of the Caribbean experience?

Methodology and Framework

The military's involvement in law enforcement in the small island states of the Caribbean has pertinent implications for wider concepts related to security and the state. Consequently, the paper will start with an examination of some of these key factors in order to establish a conceptual basis before detailed analysis is pursued. Concepts such as defence, security and national security must be understood in order to appreciate the intricacies associated with the roles of the military and law enforcement. Further, the use of force and how it relates to legitimacy will also be introduced as this is a crucial dynamic within the state apparatus. Additionally, it is relevant as the state's monopoly on use of force is challenged by the growing influence of non-state actors such as transnational gangs. This chapter also addresses issues of sovereignty and failing states, which, while it may appear extreme, would be a logical progression if the decline in the effectiveness of security arrangements in these countries continues.

The paper will address civil-military relations, firstly as a broad concept. It will also seek to explore domestic military roles and functions as practiced on a wider scale in

regions such as Latin America. Civil-military relations in the Caribbean will then be examined from both a historical and contemporary perspective. It is within this domain that the entire issue of the military and law enforcement is located, and this helps to explain the range of perceptions about the issue in the region. Certain negative civil-military experiences in the region will be reviewed as they have left an indelible mark on the psyche of certain countries and the region as a whole. Naturally, this has helped to shape some of the perceptions that now exist about the issues being discussed. The chapter will also introduce a corollary issue of the "militarization of law enforcement", and how law enforcement has been militarized through diverse factors external to and within the police itself. The historical experience of the Republic of Ireland will be examined here because it has similar historical and political features to the Caribbean, including its British colonial past and traditions. Additionally, it offers a unique perspective on one country's approach to reorienting its military's focus towards a more domestic agenda and some of the emergent issues of relevance to the Caribbean.

The experience of the US will be utilized as a case study in order to set a bench mark for further analysis as well as to distill lessons learnt. Although there are differences between the environmental factors in the US and the Caribbean, there also are many similarities reflected in their liberal democratic traditions. The region then can certainly benefit from an analysis of the experiences of a more developed country to which it is aligned. Additionally, the interest and influence of the US in the region cannot be denied. Consequently, the US has and continues to impact security policy in the region as we shall see later in the paper.

Developing an appreciation of the factors at play in the Caribbean crime landscape is the objective of chapter 4. The approach will be to provide a comprehensive

overview of the factors influencing not just crime but also the dispensation of justice. It will become apparent that problems of serious crime cannot be resolved solely through interdiction mechanisms. This is one of the major reasons for the inappropriateness of the focus upon the military as the solution. Firstly, this section will identify what typology of crime poses the greatest threat to the national security of these countries. It will then explore mechanisms employed to meet this threat including an examination of the role of the Caribbean police.

The final chapter will examine what is the actual experience of Caribbean states so far, with regard to the employment of the military in support of law enforcement. Although there is a paucity of published information on this issue, a process of deductive reasoning will be employed where data is lacking. For example, a perusal of crime statistics will be utilized to discern the relative impact of the military's participation in law enforcement. These findings will build upon the framework developed earlier to generate an overall assessment of the military's role and to suggest appropriate shifts in approach. The paper will conclude with a distillation of the key issues and some of their implications for the security of Caribbean states and the role of the military.

Throughout the paper the experiences of certain Caribbean states will be utilized to extract and examine how they have approached the challenges involved in employing the military in concert with the police. In particular the experiences of Jamaica, the country in this region with the longest history of military/police operations will be cited. Trinidad and Tobago, an emerging economic power in the region, has recently been saddled with a surging crime rate which the country is aggressively attempting to bring under control. It is an ideal subject for this analysis since it is one of the countries in the region where an extensive debate on this issue has been recently generated. Additionally,

the country has attempted a number of initiatives in this area which so far have yielded limited success. This should provide ample material for analysis. Very often in this paper, the experiences in other Caribbean states such as Guyana will be used to augment the information cited as well as generate a more comprehensive Caribbean model. The smaller states such as those of the Organisation of Eastern Caribbean States (OECS)[5], while not having standing militaries, are generally affected in a similar manner as the larger ones. This is so because of the militarization of their police and the cultural, economic and political interconnectedness of these countries.

Limitations and Scope

This paper is written with the premise that security in the region begins with the initiatives of individual states within their borders. As will be seen later, this is consistent with the views of writers such as Mohammed Ayoob. That is, it is the political elites in these states that determine the security agenda, resulting in the internal imperatives being stronger than the external ones.[6] This would suggest that matters such as the resolution to the dilemma of the role of the military in law enforcement must begin with the internal dimension. For this reason the paper will focus more upon the internal dynamics of the military's role in law enforcement than on regional initiatives to address crime by groups such as CARICOM.

This paper was constrained by the fact that not much primary source data could be obtained as a result of the nature of this programme. Nevertheless, extensive

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[5]The OECS can be considered a sub grouping of CARICOM. They comprise the countries of Antigua and Barbuda, Dominica, Grenada, Monsterrat, St Kitts and Nevis, St Lucia and St Vincent and the Grenadines. Anguilla and British Virgin Islands are associate members. The major objective of the OECS is sustainable development of members through partnership and harmonization of policy.

[6] Mohammed Ayoob, *The Third World Security Predicament: State Making, Regional Conflict and the International System* (Boulder: Lynne Rienner Publishers, 1995), 191.

communication was had in person, via telephone, and by email with subject matter experts from the US, Canada, Trinidad and Tobago, Jamaica and Guyana. These background conversations did assist in providing a better appreciation of the task at hand and guiding the direction in which the research progressed.

Additionally, the paucity of scholarly texts surrounding this feature of Caribbean existence imposed some limitations on gathering a comprehensive set of alternative views in some areas of the analysis. In the main there appears to be insufficient appreciation of the significant historical, cultural, institutional and other peculiarities of the English Speaking Caribbean, when analyzing security matters in the wider environments within which it resides. Consequently, those things pertinent to CARICOM states can sometimes get lost in groupings such as “Third World”, “Developing States” and “Latin America and the Caribbean.”

Chapter One

The Security of Small Island States – Key Concepts and Definitions

Issues of security are intrinsically linked to conceptions of the state. This is particularly relevant to small island states, since they can be severely impacted by a diverse range of factors due to their fragility and vulnerability.[7] It has been noted that this vulnerability can emanate from a multitude of sources which are exacerbated by smallness and can compromise these states' security. These sources can be historical, geographic, political and economic among others which combine to undermine these states' capacity to exercise legitimate control of their space.[8] This Caribbean reality was aptly captured by the Prime Minister of Barbados, Erskine Sandiford, in a 1990 address to CARICOM: "Our vulnerability is manifold. Physically, we are subject to hurricanes and earthquakes; economically, to market conditions taken elsewhere; socially, to cultural penetration; and now politically to the machinations of terrorists, mercenaries and criminals."[9]

Barry Buzan identifies the ultimate objective of any state as its survival, and that security is essential to this survival. He observed that essentially, "security is aimed at maintaining the independent identity and functioning integrity of states and their societies."[10] Similarly, Kalevi Holsti highlights the critical role of security in vertical and

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[7] *Ibid.*, 1.

[8] Ivelaw Griffith, "Caribbean Security Scenario at the Dawn of the 21st Century: Continuity, Change Challenge"; available from http://www.iadb.org/sds/doc/SGC-Paper_By_Dr_Ivelaw_Griffith.pdf; Internet; accessed 8 April 2009.

[9] Address by L. Erskine Sandiford, Prime Minister of Barbados to 1990 CARICOM summit in "Communiqué and Addresses—Eleventh Meeting of the Heads of Government of the Caribbean Community,"*CARICOM Perspective* (Special Supplement) 49 (July-December) 1990: 6.

horizontal legitimacy, conditions which are necessary for ensuring government effectiveness, state sovereignty and strength. One of Holsti's major observations is that, "….the state and its institutions must provide security, law and a reasonable amount of order. …It has a monopoly over the legitimate use of force and effectively controls or prevents illegitimate public or private violence."[11] The capacity of a state to maintain an environment which is free from the violent influence of sub groups is a key indicator of state strength.[12] The increasing prominence and dominance of non state actors in promoting crime and delinquency in some small island states of the Caribbean certainly brings to the fore some of the very conditions which Holsti associates with weak if not failing states. These governments must then conceptualize and articulate policies which are cognizant of the urgency of the task at hand. These policies must also reflect an appreciation of the scope and complexity of the problem. This must be kept in mind when evaluating the use of the military to assist in combating spiraling crime in Caribbean states.

In one of the more widely acclaimed definitions of security, Arnold Wolfers states that "Security points to some degree of protection of values previously acquired" and that "Security, in an objective sense, measures the absence of fear that such values will be attacked" even further, that "Security is a value, then, of which a nation can have more or less and which it can aspire to have in greater or lesser measure."[13] He goes on to

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[10] Laura Neack, *Elusive Security*: *States First People Last* (Lanham: Rowman and Littlefield, 2007),18.

[11]K.J. Holsti, *The State War and The State of War* (New York: Cambridge University Press, 1996), 94.

[12]*Ibid*., 94.

[13]Arnold Wolfers, *Discord and Collaboration* (Baltimore: The John Hopkins University Press, 1962), 150.

highlight the very fluid and fluctuating nature of security and how it factors into real and difficult political and economic decisions that involve competing priorities and resource allocation.[14] There is thus the critical requirement to justify security investments as well as to demonstrate value for money.

Although Wolfers was writing in 1962 in the height of the Cold War and his focus was upon external threats, his conceptions on security are just as relevant to small island states addressing internal security issues in a global, post Cold War, post 9/11 world. The "normative character" of the national security policy debate of which Wolfers speaks is central to the dilemma presently faced by small island nations, such as Trinidad and Tobago, as they evaluate how the role of the military in internal security could be implemented without negative repercussions. The utility of Wolfers' model is its almost universal applicability. His view of security as values based is particularly relevant in these small island states as some see the threats to their society as directly affecting their values and way of life.[15] The dichotomy between the rational choice of security and the erosion of values which he mentions is mirrored in many of the issues that concern citizens in these small island states. They want the security which the military can provide, but are concerned about abuses of power and erosion of their civil liberties. Resolving this dichotomy is at the heart of effective employment of the military in support of civil authority in these states.

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[14] *Ibid.*,150.

[15] Ivelaw Griffith, "Caribbean Security Scenario at the Dawn of the 21st Century: Continuity, Change Challenge"; available from http://www.iadb.org/sds/doc/SGC-Paper_By_Dr_Ivelaw_Griffith.pdf; Internet; accessed 8 April 2009.

National security and the modes and methods a country should employ in its realization remain a contentious issue. What is national security? Laura Neack provides an excellent framework in discussing this issue and its implications. National security is seen as comprised of two primary elements for most countries, those requiring an external focus and others requiring an internal focus. Traditionally, external security is seen in terms of repelling an external military attack. External security or defence matters are primarily under the purview of defence agencies of which the military is a part. These agencies are often assisted by other similarly focused groups such as departments of state and ministries of foreign affairs.[16] It is the widely accepted convention in the majority of democratic societies that the maintenance of internal security is the purview of law enforcement agencies such as the police and customs and not the military. The military can be activated in cases such as conflicts involving an internal insurgency.[17] Instances such as the FARC in Columbia demonstrate insurgencies that engage the fulltime attention of the military. It is also understood that the military can be called upon in support of civil authority in other cases that are beyond the capacity of law enforcement agencies to address, such as natural disasters or civil disturbances.[18]

National security postures in the Western World have been biased towards external threats, driven in no small measure by experiences of the Cold War.[19] However,

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[16] Laura Neack, *Elusive Security:*…, 14.

[17] *Ibid.*, 14.

[18] Daniella Ashkenazy, "Introduction" in *The Military in the Service of Society and Democracy: The Challenge of Dual-Role Military*, ed. Daniella Ashkenazy, 1-6 (Westport, CT: Greenwood Press, 1994), 5, 6.

[19] Neack, *Elusive Security:*…, 15.

it has been noted that there is a different dynamic in Third World countries. Neacke endorses the view of Mohammed Ayoob that these countries have long understood that some of the most potent threats to their national security lie not outside their borders but inside.[20] This issue is well summarized in a foreword by Thomas Weiss on behalf of Ayoob. That is, in the Third World, the domestic security agenda dominates all others, given the fragility and vulnerability of these states, and the fact that "there is no real substitute for the time and resources to build greater societal cohesion and state legitimacy."[21] Further, it has been suggested that the division between internal and external security is becoming more and more blurred.[22] For the Caribbean this certainly appears to be the case, and is aptly demonstrated by the increasing involvement of the military in law enforcement. It is conceivable that this trend will not only continue but intensify, given Caribbean states' limited security resources and options, and the continued rise in the potency of destructive agents such as drug gangs.

Sovereignty is an essential component of the state, and has very real implications for security and vice versa. Similar to security, there is an external and an internal dimension to sovereignty. External sovereignty has to do with a state's place in the world and its conduct of its foreign policy.[23] While external sovereignty issues hold their own peculiar areas of concern, it is internal sovereignty that is more directly linked to the

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[20]*Ibid.,* 15

Ayoob, *The Third World Security Predicament:…*, 7.

[21]Thomas G. Weiss, "Foreword" in *The Third World Security Predicament: State Making, Regional Conflict and the International System* by Mohammed Ayoob, ix-xii (Boulder: Lynne Rienner Publishers, 1995), xi.

[22]Neack, *Elusive Security*:…, 15.

[23]*Ibid.,* 18.

security challenges presently engaging the attention of the small island states of the Caribbean. Internal sovereignty is concerned with the centralization of power and authority and the state's monopoly on the legitimate use of force within its borders.[24] As suggested by Holsti earlier, the extent to which a state exercises its duty to protect its citizens and ensure the society exists in an atmosphere of law and order, is in many respects the extent to which it is internally sovereign.

This aspect of sovereignty holds serious implications for countries of the Caribbean as transnational criminal organizations continue to grow and impact these societies by competing with civil authority both publicly as in corrupting institutions and privately as in controlling the lives of large sections of communities throughout the state. If tensions escalate as we are now observing in countries like Mexico, the question may arise as to whether these countries are approaching failed state status. This is not as far fetched as it may seem. At his presidential inauguration in March 2008, Professor George Maxwell Richards, President of Trinidad and Tobago, asked citizens to consider this very question, in the face of increasing crime and lawlessness.[25] It cannot be denied that if the leverage and influence of criminal organizations continues to increase in these countries at the present rates, they will eventually be closer to failed state status than farther from it. This reality sets the stark context of the challenge facing some Caribbean states as they consider the appropriate utilization of available security assets in the maintenance of their internal sovereignty.

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[24] *Ibid., 19.*

[25] Ken Smith, "Are our President's Fears Justified?" available from http://www.trinidadexpress.com/index.pl/article_opinion?id=161327584; Internet; accessed 8 March 2009.

Chapter Two

Civil-military Relations

The military is accepted as an indispensable institution in the vast majority of sovereign states, and this is expected to continue into the foreseeable future.[26] But in a changing world with evolving societies, the specific roles and functions of the military as well as its relationships with the wider society cannot be static. The relationship of the military with its society is related to the stages of development of that society over time, and reflects the particular circumstances of the state, relative to others.[27] Samuel P. Huntington identified five ideal types of civil-military relations involving the key dimensions of power, professionalism, and ideology;

- Anti-military ideology, high military political power, and low military professionalism.
- Anti-military ideology, low military political power, and low military professionalism.
- Anti-military ideology, low military political power, and high military professionalism.
- Pro-military ideology, high military political power, and high military professionalism.

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[26]Gavin Kennedy, *The Military in the Third World* (London: Gerald Duckworth & Co. Ltd. 1974), 1.

[27]Ashkenazy, "Introduction" in *The Military in the Service of Society and Democracy*…, 4.

- Pro-military ideology, low military political power, and high military professionalism.

Huntington notes that these ideals are not the norm and the dynamic characteristic of most societies is reflected in a combination of elements of two or more of them. He observes further the negative implications of subjective civilian control associated with low military professionalism and the converse of objective civilian control associated with high levels of military professionalism.[28]

Huntington's model appears to adequately explain the Caribbean civil-military relations experience. He associates the final category of his list with countries such as Great Britain. This is a characteristic of those societies which have been relatively safe from security threats, but notwithstanding, dominated by a positive outlook with regards to the military.[29] One could argue the same categorization for the countries of the Caribbean. This may be primarily due to the fact that many of the traditions and structures of these societies, their institutions, and militaries have been principally crafted and influenced by the British.

The British West India Regiment, a volunteer defence force responsible for defending and maintaining order in its colonies in the Caribbean was formed in 1798. The more recent iteration, the West India Regiment, was formed in 1958, headquartered in Jamaica, comprised soldiers from many Caribbean islands and was a major feature of the region's first attempt at political unification. This was short lived as the countries respectively

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[28]Samuel P. Huntington, *The Soldier and the State*: *The Theory and Politics of Civil-military Relations* (Cambridge: The Belknap Press of Harvard University, 1957), 96, 97.

[29]*Ibid*., 97.

sought independence from Great Britain and the Regiment was disbanded in 1962.[30] In most instances these soldiers would form the core of the military in countries such as Jamaica and Trinidad and Tobago.

Country	Size (Km2)	Population	Armed Forces *	Police Force
Antigua-Barbuda	440	72,310	170	552
Bahamas	13,942	302,000	860	2,046
Barbados	432	268,000	610	1,240
Belize	22,960	249,800	1,050	776
Grenada	345	101,000	None	719
Guyana	214,970	863,000	1,600	3,570
Haiti	27,750	7,952,000	None	5,300
Jamaica	11,424	2,606,000	2,830	7,756
St. Kitts-Nevis	269	44,000	120	384
St. Lucia	616	155,996	None	716
St. Vincent & Grenadines	388	111,821	None	789
Suriname	163,270	415,000	2,040	1,064
Trinidad and Tobago	5,128	1,294,000	2,700	5,507

Table 1. Caribbean Civil-military Data
Notes: *-Active forces only All figures are for 2000.
Sources: Caribbean Development Bank, *Annual Report 2001, March 2002*; Association of Caribbean States, *Consolidation of the Greater Caribbean* (ACS Secretariat, 2001); International Institute for Strategic Studies, *The Military Balance 2001*/02 (London, 2001); Association of Caribbean Commissioners of Police, 2003.

This direct linkage to the British and the professionalism which it engendered, has translated into a healthy respect for the military by civil society in these countries, which has remained in large measure up to today. Table 1 is a breakdown of the countries and an indication of key civil-military data.

Roles and Functions of the Military

[30]Griffith, *Caribbean Security in The Age of Terror*…,465,466.

This paper has highlighted the suggestion that there has been a blurring of the lines between law enforcement and defence. Further examination of the issue of the military's roles and functions in a democratic society, with particular emphasis on law enforcement should prove useful in revealing some principles that could guide engagement of the military and police in the Caribbean. The debate about the potential expanded roles for the military in the wider society is not a recent phenomenon. But this debate has intensified with the end of the Cold War and a changing threat environment.[31] Not surprisingly, the military with its superior organization and resourcing has assumed an expanded internal role in many nations. For example, in countries such as Argentina and Mexico, the military has taken on increased functions in combating drug trafficking within their borders.[32]

At times these additional roles may be supported by the appropriate legislative adjustments. However, very often this is not the case and these military roles simply evolve incrementally without the requisite legislative support, simply as a response to societal needs. This appears to be quite common in situations involving drug trafficking.[33] This is cause for concern, since the absence of a legal basis for action opens the military up to misuse, as there are no parameters to constrain its utilization. It has been noted that misuse of the military can undermine its legitimacy.[34] Not surprisingly, if

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[31] Louis W. Goodman, "Military Roles Past and Present," in *Civil- Military Relations and Democracy, ed.* Larry Diamond and Marc F. Plattner, 30-43 (Baltimore; MA: The John Hopkins University Press, 1996), 30.

[32] *Ibid*., 35.

[33] *Ibid*., 55.

[34] Ashkenazy, "Introduction" in *The Military in the Service of Society and Democracy*…, 5.

the legitimacy of trusted institutions is diminished, this could ultimately affect the legitimacy of the state itself.[35]

The debate about how the military ought to be engaged domestically is not restricted to the wider society but appears to be quite alive within the military itself, particularly in regions such as Latin America. The consensus seems to be, proceed with caution, but support the state in its initiatives. It has been noted that despite the emergence of terrorism and drug trafficking as serious threats to national security, most militaries have preferred to engage in counterdrug and counterterrorism activities in support of the domestic agencies responsible.[36] It has been stated that this apprehension on the part of the military may be partially due its appreciation of the high probability of failure in combating drug trafficking, as well as the great risk of corruption within its ranks.[37]

Louis W. Goodman highlighted some key principles which ought to guide the military's involvement in domestic operations.[38] These are consistent with, certain principles which emerged from the exploration in this section, and should prove invaluable when exploring policy options for utilization of the military in law enforcement in the Caribbean. These principles are summarized below:

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[35]This paper endorses the conception of legitimacy in democratic societies as being wider than legality in footnote 33. Legality is generally defined by the states policy makers. Legitimacy, involves the endorsement of those policies by the wider society, as suggested by writers such as Holsti.

[36] Goodman, "Military Roles Past and Present," in *Civil- Military Relations and Democracy*…, 32.

[37]Juan Rial, "Armies and Civil Society in Latin America," in *Civil- Military Relations and Democracy*, *ed.* Larry Diamond and Marc F. Plattner, 47-65 (Baltimore; MA: The John Hopkins University Press, 1996), 55.

[38] Goodman, "Military Roles Past and Present," in *Civil- Military Relations and Democracy*…, 30-41.

- Other key parties such as the police, should not be shut out by the military's utilization, thus denying them the opportunity to develop and expand critical skills.
- The military by its involvement should not become a special-interest group promoting its own interests at the expense of other domestic entities.
- The military's capability with regard to its core functions should not depreciate as a result of its utilization.
- The military's involvement should be clearly understood as transitional, with clear goals, timetables, and criteria for ending missions.
- Military missions must be both legal and legitimate.

Caribbean Civil-military Relations

It has been noted that a major reason for the formation and maintenance of a military is symbolic. Especially in the case of developing nations, the military is seen as a symbol of sovereignty as well as the embodiment of the authority and monopoly of force reposed in the state.[39] This is certainly the case for Caribbean military forces. These countries were encouraged to form militaries before the granting of independence by Great Britain. In fact for Trinidad and Tobago and Jamaica it was a prerequisite before independence would be granted. [40]

Post colonial civil-military relations in the Caribbean have been generally characterized by positive relationships between the military and civil authority. Civilian

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[39] Jacques Van Doorn, *Armed Forces and Society, Sociological Essays* (The Hague, Mouton & Co., 1968), 110, 111.

[40]Ivelaw Griffith, *Quest for Security in the Caribbean*:…, 85.

control is a consistent feature of the military in the Caribbean under a Westminster construct in the majority of cases. The executive has responsibility for the making of policy with regard to security and the legislature (parliament) becomes involved in cases in which fundamental changes requiring legal effect are contemplated. The defence forces come under control of a minister or state official with responsibility for security, which generally include both the military and police, but other agencies such as customs, prisons, and fire services as well. This has worked relatively well when compared to regions such as Africa and Latin America.[41] The military has generally been a trusted ally in the development of the state in most of these countries. Nevertheless, there have been exceptions to this trend. An attempted coup in Trinidad and Tobago led by two army lieutenants in 1970 is one such aberration. The military itself was able to rectify this situation.[42] Another has been the disbanding of the army in Dominica amid tensions between the government of Eugenia Charles and the military in April 1981. This culminated in the hanging of six persons for murder and treason after they participated in a failed coup led by ex military officers on 19 December 1981.[43]

The cases which are generally more prominent whenever the risks associated with civil-military relations in the Caribbean are discussed are that of Guyana and Grenada.[44] Guyana in the mid eighties has been described as an apt example of the growing militarization of a state in response to national security needs. With the exception of Belize, it is perhaps the Caribbean country with the most significant external threat based

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[41]Morris Janowitz, *Military Institutions and Coercion in Developing Nations* (Chicago: The University of Chicago Press, 1964), 52.

[42]Ivelaw Griffith, *The Quest For Security in The Caribbean.*…,110.

[43]*Ibid.*…,125.

[44]:…,126..

upon its border issues with Venezuela and Suriname. However, these are not pressing since dialogue has been the preferred approach to resolution by all parties.[45] What is more noteworthy is the internal security justification for the increasing militarization by the state in that period. This precipitated the strengthening of the military, police, and civil paramilitary groups, all in the service of maintaining the undemocratic reign of the authoritarian regime under Forbes Burnham.[46] The military made up predominantly of personnel of African descent has emerged from this period relatively stable and impartial, although, subtle tensions lie below the surface driven by racial and class issues in wider Guyanese society. This remains even more relevant since the election into power of the largely Indian People's Popular Party (PPP) which replaced the party of Burnham, the People's National Congress (PNC), in 1992.

The increased use of the military and other instruments of the state as agents of coercion and control was a defining feature of the rule of Eric Gairy in Grenada. He utilized the legislature, military, police and civilian paramilitary gang to suppress and oppress his people for over twenty five years up until his ouster by the New Jewel Movement in a coup led by Maurice Bishop and supported by the military in 1979. This, however, set in motion a continued cycle of militarization under the new Peoples' Revolutionary Government (PRG), as it aligned itself with Cuba.[47] The PRG was quite popular in Grenada but its regime self destructed amid an internal power struggle which

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[45] Ivelaw Griffith, "The Caribbean Security Scenario at the Dawn of the 21st Century: Continuity, Change Challenge";available from http://www.iadb.org/sds/doc/SGC-Paper_By_Dr_Ivelaw_Griffith.pdf; Internet; accessed on 8 April 2009. 8,9.

[46] Alma H. Young and Dion E. Phillips, *Militarization in The Non- Hispanic Caribbean* (Boulder: Lynne Rienner Publishers, Inc., 1986)112,113.

[47] Ibid., 126.

led to the murder of its charismatic leader and several prominent members. This provided the opportunity for an invasion by the US in partnership with Jamaica and the Regional Security System (RSS)[48] and a restoration of democracy in that country from October 1983. The military was subsequently disbanded. Ironically, one critical by product of these developments was not only the demilitarization of Grenada, but the militarization of the sub region comprising those small states of the Eastern Caribbean (OECS). Proposals for an expanded standing joint defense force for the region were considered but abandoned in the face of little support from the US, the larger states such as Guyana and Trinidad and Tobago as well as concerns by certain prime ministers about the militarization of the region.[49]

In some respects the RSS can be considered a regional agent of militarization, with implications for law enforcement in its member countries. At the strategic level it is administered by a "Council of Ministers" which comprises those ministers responsible for defence and security in member states. Operationally, the RSS falls under a Central Liaison Office headed by a Regional Security Coordinator, who is invariably a military officer. The RSS comprises personnel both military and police which are contributed by member states.[50]

The RSS itself can be considered to be essentially a military organization despite the police presence, with many of the systems and procedures along military lines. In fact

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[48]The RSS is comprised of the OECS countries together with Barbados. It was formed on 29 October 1982 through a Memorandum of Understanding (MOU) and is headquartered in Barbados. Its mandate encompasses cooperation on a broad range of security issues including ,Anti- smuggling operations, SAR, customs and immigration control, fishery protection, protection of offshore installations, natural and other disasters and threats to national security.

[49]*Ibid.*, 159,160.

[50]*Ibid.*, 155.

the majority of the joint operations and exercises undertaken with its international partners such as the US and Britain have been military in nature. Additionally, to bridge the gap in capacity and procedure between those states with militaries and those without, the police have created paramilitary components called Special Service Units (SSU). The weapons and equipment available to the RSS units include "light armaments (grenade launchers; automatic rifles especially M-16s; machine guns; hand grenades), basic communications equipment, and patrol vessels."[51] While the relevance of the RSS concept appears justifiable, its impact on the internal security arrangements in the weaker member states should merit further examination in another place. For instance, has it helped to foster a more secure internal environment in these small states, or has it diverted scarce resources and attention to the detriment of the domestic agenda? These issues are relevant for all Caribbean states particularly as it relates to the internal militarization of law enforcement which is examined next.

Militarization of Law Enforcement – Historical and General Trends

Morris Janowitz noted that "Since the institutions of law and order are fragile in many new nations, the military must be concerned with the alternative function of internal security. To some degree, the same troops can be utilized for both purposes."[52] There may be questions as to what constitutes a new nation, and the circumstances of each state or region may differ, nevertheless, Janowitz's observations captures the reality of most Caribbean states with militaries today. Despite this necessity, Janowitz highlights the issue that most militaries in these new and developing nations appreciate

[51]Ibid., 165.

[52]Janowitz, *Military Institutions and Coercion in Developing* Nations…, 112.

the fact that they are distinct from the police. Consequently, they tend more to project force than to utilize it when engaged in internal constabulary operations. He notes further that the reluctance of the military to intervene in day to day police work provides them two significant advantages. One, their impact when they do intervene in particular circumstances is much greater, and two, their legitimacy is enhanced since they are not associated with any routine abuse of force which might occur.[53]

Janowitz highlights the major role of police in "managing violence" in some of these new nations, and on their intrinsic link to the military along the European gendarmerie model, and where in extreme cases they are actually under the operational control of the military. Despite these arrangements, he recognizes that "It is a basic assumption of the democratic model of civilian-military relations that civilian supremacy depends upon a sharp organizational separation between internal and external violence forces."[54] Further, India and Israel are cited as examples of this dichotomy with regard to the militarization of law enforcement. India a country where the military is "…an instrument of sovereignty and under civilian democratic political control, the army is completely separated from the police…" However, the practice in India did not reflect the reality of many new nations such as Israel where the military is involved in extensive domestic law enforcement functions. Importantly, what Janowitz is highlighting is that the internal security circumstances of a state tend to significantly impact the form of involvement that is exercised by its military in domestic law enforcement. [55]

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[53]*Ibid*., 113.

[54]Ibid., 114.

[55]Ibid., 114.

In the experiences of the Irish Republic one can find some common issues which the countries of the Caribbean have also had to address. This army has taken the form of what Morris Janowitz termed the *constabulary force*, which he defined more in terms of its international aspirations than its domestic focus.[56] While the focus of this concept appears to be external, there is also a significant internal dimension. Additionally, despite its longevity, what is still particularly useful about Janowitz's conception is its relevance to Caribbean states today in that he associates it with the needs of the state and focuses upon "creative innovations in military organization and doctrine" towards more effective national policy.[57]

In his analysis of the Republic of Ireland's military J. A. Jackson identified some key issues have which have similar significance for Caribbean countries. For example the notion that the military professional sees himself as an instrument of the state to be utilized in a general context to ensure her well being, as directed by civil authority.[58] This is very consistent with the views held by Caribbean militaries about themselves. This is evidenced by the multiplicity of roles played by the military and military leadership in these countries. For instance in Jamaica, at one time or other military officers have been Chief Fire Officer, Commissioner of Prisons and Commissioner of Police.[59] In Trinidad and Tobago, the military has led departments such as Disaster Preparedness and

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[56]Morris Janowitz, "Armed Forces and Society: A World Perspective" in *Armed Forces and Society: Sociological Essays*, ed. Jacques Van Doorn, 15-38 (The Hague: Mouton, 1968), 34.

[57]Ibid., 34.

[58] J.A. Jackson, "The Irish Army and the Development of the Constabulary Concept," in *Armed Forces and Society: Sociological Essays*, ed. Jacques Van Doorn, 109-126 (The Hague: Mouton and Co., Printers, 1968), 109.

[59]Harriott, *Police and Crime Control in Jamaica*:…, 161. (Col Trevor MacMillan of the Jamaica Defence Force (JDF) became Commissioner of Police in 1993.The present Commissioner of Police Jamaica is former JDF Chief of Defence Staff Rear Admiral Hartley Lewin)

Management as well as developed and managed several programmes associated with youth development. Consequently, it is not surprising that despite the difficulties, the Caribbean militaries have embraced this emerging role in law enforcement.[60]

States have had to continuously address the issue of rationalization of their militaries in response to environmental changes, and for Ireland the experience has been no different. Jackson notes that with regard to the issue of *The Constabulary Concept*, this has been generated as a result of several external and internal factors. He notes the impact of technology, new strategic realities, the democratization of society and the reduction in the need for military force as an agent of national policy. The net effect is that the society must determine whether the investment in the military is justified in the context of the wider economic issues.[61]

The Republic of Ireland has responded to the challenges of its environment by crafting a military which satisfies some international ambitions and requirements with its constabulary role in international peacekeeping. Nevertheless, as its last white paper on defence dated 2000 to 2010 has highlighted, "The threats to the security of the State which have required an operational response over the last thirty years have all been in the internal security domain." Consequently, Ireland lists the support of its police, the Garda Síochána, as one of the four major responsibilities of its military.[62] Thus, while the

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[60]In Trinidad and Tobago Colonel Dave Williams was Director of Disaster Preparedness and Management from 1997 to 2005. Additionally the Trinidad and Tobago Defence Force runs several youth programmes such as the Civilian Conseravtion Corps (CCC).

[61]Jackson, "The Irish Army and the Development of the Constabulary Concept," in *Armed Forces and Society: Sociological Essays*…, 110.

[62]Department of Defence, Republic of Ireland, http://www.defence.ie/website.nsf/home+page?openform; Internet; accessed 22 February 2009.

constabulary focus of its military is external, there is a significant internal component within the democratic civil-military relations construct.

While the examination of the military's role in law enforcement generally tends to focus on how the military affects the society, it should not be forgotten that the military itself can be affected by these arrangements. The risk of "domestication" or civilianization of the military during extended interaction with civilian agencies is a serious concern. Some of the characteristics of this "domestication" is exhibited in recruiting policy in Ireland where, similar to police, military personnel are recruited from and posted within their communities without the transfers and interchanges so critical to the development of military discipline and professionalism. The routine of military personnel does not differ significantly from the rest of the population, in that most military personnel live at home as part of the community where they are garrisoned. One of the impacts of this modus operandi is a wide variation in the standards of the garrisons when examined in relation to the requirements of the military.[63]

While certain aspects of Ireland's experience may not mirror that of the Caribbean, there appears to be much value in exploring particular issues of relevance. One such issue is the potential negative impact of "civilianization" of the military through fundamental changes in its systems and modes of operation in order to fulfill increasing law enforcement commitments. This becomes relevant when one considers that like Ireland, military personnel from the Caribbean do participate in UN missions abroad, and are expected to continue in that role. Additionally, the militaries of the Caribbean honour long standing relationships, and commitments through training with international

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[63] *Ibid.,* 120.

forces.[64] Even more importantly, the militaries of the Caribbean still retain the responsibility for maintaining a ready force for defence of the state.

Apart from the impact of law enforcement arrangements on the military and vice versa it must be understood that there are wider forces at play. The militarization of law enforcement is a very dynamic process that results from a combination of environmental factors including the world view of elites and policy makers within the state. One example is the language used by leaders in society to articulate a state's disposition in the face of certain domestic security challenges. Thus phrases such as "war on crime" and "war on drugs" are now household conceptions which also contribute to the changing face of law enforcement.[65] There is a distinctive link between this and what Michael Klare refers to as the *national security syndrome,* the increasing need to define solutions to internal problems of the state through military lenses.[66]

The historical dimension is important in understanding the militarization of law enforcement in the Caribbean states, since this is not a recent phenomenon. It was so from the formation of these states. While recent initiatives focus upon the standing military's involvement in law enforcement, the basic model of police organization during and post colonial period were in fact very much along military lines. It has been noted that the British employed a more civic and community oriented form of policing at home. However, the model employed in its colonies such as those in the Caribbean was the

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[64]The militaries of the Caribbean engage in annual military exercises with armed forces from countries such as the US, France, Great Britain and Canada.

[65] Peter B. Kraska, "Crime Control as Warfare: Language Matters" in *Militarizing The Criminal Justice System: The Changing Roles of the Armed Forces and the Police*, ed. Peter B. Kraska, 14-25 (Boston,MA: Northeastern University Press, 2001), 18-20.

[66]Michael Klare, "Militarism: The Issues Today," in *Problems of Contemporary Militarism,* ed. A.Eide and M. Thee (New York: St. Martin's Press, 1980), 48.

much more militaristic model developed "under Irish conditions."[67] It exhibited many of the characteristics associated with militaries of that time such as a rigid hierarchical structure, centralized command, coercive management, discouragement of initiative and strict adherence to rules and procedure.[68] This suited its purpose which was more the maintenance of order than the provision of a service to citizens. In fact, what is today called the Trinidad and Tobago Police Service was the Trinidad and Tobago Constabulary Force up to 1938 and the Trinidad and Tobago Police Force from 1938 to 1965.[69] Even more noteworthy is that the Jamaica Constabulary Force (JCF) established in 1865 still retains that designation; in Barbados it has remained the Royal Barbados Police Force since 1835.

Another factor which has helped to shape this disposition of the police in the region is that there were no indigenous defence forces in the Caribbean prior to independence which started in the early sixties. Essentiality, these forces performed a pseudo-military role as well. This fact should not be lost on decision makers today, since the militaristic tendencies of Caribbean constabularies has been identified as one of the causes of their ineffectiveness.[70]

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[67]Harriott, *Police and Crime Control in Jamaica:…*, 77.

[68]*Ibid.*,77, 78.

[69]Griffith, *Quest For Security in The Caribbean*:.., 112.

[70]Harriott, *Police and Crime Control in Jamaica:..*, 85.

Chapter Three

The Role of the US Military and Posse Comitatus

> Whereas responsibility for US national security threats in the past clearly belonged to the military and responsibility for domestic security belonged to law enforcement, these clear-cut divisions no longer exist. This poses some profound constitutional and security challenges. On the one hand, institutions that have developed separately must now learn to work closely together and to blend their strategies in order to ensure our nation's security. On the other hand, the division of military and law enforcement functions is closely linked to the preservation of our liberties, and the task of merging them is fraught with hazards…Blending law enforcement and the military is thus a vital but dangerous act.[71]

The experiences of the US demonstrate that the dilemma of how the capability of the military can be leveraged to augment gaps in law enforcement is not unique to small island states. A perusal of the US experience would be useful for a number of reasons. One, its experience could assist in identifying potential benefits and shortcomings of this approach from a strategic, policy, and operational level perspectives. Further, the US is a security partner to the countries of the Caribbean. Many of the threats that affect these states such as drug smuggling, also affects the US. In fact, the US military, in the form of the US Southern Command (SOUTHCOM), and its agencies, such as Joint Task Force (JIATF) South, have extensive contacts and arrangements with Caribbean countries with regard to security. Consequently, awareness and alignment of security policy and practice in this crucial area should enhance the continued inter action of the US and the Caribbean region.

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[71]Carolyn W. Pumphrey "Transnational Threats: Blending Law Enforcement and Military Strategies"; available from http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB224.pdf on March 27; Internet; accessed 25 March 2009.

Historically, the major impediment to the US military's involvement in law enforcement has been the Posse Comitatus Act (18 USC 1385) passed in 1878 (and subsequently amended). The Act states,

> Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than $10,000 or imprisoned not more than two years, or both.[72]

Posse comitatus was enacted due to excesses and violations of civil liberties by federal troops under military governors after the end of the Civil War Reconstruction in the South.[73] As the Act implies, its intent was to remove the military from involvement in civilian law enforcement matters. While the Act has often been the source of heated debate, particularly in the post Cold War era, no one has ever been convicted under it.[74] It could be argued that Posse Comitatus is as much a symbolic manifestation of the nation's historical dislike of the military's involvement in civilian affairs as it is an effective legal document. However, it remains a powerful and relevant factor whenever consideration of employment of the military in the law enforcement domain is contemplated.

The Act has been subject to repeated circumvention through enactment of new legislation in the quest to satisfy a number of law enforcement objectives.[75] In the early 1980s the issue of narco-trafficking began to receive increased attention, with its international dimension and the inability of US police to stem its rise. It

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[73]Bonnie Baker, Jennifer Elsea, Charles Doyle, *The Posse Comitatus Act and Related Matters: Current Issues and Background* (New York: Novinka Books, 2004), 2.

[74]Chad Thevenot, "The Militarization of the Anti-Drug Effort" The Criminal Justice Policy Foundation; available from http://www.ndsn.org/july97/military.html; Internet accessed 23 March 2009.

[75] Major Craig Trebilcock, "The Myth of Posse Comitatus" available from http://www.homelandsecurity.org/journal/articles/Trebilcock.htm; Internet; accessed 24 April 2009.

was determined that this posed a real danger to the national security of the US. The Reagan Administration approved the employment of military assets in support of law enforcement outside of US borders in preemptive drug interdiction exercises. Congress then passed 10 U.S.C., sections 371-381, allowing the use of the military in antidrug law enforcement as well as other traditionally civilian areas such as immigration.[76]

Some have argued that "…militarizing domestic law enforcement operations, long considered the exclusive province of civilian police, is a dangerous intrusion into civilian powers by the military."[77] Additionally, they question whether military training and tactics are consistent with the requirements for effective policing already constrained by the Bill of Rights and legal precedence. Others have argued that the technology, competence and organization of the military are critical in combating the sophistication of the drug cartels which is beyond the capacity of the local police.[78] Even more relevant is that apart from the real solutions that the military brings to complex situations, there is the political mileage to be gained from the image of effectiveness of the military.[79]

Since the Reagan years, there has been a continued erosion of the Posse Comitatus Act by subsequent administrations in furtherance of the drug war. The

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[76]*Ibid*

[77]Chad Thevenot, "The Militarization of the Anti-Drug Effort" The Criminal Justice Policy Foundation; available from http://www.ndsn.org/july97/military.html; Internet accessed 23 March 2009.

[78]*Ibid*

[79]Colonel Charles J. Dunlap Jr, "The Thick Green Line:The Growing Involvement of Military Forces in Domestic Law Enforcement," in *Militarizing The Criminal Justice System: The Changing Roles of the Armed Forces and the Police*, ed. Peter B. Kraska, 29-42 (Boston,MA: Northeastern University Press, 2001), 34.

military's role has continued and intensified to the point where the participation of the military in several counterdrug initiatives is now institutionalized.[80] There have even been calls for the involvement of the military in other areas such as assisting the police in certain high crime urban areas.[81] These counterdrug initiatives have facilitated an increased collaboration between the police and the military and it has been argued that, "This has contributed to the militarization of police forces as they incorporate a wide range of military equipment into their inventories and turn to the military for advice and training." The US military is still prohibited from direct participation in law enforcement activities such as search, seizure or arrest. Nevertheless, the feeling remains that, "In important ways we are witnessing a problematic convergence of police and military interests"[82]

The events of 9/11 have served to intensify and increase further the involvement of the military in domestic law enforcement. While the involvement of the military in the war on drugs could be considered as evolutionary, the impact of 9/11 on their involvement was dramatic and revolutionary. The US obsession with security meant that its most trusted and reliable institution was thrust to the fore. The creation of the Northern Command (NORTHCOM) in October 2002 and the Department of Homeland Security in November 2002, added to the complexity of the environment in which the military was required to operate.[83] To the

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[80] Peter B. Kraska, "Crime Control as Warfare: Language Matters"…, 21.

[81] *Ibid.,* 32.

[82] *Ibid.,* 30, 31.

[83] Karen Guttieri, "Homeland Security and US-Military Relations"; available from http://www.ccc.nps.navy.mil/si/aug03/homeland.asp; Internet; accessed on 28 February 2009.

military's credit it has refrained from attempting to leverage this "opportunity" for institution building or resource grabbing. It could be argued that it is in fact the military's restraint and not issues such as Posse Comitatus that has prevented greater involvement of the military in domestic law enforcement issues pursuant to 9/11. The military has made it clear that NORTHCOM's focus will be on external threats to the security of the population, territory and critical infrastructure of the US of America, through it traditional chain of command. Additionally, the US military remains committed to working with the department of Homeland Security in a supporting role again as arranged through its traditional chain of command.[84]

On closer examination it has been suggested that the issues pertinent to the US military's participation in law enforcement lie along two domains, one practical/professional and the other philosophical. On a practical level the objectives of the military and law enforcement vary and consequently their training and indoctrination differs from each other. Some commentators have argued that there are, in fact, "few synergies between law enforcement and military missions"[85]One could argue that this assertion misses the point since the essence of the discussion is really about what will constitute military missions in this emerging law enforcement domain. Nevertheless, the issue of rules of engagement (ROE) has been cited as a critical area of divergence between the military and law enforcement.[86] The military is trained to kill and destroy targets in environments

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[84]*Ibid.,*

[85]Colonel Dunlap Jr, *The Thick Green Line.…*,33.

[86]*Ibid.,* 35.

that are often times absolute, with less grey areas. The police, however, have been conditioned to operate in a much more constrained environment where the legal context and the rights of citizens are paramount. "They gather evidence and arrest suspects"[87]

A key factor requiring attention in this discussion is the impact upon military morale of their participation in law enforcement activities. It has been noted than the motive of persons for voluntarily joining military organizations such as the US military is not necessarily the same as that for joining police organizations.[88] Additionally, when coupled with the unfamiliar challenges of the law enforcement domain such as increased exposure to criminal elements and opportunities for corrupt activities, the impact can negatively affect morale and discipline.[89]

The US military has travelled a difficult road to the immense popularity it enjoys today. It has been highlighted that the military consistently leads US public opinion polls as the most trusted institution ahead of organizations such as the Church and the Supreme Court.[90] Born out of a culture that mistrusted standing armies, civil-military relations have been severely affected in periods such as during the Vietnam War. It is, therefore, understandable that the military leadership is cautious about engagement to any significant degree in domestic law enforcement

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[87]*Ibid.,* 34.

[88]*Ibid.,* 36.

[89]*Ibid.,* 34.

[90]*Ibid.,* 34.

activities.[91] There is probably no greater risk to the military than the damage than can be done to civil-military relations with one wrongly placed bullet during some law enforcement activity. The US military got a taste of this during a law enforcement operation in Texas in May 1997 when a young illegal Mexican immigrant was accidentally shot and killed along the border with Mexico by a US Marine Corporal during an anti drug patrol. The federal government settled the case and paid the family of the young man some US $1.9 million. Nevertheless the damage done to the image of the Marine Corps and the US military as a whole was profound. This situation was made even worse when an independent investigation found that the Marine personnel were not properly trained for the functions they were performing, as well as identified problems with some of the procedures employed during the operation.[92] No doubt incidents like these only serve to undermine the trust between military and public so important to good civil relations.[93]

There is a distinct philosophical construct of clear separation of the functions of the military and law enforcement that characterizes most liberal democracies. This appears to work well in most states. The military symbolizes the sovereignty of the state more so than the police. While the police grapple with the routine day to day matters of civic society, the military stands apart as an incorruptible pillar, a last line of defence. There is something almost antithetical

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[91]Karen Guttieri, *Homeland Security and US-Military Relations…*,

[92]"Hernandez Family Accepts "Humanitarian" Payment for Son's Shooting Death by Anti-Drug Marine Patrol ; Defence Department Probe of Killing Criticizes Training and Supervision of Patrol" Criminal Justice Policy Foundation; available from http://ndsn.org/sepoct98/lawenf2.html; Internet; accessed 27 February 2009.

[93]Colonel Dunlap Jr., *The Thick Green Line…*, 35.

about military personnel performing routine law enforcement duties in a modern democratic society. All societies are bound by traditions and norms which help to define them and help to make them who they are. The traditional role of the military is one of those norms. This is not to suggest that a change is necessarily bad, only that whatever change is contemplated, that appropriate consideration is given to the serious implications both practical and symbolic of such.

As has been noted, the leadership of the US military to its credit has treaded cautiously where its civilian overlords have been eager to lead. Although the role of the military has continued to increase since the 1980s, this has been in a very deliberate and controlled manner. The role of persons such as Casper Weinberger when he was Secretary of Defence, cannot be underestimated, as he attempted to temper the aspirations of Reagan in his war on drugs. His position was that "Reliance on military forces to accomplish civilian tasks is detrimental to both military readiness and the democratic process."[94]

One of the first steps in ensuring that the right policies are created and implemented with regard to the role of the military in these matter is a clear understanding of what threats are truly national security threats. The temptation to categorize difficult and dangerous law enforcement problems as problems requiring military solutions should be avoided. There should also be recognition, that often times these are not things that can be clearly demarcated, and that there is overlap. Consequently, the military must be able to contribute to solutions. An excellent

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[94] Chad Thevenot, "The Militarization of the Anti-Drug Effort" The Criminal Justice Policy Foundation; available from http://www.ndsn.org/july97/military.html; Internet accessed 23 March 2009.

demonstration of this occurred during the push to craft the US drug problem into a national security threat requiring the application of military force. While the US military's involvement in this essentially law enforcement problem did grow, it was primarily in the support areas of advice, training, surveillance and resources and not the execution of the entire spectrum of routine police functions.[95]

There are many lessons for Caribbean militaries to be taken from the US experience. These are highlighted below and would help to inform the continued discourse in this paper.

- The military leadership as the custodian of the "sacred" traditions of the military must work with civil authority to ensure that objectives are achieved without damage to civil society or the military itself.
- While the military may be able to positively impact law enforcement, care must be taken not to overestimate what that impact can be. This implies that expectations must be managed, and the military must attempt to avoid being caught up in the political dimensions of these decisions.
- Employment of the military in law enforcement exposes service personnel to real dangers many of which they are not trained or prepared for.
- Military leadership must attempt to ensure that the civil- military relations aspect of this issue is more influenced by them and than politicians.
- Direct and sustained involvement of the military in law enforcement does not appear to be the best application of military competence in this area thus far. Consequently, some form of support and enabling function

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[95]*Ibid.*,37.

should form the basis of the military's role. The military can thus be a force multiplier.

- Many of the short comings of law enforcement identified are systemic and structural. This suggests that law enforcement solutions must factor in the commitment to address these in the medium to long term.
- The military and law enforcement are trained to use force differently and this could have dangerous consequences when the military is employed in a domestic environment.
- Despite the extensive involvement of the US military in law enforcement activities, they still do not have powers of arrest or search and seizure.

Chapter Four

Crime in the Caribbean

We now turn to what is the actual experience of Caribbean states with regard to crime and law enforcement. What are the principal security threats facing Caribbean states? In 2001, a CARICOM commissioned Task Force on Crime and Security identified the following: "illegal drugs, illegal firearms, corruption, rising crime against persons and property, criminal deportees, growing lawlessness, poverty and inequity."[96] This chapter will look at these threats, as well as other institutional factors, and see how they have served to foster the pernicious criminal environment which now exists in the Caribbean. A report in the *Economist* has highlighted the key role of drug trafficking as the motive pillar behind the high rate of Caribbean crime, it notes "The explosion of the international drug trade has institutionalized criminal behaviour, increased property related crime by drug users and underpinned a steady increase in the availability of firearms."[97] While drugs might be the major source of Caribbean criminality, the main conduit of crime in the region is the criminal gangs conducting the drug trade. Consequently, some focus will be placed upon the Caribbean gang phenomenon.

The Organisation of American States (OAS), in a joint declaration on security in 2003, identified the scourge of gangs as a significant threat to states of the region.[98]

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[96]"Project Profile, Citizen Security Programme, Trinidad and Tobago"; available from http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=1163913; Internet; accessed 8 April 2009.

[97]"A Caribbean Crime Wave," The Economist, 20 March 2008 http://www.economist.com/displayStory.cfm?story_id=10903343&fsrc=RSS; Internet; accessed 17 March 2009.

While the gang culture is most mature in Jamaica, the problems associated with gangs are common to the entire Caribbean. No less a person than the Prime Minister of St Kitts and Nevis lamented in May 2008 the dire circumstances facing the region as young people across the Caribbean get caught up in the gang culture and the violence it breeds.[99] There is an estimated 85 gangs in Jamaica, with a total membership of between 2,500 to 20,000.[100] In Trinidad and Tobago the estimated figures are 81 gangs, each having 10 to 50 members, who range from 14 to 44 years of age.[101] Of the record 545 murders in 2008, 67 percent were gang related.[102] The growth in influence of gangs reflects the impact of poverty and the absence of economic opportunity in large segments of the population in Caribbean states. In countries like Jamaica and Trinidad and Tobago gangs often fill the social and economic void left by the state in poorer communities by providing status, employment opportunities and security.[103] There appears to be an affiliation to political parties by gangs in certain Caribbean states. In Jamaica for instance, the leader of the Opposition attended the funeral of reputed gang leader Lester

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[98]"Draft declaration on Security in the Americas," approved by the Permanent Council of the Organization of American States at its regular session, held in Mexico City, Mexico, 22 October 2003, pp. 1, 3, 8.

[99]"Gangs, Crime and Caribbean Youths", BBC Caribbean;available from F:\MDS Assignment\BBCCaribbean_com Gangs, crime and Caribbean youths.mht; Internet; accessed 23 April 2009.

[100]Max G. Manwaring "A Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Criminal Organizations (TCOs) in Central America, El Salvador, Mexico, Jamaica, and Brazil" *Strategic Studies Institute United States Army War College*; available from http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=837; Internet; accessed 25 March 2009, 35.

[101] Government of Trinidad and Tobago "Government considering legislation to prohibit formation of gangs" http://www.news.gov.tt/index.php?news=641; Internet; accessed 22 April 2009.

[102]Camille Clarke, "Reyes: School dropouts graduating to gangs" Trinidad Guardian, 2 January 2009 available from F:\MDS Assignment\Reyes School drop-outs graduating to gangs The Trinidad Guardian.mht; Internet; accessed 22 April 2009.

[103]Max G. Manwaring "A Contemporary Challenge to State Sovereignty:…, 36.

Coke in 1992. Similarly, senior officials of the governing party did the same upon the death of another alleged gang leader, Clinton Davy.[104] The relationship is more evident during elections when gangs can leverage their control over certain communities into support for one party or another. This is compounded when governments appear to negotiate with gang leaders in an effort to deescalate tensions between warring factions.[105] The social status and political legitimacy which can be conveyed by the conduct of political officials can add to the complexity of combating the rise of criminal gangs in Caribbean states.

Caribbean gangs such as the Jamaican posses are organized along similar lines to those in Latin America and the US. They are very territorial and control clearly demarked areas, under the leadership of a charismatic, powerful and ruthless leader. Like many organizations, the gangs are stratified with an upper, middle and a lower echelon. The upper echelon coordinates the overarching plans primarily for the trafficking in drugs. The middle level controls daily operations, and the lowest group performs assigned routine activities in the streets associated with drug transactions such as sales and murder.[106]

The Jamaican posse highlights the transnational nature of the gang phenomenon in the Caribbean region as well as the range of resources at their disposal.[107] The posse's control their own networks that include aircraft and boats as well as persons on the

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[104] Harriott, *Police and Crime Control in Jamaica:*…, 20.

[105] Manwaring "A Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Criminal Organizations (TCOs) in Central America, El Salvador, Mexico, Jamaica, and Brazil"…, 37.

[106] *Ibid.,* 35.

[107] *Ibid.,* 36.

business end to handle matters such as money laundering and even legitimate enterprises. Associated to this network is the growing interconnectedness to operations in other Caribbean states as well as North America and Europe. This networked nature of gang driven crime has been described as too complex to allow either a strictly military or police solution.[108] Consequently, it is suggested that the approach should leverage "…the multilevel, combined political, psychological, moral, informational, economic, social, police and military activity that can be brought to bear on the causes and consequences, as well as the perpetrators, of violence."[109]

The battle for control of various urban areas by various gangs is one of the main causes of the significant increases in murders, serious crime and fear in the wider population. When control of a community is achieved, it is then leveraged into systems for the trafficking of drugs, weapons and extortion of funds from both private and public entities. In addition to gang on gang violence, there is also direct attack on innocent citizens. This is also evidenced by the emergence of "new" crimes such as kidnapping for ransom. Kidnapping in the Caribbean started in Jamaica as a means of avoiding criminal prosecution. Witnesses were kidnapped and murdered. This has evolved into the present form most prevalent in Guyana and Trinidad and Tobago kidnapping for ransom. In Guyana, there were 20 kidnappings by April for the year 2003. For that same period there were 65 in Trinidad and Tobago.[110] The inability of law enforcement agencies to impact this crime has added to the feeling of fear and helplessness in the

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[108] *Ibid.,* 5.

[109] *Ibid., 6.*

[110] Ronald Peters "Crime in the Caribbean an Overwhelming Phenomenon" …, 384.

wider society. There are now real doubts about the ability of the state to provide for the security of citizens.

It has been suggested that certain unique characteristics of the Caribbean states must be recognized in analysis of the problem if solutions derived are to be relevant and effective.[111] These characteristics include the following: the position of these states in the world economic order which perpetuates underdevelopment in most small island states; the small size of these states which can magnify certain effects both physically and psychologically thus adding to their fragility and vulnerability; the central role of tourism in the economies of these countries which lends itself to their economic fragility as a result of crime, and can also be a factor in criminal practices such as drug trafficking and money laundering; the strategic location of most of these islands between producers of narcotics in the south and consumers in the north, which make them key facilitators in the transfer of drugs, guns and money; and the relative immaturity of political and social institutions and the legacy of colonialism which can be a factor in building a new society; and the administration of justice.

In addition to the structural factors identified, other emerging issues have been identified by Ramesh Deosaran as crucial to locating the crime phenomenon in Caribbean states. These will be utilized as a framework to further analyze the problem and are summarized in the following sections[112]

Influence of the US

The US does not only affect, but is affected by the region. The policy of the US has also been blamed as partially responsible for this increasing sophistication and

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[111] Deosaran, *Crime Delinquency and* Justice…, 47,48.

[112] *Ibid*., 243-246.

diversity of crime. Its practice of summarily deporting convicted criminals back to the Caribbean without the use of proper bilateral arrangements has been seen as a causative factor undermining the security and stability of the region. An estimated 1000 persons convicted of crimes in the US are arbitrarily returned to the Caribbean each year. It is the opinion of many that when these "professional" criminals are repatriated into the small fragile societies of the Caribbean, they recruit, organize and create what amounts to very potent forces for destabilizing these countries. All attempts by Caribbean governments to have this practice supported by proper bilateral policy have proven futile.[113]

The very loose gun laws in the US have had a direct and devastating impact on the societies in the Caribbean. The entire business of drug trafficking requires a significant level of violence to ensure its sustenance. Consequently as the drug trade grows, so to does the number of firearms entering Caribbean states. Naturally, as more guns enter Caribbean states to perpetuate the drug trade the spillover effect is an increase in violent crime and murders.[114]

In a case study of guns and crime in Trinidad and Tobago, it was noted that "In 2004, Trinidad and Tobago experienced 160 firearm murders, 450 firearm woundings…A major factor contributing to the surge of guns related criminality in the region is the trafficking of narcotics which has facilitated the availability of firearms."[115] These guns generally enter the region through Latin America, but a major source of the

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[113]Ibid., 245.

[114]Ronald Peters "*Crime in the Caribbean an Overwhelming Phenomenon*" The Round Table: The Commonwealth Journal of International Affairs July 2003: 383. available from http://pdfserve.informaworld.com/238846_731515095_750456707.pdf; Internet; accessed 21 April 2009.

[115]World Bank. "Guns and Crime: a Case Study of Trinidad and Tobago," http://siteresources.worldbank.org/INTHAITI/Resources/CaribbeanC&VChapter9.pdfI; Internet; accessed 20 April 2009.

weapons is the US.[116] The US regulations pose little deterrent in the illegal acquisition of firearms for trafficking purposes. One of the main strategies practiced is using "straw purchasers", which are persons hired to purchase guns from dealers and gun shows in the US and then illegally transferred to the intended destination.[117]

US interest is also at risk in the Caribbean. Trinidad and Tobago supplies 80percent of the natural gas needs of the eastern US and there are significant US energy related investments in that country. Fully aware of the implications for its security, the US has consistently monitored and engaged Trinidad and Tobago to ensure its security arrangements are appropriate. This has been demonstrated in instances such as the pressure from the US to ensure that Trinidad and Tobago, as well as other Caribbean islands, were compliant with the requirements of the International Ship and Port Security (ISPS) code by July 2004. In early 2008, the US Secretary of Energy visited Trinidad and Tobago to be apprised specifically on arrangements in place for critical infrastructure protection.

Some Caribbean countries have been implicated in one way or another in militant Islamic terrorism. In 1990, a local Islamic sect was involved in a failed coup attempt in Trinidad and Tobago. They are still present in Trinidad and Tobago and reputed to be a major player in the crime and security landscape of the country.[118] In the latest incident two Trinidadians and two Guyanese have been

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[116]*Ibid*

[117] *Ibid*

[118]Darryl Heeralal "Heroine The Next Epidemic?" Trinidad Express, 2 October 2008; available from http://www.trinidadexpress.com/index.pl/article_news?id=161382659 ; Internet; accessed 3 March 2009.

indicted in June 2007 for a plot to blow up the JFK International Airport.[119] At present subversive elements exist in Trinidad and Tobago, Jamaica, Guyana and some of the smaller Caribbean states, with the potential to do substantial damage should the conditions be right.

Not surprisingly, with how much it has at stake in the region, the US is actively engaged in influencing the security policies of Caribbean states. In fact in one of its official directives to its overseas commands it emphasizes the importance of influencing foreign armed forces "to consider roles appropriate to their national requirements, roles that are supportive of civilian control and respectful of human rights and the rule of law."[120] The impact of 9/11 has only served to intensify US efforts at attempting to shape security policy in the region through mechanisms such as the Inter American Committee Against Terrorism (CICTE).[121] This has serious implications for governments of the region and how they approach the issue of the military role in law enforcement. Needless to say a US interest in finding solutions to security problems facing the region does not necessarily mean that this will be in the best interest of these countries.

One remembers the case of Haiti in 1994 when the issue of Haitian illegal immigration and drug trafficking became a major problem for the US.[122] It spearheaded an initiative entitled "Uphold Democracy" with the support of the UN

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[119]"Four Men Accused of Plot to Blow up Kennedy Airport Terminal and Fuel Lines" New York Times, 3 June 2007; available from http://www.nytimes.com/2007/06/03/nyregion/03plot.html; Internet; accessed 3 March 2009.

[120]Goodman, "Military Roles Past and Present," in *Civil- Military Relations and Democracy…*, 32.

[121]Griffith, *Caribbean Security in The Age of Terror:…*, 264.

[122]This perspective is provided by the writer after participating in this operation as a member of the CARICOM forces over a period of 18 months at the staff headquarters level.

to reinstate ousted president Jean Bertrand Aristide. This was supposed to lead to a resolution of Haiti's problems. Firstly, the mandate of the mission was very narrow. Its objective was essentially to maintain an environment that ensured a safe and secure election in Haiti. There was a safe election and naturally, the mission was termed a success with all the pomp and ceremony of handover takeover and closing parades. But what about Haiti? There appeared to be no robust programme of support post election in order to aid governance and foster growth and development.

After millions spent there was nothing to show, no real improvement in the lives of Haitians in any significant way. A cynic might be tempted to conclude that this was all window dressing in order to appease the consciences of the US and the International community and show that "something" has been done, while the real objective was denying Haitians entry into the US. It could be argued that Haiti is no better off today for the efforts of the US and the UN. Caribbean governments must thus ensure that in addition to alignment with the US, the security solutions they craft are consistent with the uniqueness of Caribbean states and the interests of its people. They must resist the temptation to employ measures that have effects such as the militarization of law enforcement based solely on pressures from and appeasement for the US.

The areas of *offshore banking; election financing; integrity in public office; and gambling* are highlighted here to provide a brief overview that assists in demonstrating the scope and complexity of the issue of crime in the Caribbean.

The Emergence of Off Shore Banking Services

Several of the smaller Caribbean states, faced with dwindling economic options, have turned to the provision of offshore banking services to clients in developed states. These developments have created great concern in some quarters of the developed world, due to the nexus between crime and business that offshore banking provides in the Caribbean. The reputed link between offshore banking and money laundering means it will continue to be a key factor in security matters in the Caribbean into the foreseeable future.

Election Financing

Donations by businesses to the election campaigns of political parties are a common feature of most liberal democracies. There has been concern about the influence of these financiers generally. In fact, the issue of campaign finance reform is a most important issue in the political landscape of the US. In the small fragile states of the Caribbean there is concern over the link between some of these donations, drug trafficking and money laundering. These have serious implications for the integrity of the processes involved in the governance of these states.

Integrity in Public Office

Directly linked, but not limited to election financing is corruption in public office. There are cases of politicians before the courts in many Caribbean states. Even of more concern than this is the type of corruption that becomes institutionalized at all levels in state agencies such as the police and customs departments.

Growth in Gambling Industry

The gambling industry is experiencing significant growth throughout the Caribbean. There is a concern within the security community in the Caribbean

about this industry's potential as a facilitator in money laundering, drug trafficking, prostitution and human trafficking activities.

Juvenile Delinquency

The level of school violence and delinquency is cause for serious concern in all Caribbean states. Deosaran notes that, "This rate seems all set to rise in the years ahead, with the female rate converging with the male, and with grave consequences for the serious crime rate across the Caribbean." He highlights the link between school delinquency and criminality now plaguing the Caribbean in that "It is known that many of these school delinquents go on to commit serious crime in adult life…"[123] This has been borne out by remarks made by the Deputy Commissioner of Police in Trinidad and Tobago, Gilbert Reyes, when he noted that school dropouts are graduating into criminal gangs during a press conference in January 2009. In that interview he related about the trials of a school principal in the Port of Spain area, having to deal with the influence of gangs upon some the students at the school.[124]

The Administration of Justice

The administration of justice has been described as the entity which comprises the police and the prison at its extreme ends and the judicial system at its centre. The image that emerges of the Caribbean in this vital area is not reassuring. As Deosaran notes, "Across the Caribbean, the conviction rate for serious crimes reported is around 10 percent. The rate of recidivism is around 60 percent...Case

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[123]Deosaran, *Crime Delinquency and* Justice…, 245.

[124] Clarke, "Reyes: School dropouts graduating to gangs"...

backlogs are huge and very prohibitive for swift justice."[125] The inefficiency inherent in the entire case management system means that perpetual adjournments result in cases being delayed for as much as 12 years. The net effect is that short term resolutions are unlikely as governments attempt to implement new systems to address this problem.

The Nature of Caribbean Policing

The relationship of the police with the wider society is a significant feature in understanding the internal security environment of Caribbean states. This section will examine the police from its colonial genesis (highlighted earlier) to present and attempt to identify the key issues that affect its contribution to Caribbean society. It is noted that the police in most Caribbean states have not evolved from the colonial imperatives which drove their genesis. Deosaran notes that "Spawned by the narrow security needs of the plantation system, and supported by the British tradition of imperial control, Caribbean policing has been largely confined to functions of social control of the working class."[126] This has tended to sustain historical racial and societal antagonisms between the police and major segments of the society. This environment of mistrust has only served to exacerbate other systemic and organizational deficiencies already endemic within the police. Consequently, although there is recognition that new approaches such as community policing are necessary, the precursors required to ensure their successful implementation are not only absent, but extremely difficult to construct.

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[125] Deosaran, *Crime Delinquency and* Justice., 246.

[126]Ibid., 247.

It has been noted that the formation of the Caribbean constabulary is rooted in a militarism which by and large tended to alienate law enforcement from large sections of the community it was supposed to serve.[127] This militarism has continued to further manifest itself in diverse ways today. Key among them is in the use of force. The main agent for the domestic management of the force is the police.[128] How it performs this function has serious implications for the state not just in terms of security but also in terms of the wider factors that help to define civil democratic society. This is even more relevant in the case of Caribbean states as a result of their size and fragility which can result in a magnification of effects on different sectors of the state. It has been suggested that the police organizations of the Caribbean have been found wanting in their stewardship of this crucial responsibility.[129]

In fact, the perception of the police in many Caribbean quarters has been summarized as being consistent with, "…unjust, rights-disregarding, partisan security policing, pervasive corruption and incompetence".[130] An analysis of the Jamaica Constabulary Force highlights certain challenges consistent with other Caribbean states, in particular, the larger ones such as Trinidad and Tobago and Guyana. Key among these is the recognition that the continued ineffectiveness of the police is directly related to, "…a deep legitimacy crisis of the mode of

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[127]*Ibid.,* 269.

[128]Harriott, *Police and Crime Control in* Jamaica…, xxi.

[129]*Ibid.,* 80,81.

[130]*Ibid*., xvi.

reproduction of order, the nature of the social and political relationships that circumscribe its behaviour.., and its response to these conditions."[131]

It has been suggested that no democratic state can govern in a functionally effective manner mainly through the use of force.[132] There must a certain degree of consent and willful compliance by those being governed. The manner in which the police use force can either enhance or undermine its legitimacy. The model of policing in ex-colonial states such as in the Caribbean has served to undermine rather than enhance the legitimacy of the police. The major reason has been the ethos of the police which is to protect the status quo and thus the interest of the elites of the society. Naturally, this has resulted in an uneven and unjust use of force in these societies with the attendant negative effects. At its worse this can lead to situations where policing activities themselves are sources of conflict rather than the police being a source of conflict resolution. Without a fundamental change in the police system manifested by a different approach, an environment can develop which in fact can promote criminal activity.[133] In fact, it has been suggested that this crisis of legitimacy of the police is characterized by some key features which include the following: a rise in violent crime; the existence of urban criminal zones; general fear of crime and absence of confidence in the society; decrease in participation of the public in policing, as evidenced by an unwillingness

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[131] *Ibid*., xvii

[132] Ashkenazy, "Introduction" in *The Military in the Service of Society and Democracy*..., 5.

[133] *Ibid., xxv-xxvii.*

to provide information to the police; increase in "vigilante justice"; politicizing of the police and security issues; and increased lawlessness by the police.[134]

Another significant outcome of this absence of confidence of the population in the ability of the state to provide for its security is the growth in alternative approaches to address security. These approaches have been both publicly and privately generated. In countries such as Jamaica and Trinidad and Tobago almost all public institutions have had to contract their own security. Consequently, there is school security, hospital security, housing ministry security and port security, amongst others.[135] In Trinidad and Tobago one of the fastest growing local industries is the security industry. A wide range of services are offered, reflecting the scope of the problem. There has been a proliferation of private security companies which provide personnel to secure businesses and homes. Security escort services are available as well as the entire spectrum of technology based solutions such as alarm systems and cameras.[136] This phenomenon shows little sign of abating in the near future as citizens with the means at their disposal take steps to ensure their own security in the face of failed government initiatives.

Public Policy and Politics

In terms of public policy, far too often this is driven by the wrong imperatives. Caribbean governments are now saddled with law enforcement

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[134]*Ibid*., xxv, xxvi.

[135]*Ibid*., xxvi.

[136]Raffique Shah, "Crime and fear spawn trillion-dollar industry worldwide"; Trinidad Express, available from *http://www.trinidadexpress.com/index.pl/article_archive?id=161014930*; Internet: accessed 13 March 2009.

machinery which has not been prepared over the years to meet the changing societal realities. They are now inclined to take drastic and highly visible measures against threats that have festered for years. The net effect is that after several crime commissions and committees, the solutions selected reflect the anxieties of certain sectors of the public and political expediency. Naturally, the more useful, but difficult, solutions fall by the wayside.[137] This tendency plays seamlessly into the militaristic posture of Caribbean police organizations. Their typical modus is then to sporadically respond with overwhelming resources and force in a military type operation in conjunction with the defence force targeted at certain sectors of the society. In many instances the catalyst for these operations is the media or a particular individual or group who have a personal stake in an "appropriate" response. There is then the tendency for this cyclical build up of criminality followed by military style operations over and over again. This was most evident with Operation Ardent in late 1992 in Jamaica with a massive build up of military and police personnel and resources targeted at inner city Kingston. The peace lasted a few months before a resurgence of violence occurred.[138] Often times this is nothing more than a symbolic response to demonstrate that the state has not lost control. [139] Modern policing in the Caribbean then tends to perpetuate the same old colonial imperatives of decades ago. In this context it is clear that utilizing the military as an adjunct in the same old framework with the police only serves to

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[137] Griffith, *Caribbean Security in The Age of Terror:…*, 125.

[138] Harriott, *Police and Crime Control in Jamaica…, 88.*

[139] *Ibid.*, 86.

further this colonial trend. Not surprisingly, this approach has failed to generate lasting solutions any where in the Caribbean.

Chapter Five

Interagency Operations – What are the Realities?

While the militarization of law enforcement is neither new nor unique to the Caribbean, the increase in the instances of civil-military operations in response to the upsurge in violent crimes across the Caribbean is indeed recent. A critical examination will now be undertaken of this practice in order to evaluate its relevance to an effective solution of the serious threat currently facing Caribbean states.

Operations in support of law and order are an established function of Caribbean militaries. It is either explicitly stated in official documents or implied by the traditional actions of these militaries. The process for the militaries' activation has always been driven by the civil authority either through a request from the police or upon direction of the civil authority normally through the minister responsible for security. It is accepted that the police exist to maintain law and order, detect crime and apprehend and bring before the courts persons who have contravened the laws of the land. Conversely, the military is expected to operate in the much narrower domain of offensive or defensive operations in the interest of the state. The paucity of resources and the absence of natural external threats among other factors have meant that there was always going to be an internal role for Caribbean militaries. However, the participation by the military has not served to improve levels of policing but to reinforce old militaristic models, which have even less utility in modern societies.

Caribbean militaries operate along a continuum in the internal affairs of the state. At one end under the extreme case of a state of emergency, they exercise

complete authority over the citizenry including powers of arrest and detention. At the other is the normal condition where they operate in support of law and order and the police presence is necessary in order to legitimize their function. While the autonomy afforded the military during states of emergency may facilitate short term success against serious crime, its long term application is clearly not a feasible option. The disruption to civil society would certainly not be worth the price. Nevertheless, Caribbean governments have grappled with solutions along this entire spectrum when addressing the issue of how to effectively utilize the military in law enforcement.

The first country in the Caribbean to routinely utilize the military in support of law enforcement was Jamaica. For the reasons cited earlier, as well as a significant rise in violence, "…the JDF began to be used extensively, by the beginning of 1969, in effect as a second line regular police force"[140] and it is noted that "Thus at the end of the 1960s, Jamaica's security profile was one focused on internal security."[141]

Today, the practice of military involvement in law enforcement is pervasive throughout the Caribbean. Guyana in response to real or perceived threats also adopted this modus operandi quite early as indicated earlier. However, it was only in the early to mid 1990s that countries such as Barbados and Trinidad and Tobago began utilizing the military as part of a consistent strategy within a law enforcement context. Barbados employed this measure primarily in order to protect its valuable

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[140]Griffith, *The Quest For Security in The Caribbean.*..,133.

[141]*Ibid.,* 35.

tourist industry and Trinidad and Tobago in response to a dramatic rise in violent crime.

One of the deficiencies highlighted in addressing crime in the Caribbean is poor systems and procedures for the storage and processing of law enforcement data.[142] This adds to the complexity of an exercise of the nature of this paper, since law enforcement data is crucial to accurate assessment of the measures employed in the Caribbean thus far. Nevertheless, the experiences of Jamaica as well as those of Trinidad and Tobago, Guyana and other Caribbean states should provide some level of insight into this issue of the role of the military in law enforcement. What is clear even from casual observation of rudimentary statistics is that in the Caribbean, military support of law enforcement as presently conceived, has not affected crime and the criminalization of these societies positively. This is most evident in Jamaica where this model has been employed from its early formative years as an independent nation until now, sometimes in increasing degrees of intensity. Its crime rate continues to rise and Jamaica remains among the world leaders in homicides at a rate that consistently averages over 35 per 100,000.[143] This is despite the fact that Jamaica has one of the most professional militaries in the region.[144]

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[142]Deosaran, *Crime Delinquency and Justice...*, 246.

[143]"A Caribbean Crime Wave"; available from http://www.economist.com/displayStory.cfm?story_id=10903343&fsrc=RSS; Internet; accessed 17 March 2009.

[144]The officers of the militaries of Caribbean states are trained at the finest institutions in the world. These include Royal Military Academy, Sandhurst, and Britannia Royal Naval College Dartmouth, England, Fort Leavenworth Kansas, US and several Canadian programmes. They have also maintained very strong British traditions whilst upgrading current practices and systems.

A similar scenario unfolds in Guyana another country with a strong tradition of civil-military partnership in treating with crime. Guyana continues to be affected by a very high crime rate with high incidence of extremely violent crimes. It has been noted that the genesis of this is a potent mixture of "narco-trafficking, gun running, and politically motivated hate and revenge crimes." One of the more prominent regional newspapers observed on 26 January 2003 that "the situation in Guyana seems worse than even the mind boggling murder rates in Jamaica (1,040) and Trinidad and Tobago (171) for last year when population data and other related factors are considered."[145] Once again it should be noted that Guyana has an extremely competent military that exceeds its police and has consistently been engaged in law enforcement functions.

Perhaps the most telling example of the challenges associated with employment of the military in law enforcement is the case of Trinidad and Tobago. The high incidence of crime is a relatively recent phenomenon as evidenced by the statistics displayed in the following graphs, but the crime rate continues to rise at even a faster pace than Jamaica. As noted earlier, Trinidad and Tobago started consistently utilizing the model of the military in support of law enforcement in early to mid 1990's. Notwithstanding, the murder rate has risen from 7.4 per 100,000 in 1999 to a relatively astronomical 30.6 per 100,000 in 2007. Like Jamaica, its military is noted for its excellence, and during this same period was cited for several sterling contributions such as leading hurricane relief efforts in

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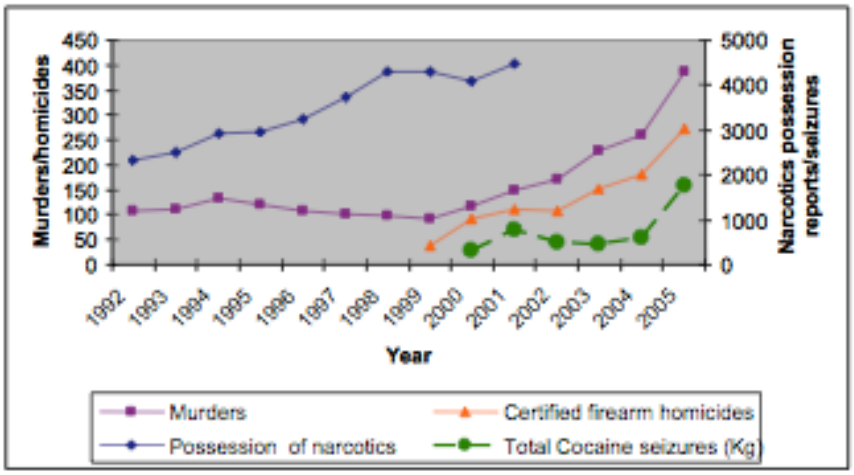
[145]Ricky Singh "Guyana's Staggering Crime crisis"; available from http://www.jamaicaobserver.com/news/html/20030126T020000-0500_38652_OBS_GUYANA_S_STAGGERING_CRIME_CRISIS.asp; Internet; accessed 17 March 2009.

Grenada in the aftermath of Hurricane Ivan in the late 2004. Both the governments of Trinidad and Tobago and Grenada praised the invaluable efforts of Trinidad and Tobago Defence Force Personnel in alleviating suffering and contributing towards a return to normalcy on the island of Grenada.



Sources: Central Statistical Office, Trinidad and Tobago, Drug Interdiction Unit, Trinidad and Tobago Police Service.

Figure 2. Graph for Serious Crime Trinidad and Tobago 1992- 2005

Unfortunately, the foregoing trend is not isolated to the larger and more advanced of the Caribbean islands. The countries of the OECS have been similarly affected with a deteriorating security environment. It has been suggested that counter drug initiatives in countries such as Jamaica have the net effect of driving drug trafficking and its related crimes elsewhere in the Caribbean, most notably, the islands of the OECS.[146] Consequently, the murder rate in the OECS rose from 15.7 per 100,000 in 2004 to 19.9 per 100,000 in 2007. All of this in the face of increased

[146] "A Caribbean Crime Wave"…,.

militarization of law enforcement in the region through mechanisms such as the RSS and SSUs.

Military efforts to support law enforcement in the Caribbean have generally tended to be at the operational and tactical levels. In islands such as Jamaica and Trinidad and Tobago, it is common place to see interagency operations with different designations such as *Ardent* and *Anaconda*, periodically mounted by the military and police. It is instructive to note that these operations are structured along military lines with an identification of an enemy and the other prerequisites for such undertakings. The short term objectives of these operations, which tend to revolve around the pacification of violent crime, are to some extent generally met. However, since they are difficult to sustain and have little strategic context and underpinning, the long term effect is less significant.[147]

Perusal of an internal report (Appendix A) from the 2nd Battalion Trinidad and Tobago Regiment confirms what in many cases could have been anticipated. The paper provides a review of the joint Army/Police patrols in Trinidad and Tobago at its peak, over the period 2003 to 2007. It provides an excellent insight into some of the challenges that are very likely to occur in these types of operations in Caribbean countries. Further examination of this report reveals some challenges which go beyond the result of the simple interaction between two organizations. They point to deeper structural and sociological issues which are much more difficult to resolve. The major areas identified will be built upon to highlight some of the operational and tactical issues that can be expected to arise when militaries

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[147]Harriott, *Police and Crime Control in Jamaica…*,87.

are improperly deployed jointly with police in law enforcement operations in the Caribbean. Experiences in other Caribbean countries such as Jamaica tend to bear out many of the issues raised.[148] Additionally, when taken in the context of the extensive linkages and commonalities in the Caribbean military and society established in this paper, they can provide an excellent basis from which to examine policy and guide further study. These areas can be categorized as being associated with, organizational culture; systems and procedures; terms and conditions of service; legislative framework and resourcing.

The stark contrast between military and civilian organizations is well known. Despite the militaristic orientation of Caribbean police organizations in their formative years, there is still a marked difference in the culture of both organizations today. In Caribbean countries military training underpinned by its strict disciplinary and judicial framework develops individuals with a different disposition than their counterparts in the police. This has implications for areas such as commitment to task accomplishment and discipline, which tends to be more focused and intense in the military than in the police. This fundamental difference in ethos can negatively affect joint operations. Further, joint interaction of these two organizations can lead to a relaxation of this focus on the part of the military or strengthening on the part of the police. This can result in a gradual changing of their cultures for better or worse. In its negative context this was referred to earlier

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[148]In his New Horizons Paper for the Canadian Forces College Command and Staff Course entitled "The Jamaica Defence Force (JDF) Current Organizational Structure is not Configured to Counter the Narco-Trafficking Threat to Jamaica in the 21st Century."pg 18&19, Major D.C. Lobban alludes to many of the issues highlighted in this section. They include; resource constraints exacerbated by the military being spread too thinly through routine operations; the need for clear protocols of engagement between police and military; and the police not being held accountable for what they must deliver.

as civilianization of the military. More important, however, is that it is difficult to conceive of these two organizations functioning seamlessly in an integrated way at the operational and tactical levels without considerable training, leadership and oversight.

Military organizations are structured and organized to operate in a particular context. Their systems and procedures are geared towards complete capitulation of an enemy. There tends to be less grey areas in their world when compared to that of the police. This can impact issues such as command at both the operational and tactical levels, as well as the critical area of Rules of Engagement (ROE). There is thus a crucial requirement for extensive training to upgrade the skills of both organizations to operate jointly in successfully accomplishing their mission. Proper procedures and structures must also be put in place to avoid conflict. This is extremely difficult to accomplish within the constraints of time and resources that define the environments within which these operations are conceived.

A crucial issue that impacts the joint employment of the military and the police in the Caribbean is terms and conditions of service. Although there would be variances throughout the Caribbean, the experiences highlighted in the report approximate in many ways what pertains in most Caribbean countries. That is, the tasking of the military personnel tends to be under more onerous conditions than their civilian counterparts. This can be further exacerbated if compensation issues reinforce this disparity, which can affect morale in the military as well as discipline. This may even have implications for the development of corrupt practices in the military.

The legislative framework of Caribbean countries, like most liberal democracies, establishes a clear line between the functions to be performed by the police and the military. In the absence of a police presence, the military cannot act in any law enforcement capacity. This can have a serious impact upon efforts to increase the degree of participation by the military in law enforcement activities. There are thus limits upon the degree of autonomy and creativity the military can employ in attempting to bridge the deficit in the performance of the police in these countries. One suggestion that has surfaced from time to time is granting the military powers of arrest.[149] As was indicated earlier, this proposal faces two significant hurdles one philosophical and one legal. But perhaps the greatest hurdle is political. It is highly unlikely that both government and opposition in any Caribbean country would agree to grant the military powers of arrest in the context of routine law enforcement. This situation could be exacerbated when considered in the context of the experiences in countries like Guyana and Grenada. Consequently, the legislative web remains a significant impediment to expanding the role of the military. They are thus tied to the inefficiencies and challenges of the police that they are expected to resolve.

These military type operations are very costly to sustain at a high level of efficiency. Resourcing complications impacts everyone. These complications are magnified when the military is stretched too thinly by being continuously engaged in internal operations as often occurs in Jamaica as well.[150] The intensity and focus

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[149]"Trinidad Army Chief Wants Police Powers," Jamaica Gleaner 31 December 2007; available from http://www.jamaica-gleaner.com/gleaner/20071231/lead/lead7.html; Internet; accessed 23 March 2009.

of the operations, tend to vary over time as competing demands disrupt the balance of resources required for a stable, consistent, long term focus. Additionally, as the frequency of military utilization in routine operations rises, there tends to be a trivialization of its contribution and reduction of its impact as well as the attendant implications for morale and discipline. It would, appear that these types of approaches would be better suited to "high value" objectives and focused operations of short durations.

The strategic, operational, tactical and statistical lenses all tell us that the utilization of the military in Caribbean law enforcement amounts to a habit, to which great hope is attached but with little lasting results to show for its employment. One of the reasons for this appears to be that the military in countries like Jamaica is seen as a surrogate for the police.[151] The expectation is, that if the police fail the military will succeed. This is a dangerous inclination since the police is not held accountable for that which they must deliver. Further, the discussion in this paper has shown that to be a flawed concept. What is even more destructive is that this has apparently helped to pacify the intense and urgent focus necessary to rectify the ills in these police organizations. The net effect is that they have been left to languish in mediocrity almost as a self fulfilling prophesy. The police, like the judiciary, is an institution and an integral part of the infrastructure of Caribbean societies for better or worse. They, therefore, cannot be ignored or pushed to the side in any sustainable solution. As has been previously suggested, police reform

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[150]Major D.C. Lobban, The Jamaica Defence Force (JDF) Current Organization Structure is not Configured to Counter the Narcotrafficking Threat to Jamaica in the 21st Century" (Toronto: Canadian Forces College Command and Staff Course New Horizons Paper, 2008), 18.

[151]Griffith, *The Quest for Security in the Caribbean…*,133.

must form one of the critical pillars in moving forward as Caribbean countries fight to regain the initiative in ensuring the security of their societies.

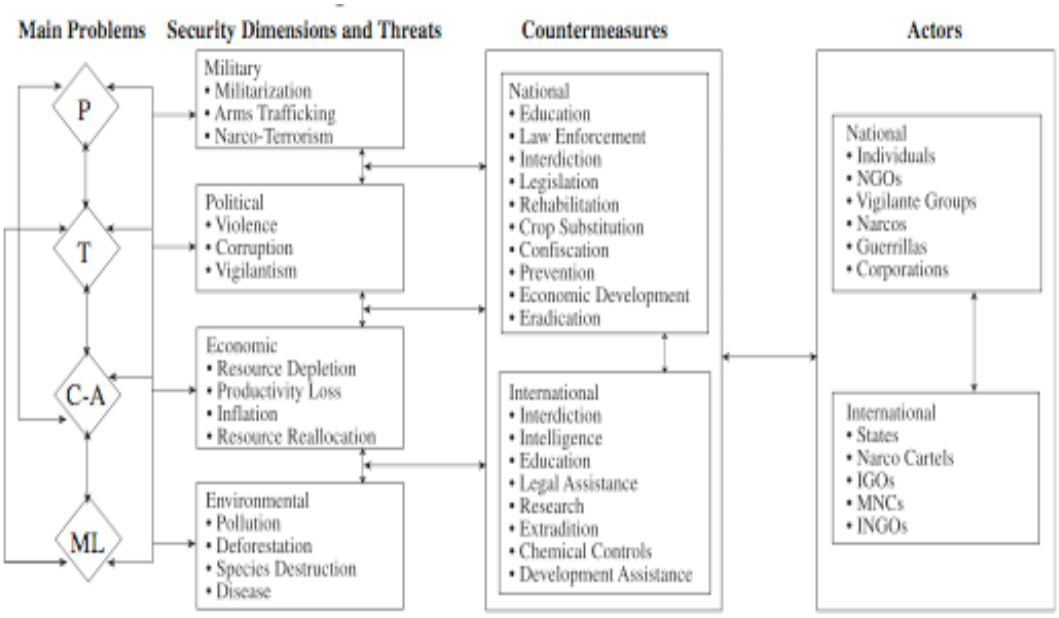
Solutions

As we address the role of the military more specifically, it is noteworthy that none of the prominent analyses of the Caribbean security environment have identified the military as a key component of any solution to the crime challenge currently facing the region.[152] While that should not imply the absence of a significant role for the military, it does expose the short sightedness of the current approach. The results tend to consistently recommend initiatives which revolve around certain key themes. Deosaran offers a comprehensive overhaul of the criminal justice system, but not in the typical piecemeal manner previously employed. The UN report No. 37820 echoes the sentiments of Deosaran but in addition it recognizes that this must be within an "integrated, multi-sectoral" framework that is much broader than the criminal justice system. Griffith, in examining a possible approach to addressing the scourge of drug trafficking and its attendant effects, highlights the extensive and "multidimensional" nature of the problem and indeed the solution (Figure 2.). In it he recognizes the fact that the military has a role to play but understands that this role must fit within a much broader context. Given the fact that drugs have been identified as the main source of the current crime wave sweeping the region, Griffith's model provides an

[152] Deosaran, Griffith, and The United Nations Office on Drugs and Crime and the Latin America and the Caribbean Region of the World Bank have all conducted in depth studies of this issue.

excellent basis upon which to evaluate the military's contribution in this sphere. Additionally, it provides great utility in that it demonstrates in a realistic way the diversity, scope and complexity of the problem whilst simultaneously providing a framework for a solution.

In his framework Griffith identifies four primary dimensions; *Main Problems, Security Dimensions and Threats, Countermeasures, and Actors.*



Notes: P= production; T= trafficking; C-A= consumption-abuse; ML= money laundering; MNCs= multinational corporations; INGOs= international nongovernmental organizations; IGOs= international governmental organizations; NGOs= nongovernmental organizations.

Source: Ivelaw Lloyd Griffith, *Drugs and Security in the Caribbean: Sovereignty Under Siege* (University Park, Pa.: Pennsylvania State University Press, 1997).

Figure 3. Geonarcotics: A Framework.

He then proceeds to disaggregate these major categories into their constituent parts and identifies the inter and intra relationships among the components. For example, the main problem of drug trafficking is depicted as comprised of the components of production, trafficking, consumption and money laundering. These are subsequently linked to the sub categories in the other areas. A detailed analysis of

this model is not required for the objectives of this paper. Nevertheless, it is instructive to note the observations of Griffith on the role of the military within this context. The most poignant of which is "Contrary to the impression created by the media, the "war on drugs" is not purely a military matter. Hence, the application of military countermeasures alone would be futile."[153] This points to the fact that the military contribution and not the solution should lie within some grand strategy which appreciates the multiplicity of factors at play. These factors are national, regional and international in scope, and policy should address these realities. There is thus the urgent need to rethink the simplistic approach which treats the military as the band aid for all ailments in the Caribbean security landscape. In so doing the essence of the Caribbean military is not destroyed, and it continues in its proud tradition of contributing to the development of Caribbean society. The range of issues discussed in this paper point to some key areas that need to be addressed if the military is to be an effective partner in addressing the crime situation in the Caribbean. These are by no means exhaustive, but should contribute to the generation of effective policy in this area, and are summarized here for ease of reference:

- Aggressive police reform must occur simultaneously with the engagement of the military. This reform must focus on organizational culture, structure, training and resources as well as on accountability mechanisms.

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[153]Griffith , *Drugs and Security in the Caribbean…*,19.

- A strong legislative agenda is the best option, but failure to achieve it does not spell defeat. Creative administrative mechanisms can be utilized to generate policy that makes the police more effective, and the military's contribution more relevant.
- The strengths of the military must be utilized strategically so that it has greater impact and sustainability. Its well established competence in areas such as planning, intelligence and logistics can be leveraged to great effect.
- The resources of the military are limited. It must therefore be utilized selectively in those areas that are high value and clearly beyond the capacity of the police. This is also connected to the mission oriented nature of the military. Its missions should be focused in areas that are very dangerous and clearly have national security implications. These include, gangs, drugs, guns, kidnapping and terrorism.
- The state should never settle for its military personnel routinely patrolling the streets or performing similar tasks like policemen. That is tacit acceptance of failure, and leads to a false sense of security while the real problems fester. Additionally, the military is most potent when used to generate effects. Its missions should be short duration high impact. This also helps to insulate the rank and file from "social diseases" such as corruption.
- Caribbean states should never consider granting the military powers of arrest, search and seizure in the foreseeable future. That is

because militarization has not worked in Caribbean societies in the past and there is no reason to believe it will in the future. Additionally, it is a slippery slope which exacerbates the vulnerability of these societies, given their immaturity and the underdevelopment of their institutions and accountability mechanisms. The example of more developed states emphasizes this point.

- Exactly how the military fits into the law enforcement package must be deliberated and clearly defined at the strategic level. Additionally, the linkage as to when and how the military engages the police must be properly worked out by police and military leadership and they must be held accountable for its effective implementation and maintenance. It should be commonly understood at all levels, and measures should be put in place to ensure that "mission creep" is not part of the culture of operations. Issues such as Command and Control and ROE would also be addressed here.
- Systems must be put in place for measurement of the impact of policies implemented in law enforcement, commencing with data collection. Without this it would be difficult to fully evaluate measures taken and to improve upon them.
- While this paper focused upon the local dimension of the military and law enforcement, the transnational nature of Caribbean crime necessitates that there be strong regional cooperation among law enforcement and military agencies in areas such as information

sharing. The military can play a crucial role in this since there is a history of military leadership and cooperation with law enforcement agencies in the Caribbean. This was demonstrated in the 2007 Cricket World Cup in the Caribbean, and more recently, the Summit of Americas in Trinidad and Tobago in April 2009. [154] In fact the 2007 Cricket World Cup model is presently being expanded to provide a basis for Caribbean security initiatives, and that is laudable.

- Strengthening of international partnerships with the US, Canada and Europe should also prove useful as they can partner in information sharing as well as assist with training and resources.

[154] Manwaring "A Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Criminal Organizations (TCOs) in Central America, El Salvador, Mexico, Jamaica, and Brazil"…, 39.

Conclusion

Caribbean militaries, especially in the larger states such as Jamaica, Trinidad and Tobago and Guyana, have been required to intensify and expand their participation in law enforcement efforts locally in response to rising crime. Over the last two decades, the increasing influences of transnational gangs particularly through the drug trade and its attendant ill effects, have placed these societies at serious risk. This risk has been exacerbated by the fragility and vulnerability of these states. Caribbean states have thus had to utilize their militaries to address the difficult issues of securing citizens within a framework of weak and poorly developed criminal justice and other systems.

This paper has argued that the manner in which Caribbean militaries have been utilized in support of law enforcement has been flawed. It has shown the practice to be virtually a perpetuation of old colonial constructs driven by short term political imperatives. The history and culture of these states have in large measure helped to influence the continuance of these failed initiatives. It has also been shown that despite the consistent and in some cases increased use of the military in law enforcement, there has been a steady rise in violent crime in these states. This has been due to increased sophistication and interconnection of transnational gangs coupled with continued ineffectiveness of countermeasures employed. It is noteworthy that most analyses of the issue point to a more strategic, comprehensive approach to the problem, while Caribbean states continue to focus upon operational and tactical solutions.

The approach in the Caribbean has failed for a number of reasons. Primary among them is the conception of the military as a more efficient police force acting as a type of fail safe mechanism. Any approach that employs the military and the police

jointly must respect and recognize that their distinctive niches remain. Consequently, accountability of the police is paramount. Further, its ongoing reform and development must occur concurrently with its support by the military. Another key reason noted is the diffusion of the military effort across a wide span of law enforcement initiatives. This robs the military of its potency, undermines these initiatives of their impact and affects the military negatively, the more thinly that it is spread. The culture, ethos and training of the military and police make them different creatures. Consequently, any measure that utilizes them jointly must seek to always leverage their respective strengths and not make them replicas of each other.

It has been seen that the experience of the Caribbean in many respects is not unique. As the scourge of transnational gangs and the drug trade traverses the globe, many more developed countries face similar difficult questions. The major difference could well be the implications of failure to find a solution in the Caribbean context. In countries like the US, the military support of law enforcement is one aspect of a highly developed system of law enforcement and security. Failure to effectively implement this would lead to some frustrations no doubt. However in the Caribbean, this issue takes on significance of different proportions. As evidenced by experiences in countries such as Mexico, the stakes can be very high, if effective and early use is not made of the military support in curtailing this insidious threat to the sovereignty of Caribbean states. Since the options available to Caribbean states are limited, and the implications so severe, the over reliance upon the military dimension is understandable, although not excusable. There must be a change in approach now to avoid the only option being, the deployment of more military forces in the context of a tacit admittance of the breakdown of civil society.

This paper has shown that there are differences and peculiarities among the countries of the Caribbean. Consequently, the issues of the military in law enforcement will not always manifest themselves in the same way in every state. Nevertheless what has been demonstrated is that there are similar fundamental factors which drive this issue in most Caribbean countries. This is due primarily to their common geography, history and culture and they way in which their societies have evolved. What then emerged was a Caribbean basis for analysis of this issue that could even inform an approach to policy.

We have seen that despite the complex historical relationship of the Caribbean military with its publics, it remains a respected institution with much to offer. Its professionalism, competence and high standing, can certainly be utilized to add both substance and credibility to the law enforcement mix in small island Caribbean states. It has been noted that resource constraints, coupled with the absence of significant external threats, make the support of law enforcement by the military a justifiable option. Hence, the focus of this paper being not a justification for the utilization of the military in support of law enforcement but, the need to establish the appropriate role for the military in providing that support. This has been shown to be absolutely crucial as it can negatively affect civil society and the military itself as well the potential success of such initiatives.

A number of factors have been identified as affecting the Caribbean crime environment. These range from historical and structural factors associated with the state and its institutions to the actual nature of crime in the Caribbean. Openness and fragility were identified, in addition to relatively weak economies and underdeveloped criminal justice systems in particular. These, when juxtaposed against the robustness and resourcefulness of the criminal gangs and cartels that operate in the Caribbean, provide

some insight into the scope of the challenge at hand. While a detailed analysis of this environment was not the objective of this paper, an appreciation of the full extent of the problem was. Only then was it possible to discern that a focus upon the military as the principal element in addressing this emerging Caribbean crisis is ill advised. In essence the multiplicity of factors at play necessitates a more comprehensive approach which the military could never duplicate.

Some have seen much hope for addressing this issue through regional and international initiatives and linkages. For Caribbean countries there is a strong regional dimension to this issue through mechanisms such as CARICOM and the RSS. There is clearly a need for regional collaboration. However, one of the premises of this paper has been that the internal initiatives of these small state takes much greater precedence in resolving their crucial internal security issues over regional ones. In fact, it could be argued that the utility of regional security constructs are questionable, if there are limited internal mechanisms and an absence of political leadership in member states to give effect to decisions taken, as well as to ensure basic levels of security. Further analysis of the steps taken through CARICOM and other international organizations should prove valuable in evaluating the potential avenues for the regional and international partners to impact these domestic issues. Additionally, it should assist in the development of policy and the allocation of scarce resources by Caribbean states to address what is a real and existential threat.

Appendix 1

2nd BN THE TRINIDAD AND TOBAGO REGIMENT
Defence Force Heliport
Western Main Road
CHAGUARAMAS
TELEPHONES 634-2817/8
TELE / FAX 634-2816

CONCEPT PAPER – REVIEW OF THE IATF OPERATIONS

Introduction

1. In the period 2000-2002, joint Army/Police patrols were tasked to conduct operations throughout Trinidad and Tobago. Based on the increase in criminal activities the internal security (IS) operations eventually evolved into operation "ANACONDA" in 2003. Operation ANACONDA lasted for approximately three (3) months and evolved into the Interagency Task Force (ITF).

History

2. The Interagency Task Force (ITF) as mentioned earlier was launched out of operation "Anaconda" in 2003. The ITF was a dedicated unit formed to focus on the areas of Belmont, Port-of-Spain, Gonzales, Laventille and Morvant in an effort to curtail the rising incidence of violent crimes. The ITF later came to be known as the IATF. The mandate was clear and concise: reduce the incidence of particularly homicides and gun related crimes in the Area of Operations

3. In 2005 with the crime rate still increasing, the Trinidad and Tobago Defence Force was further mandated to set up the operational framework for the Inter Agency Task Force (IATF) which included a headquarters and bases within the Morvant/Laventille area to reduce the level of criminal activity in the AO.

Strategy

4. With this mandate commanders of both units (TTPS and TTDF) came together and created a strategy to achieve the mission. It was decided that the AO would be dominated by the security forces with Foot and Mobile patrols and based on intelligence gathered surgical strikes at pre determined specified targets. This approach immediately started reaping success. This was evident by a number of illegal weapons and stolen vehicles being recovered and a number of warrants being executed on wanted persons.

5. All these various Internal Security operations were conducted simultaneously thus bringing about the complete saturation of the entire AO.

Facts & Figures

6. The year 2005 was particularly successful as the numbers recorded for that year still remain the best to date. The years 2006 and 2007 have seen a downturn in the success of IATF. A post mortem of the situation conducted using the expertise of those who were most intimate with IATF operations points to a deviation from the tactics that were first employed. A comparison of the tactics and some other factors used then and now will bring to light the bug bear in the system.

	2005	*2006*	*2007*
Patrols:			
Foot	6,829	7,136	7,101
Mobile	7,467	8,317	7,269
Searches:			
Persons	11,857	13,604	7,525
Vehicles	2,722	3,406	1,501
Exercises	63	511	605

	2005	2006	2007
Seizures:			
Weapons	40	42	21
Ammunition	846	682	138
Drug seizures:			
Marijuana	248.41kg	95.10kg	664.90kg
Cocaine	2.13kg	221.20kg	2.26kg
Murders in AO		141	113

PROCESS & TACTICS

7. When IATF started it operated out of the VMCOTT compound with a dedicated staffing of TTPS personnel and the operational battalion of the TTR. There were two sub units formed within the IATF, one for routine foot and mobile patrols and the other (known as the Rapid Response) for dedicated foot patrols in the tracks, traces and pathways that are inaccessible to vehicles. The tactics as mentioned before was very successful and in particular the latter unit as the subversive elements were always unsure of when or if a patrol would appear as they were to embark on their illegal activity. Assisting in making the Rapid Response unit more successful was the unifying of dedicated TTPS and TTR personnel and the requisite training for the specified task they had to accomplish.

8. The IATF accomplished significantly working out of one location and having a specified task. In 2005 the IATF moved out of the singular location at VMCOTT and relocated to four (4) bases in the AO.

Effects of Strategy

9. The saturation of the AO caused criminal elements to migrate to other parts of Trinidad and Tobago. This immediately caused a reduction in the crime rate. Established gangs started folding as many of their leaders fled to escape capture. Emerging from this however was the mushrooming of splinter gangs but to their disadvantage they were not as organized and therefore could not establish a proper presence. When the IATF shifted from its established tactics however, the crime rate escalated again as these new gangs fought for turf supremacy to establish their identity.

Re-Organization of Strategy

10. A review of the situation shows that new tactics is not necessarily what is required but rather the reimplementation of what was successful with the infusion of some intelligence from an analysis of the current situation in the AO.

11. At present there are IATF bases at Chafford in Port-of-Spain, Fort Picton and Fort Chacon in Laventille and the Jusamco Base in Morvant. The Rapid Response is located at Fort Chacon and has strength of 15 TTPS personnel and 10 soldiers daily. The Rapid Response will be addressed further in the paper. At each of the other bases there are 8 TTPS personnel and 10 soldiers daily. With these numbers it has proven difficult to post and maintain any significant presence in the AO. The resulting lack of a consistent presence in the AO created the environment for the incidences of violent crimes in general and homicides in particular to spiral to unacceptable proportions.

12. From an investigation it has been revealed that the TTPS has strength of 142 persons available for duty in the IATF. It is proposed that with a complimentary strength from the TTR the IATF can once again dominate the AO thus causing a reduction in the crime rate. The proposal would speak to members of the IATF working 24 hrs on and 48 hrs off or 1 in 3. The first step on the road to recapturing the success of the IATF would be to reconstitute the Rapid Response unit and commit it to its original mandate.

d. **Flashlights and Batteries** (mag light, water-resistant, etc) – Fifty (50) flashlights complete with batteries for operations or basic patrolling, roadblocks, etc. This is very important when conducting night operations in the AO.

e. **Tables** –Ten (10) folding, 6 seater tables are being requested. This is in order to outfit the various patrol bases with an adequate dining/recreation facility considering the new initiative.

f. **Ammunition** – It is the intent of the IATF Commander to implement several training and development programmes that would be accessed by both TTR and TTPS personnel. One type of training is in the area of marksmanship or shooting. Fifty thousand (50,000 5.56 mm) rounds thereof is requested for this purpose for immediate training.

g. **Vehicle Search Mirrors** – Ten (10)

Please note that these items were already sent out for quotation and should be obtained within one week.

CONSTRAINTS

18. In any situation despite best efforts to achieve success one always works with constraints. It is no different in the IATF. An analysis of the IATF throughout its existence has identified the following.

a. Limited Manpower - Over the years the number of TTPS personnel has decreased tremendously due to promotions, transfers and retirement. The IATF started with approximately 185 persons presently there is 142. There have been no replacements.

b. Extra Duties - Even though there was a standard mandate and mission for the IATF, there has now been an emergence of numerous duties given to the IATF which are not related to its mission. Units outside of the IATF command now pass on duties to the IATF.

c. Stereotyped Strategy - The strategy now being used appears to be quite inflexible due to factors such as overtime, limited manpower and poor work ethic. There needs to be dynamism to the planning and execution of operations. The IATF in essence needs to be proactive as opposed to a reactive.

d. Maintenance and Upgrading of Resources - Certain equipment, such as vehicles, kitchen equipment and air condition units must be maintained and serviced regularly. Office equipment needs to be upgraded.

e. Funding - The nature of the IATF skews it on the side of heavy financing. This is so because of the high usage of equipment leading to maintenance and replacement as required.

f. Culture - On joining the TTDF the initial training i.e. Recruit Training develops, enhances and emphasises respect for authority, strict adherence to orders or instructions, timeliness and a relentless work ethic where time, spatial or scarce resources are not seen as limitations. This is summed up by the words adapt and overcome. This is overarched by military law that soldiers are governed by which ensures that justice is swift and good order is maintained. Conversely in the TTPS this is not as pronounced. They have a 40 hr work week and breaches in conduct take a protracted time to be dealt with. Their culture promotes a strict adherence to 4 hrs on 8 hrs off. Soldiers on the other hand treat the duty as a 24 hr one and as such maintain a response mode while not on actual duty at the patrol base. The TTPS leave their patrol base to attend to personal business to return for their next 4 hr shift.

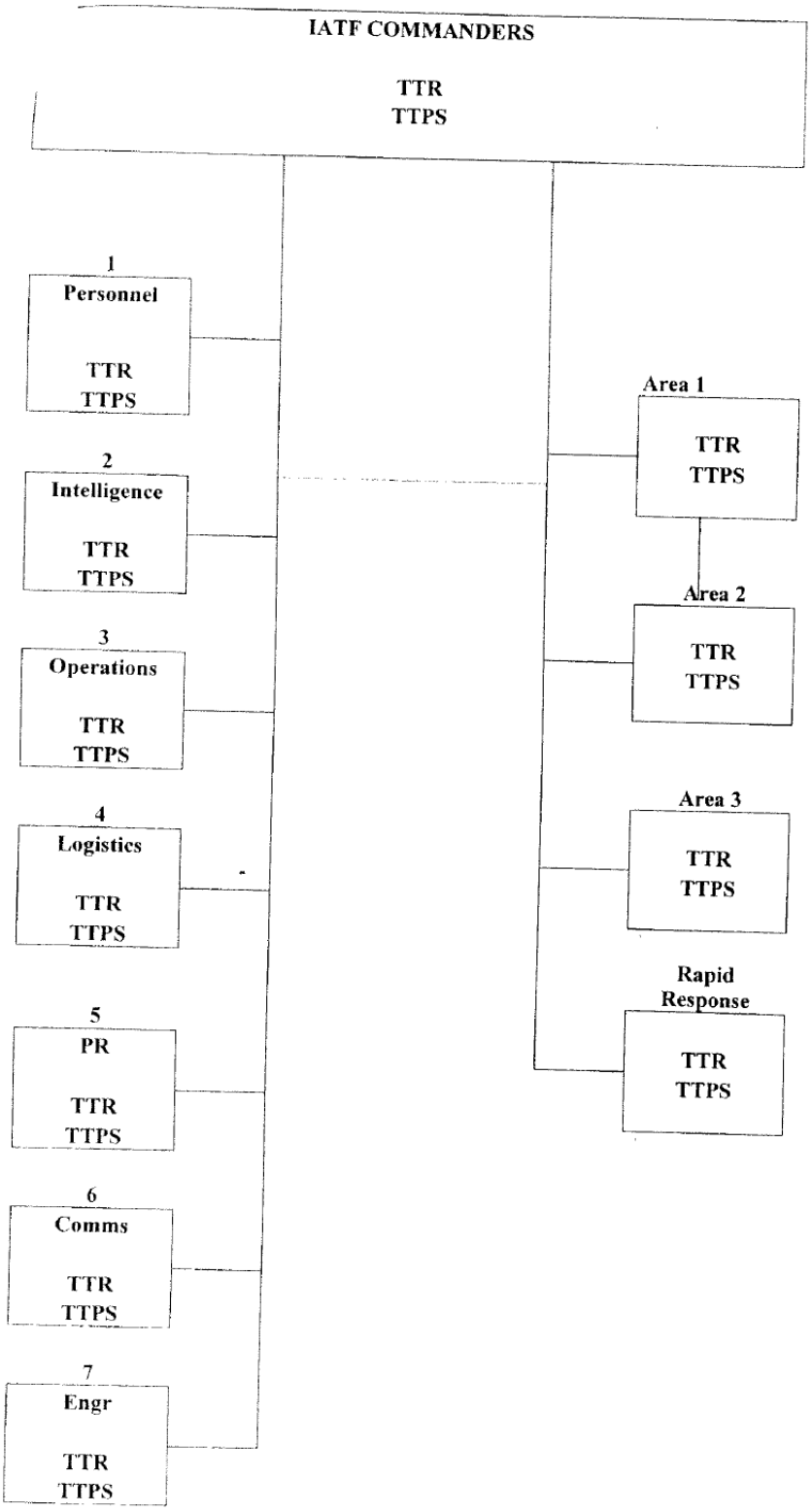
DERSHIP & STRUCTURE

In the beginning of IATF and throughout its predecessor, military officers would plan and coordinate with TTPS officers to execute large scale operations island wide. There was not a dedicated joint headquarters or patrol base. Due to the trends in criminal activity the IATF's organisational structure and relationship was formalised with a Joint Headquarters and patrol base at VMCOTT where soldiers, sailors and police were integrated.

20. This relationship and structure was further enhanced whereby it was organised along military lines as it pertains to the 1 – 6 functions. In each function there were a military officer / SNCO and a TTPS equivalent working side by side with the requisite staff. The operation even became more specific as the AO was subdivided into Areas Of Responsibility (AOR) with each AOR having a military and police commander. There was Area 1, Area 2 and Area 3. The best feature of it all was that the entire operation had both a military and TTPS commander. In this way decisions made had concurrence and were enacted faster. There was greater input as well. Additionally the subdivisions allowed for ownership and personal responsibility by commanders. The IATF also moved from "piggybacking" on TTDF and TTPS votes to receiving its own budget. In a nutshell the IATF had evolved into a unit with its dedicated manpower, equipment and financial resources.

21. The present IATF structure while it retains some of this previous form has degenerated in some areas i.e. some of the functions are now non – existent. In this respect there are no Intelligence and PR functions. Further to this some functions lack the correct mix, rank and grade of personnel to run it.

22. A strong recommendation is now made to return to the era of dual responsibility, command and control within the IATF headquarters and AORs. A possible organisational chart is proposed.


IATF COMMANDERS
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COMMENDATIONS

13. After a comprehensive review of the IATF operations the following recommendations are proposed.

a. Collective Specialized Training – A comprehensive programme of training aimed at the specific skills needed by IATF members for successful execution of the mission.

b. Flexible Strategy - The environment and activities of the criminal element within the AO has changed tremendously. There is now a need for the IATF to re-visit its strategy and adopt a new posture, direction and action.

c. IATF must be mission oriented - The IATF must be allowed to perform its specific duties without any outside interference such as extra duties etc.

d. IATF Uniform for TTPS Personnel – Due to the several incidences of criminals imitating TTPS uniforms it has now become more critical that the TTPS have a clearly identifiable uniform that the public would be made aware of.

e. Flexible work Routine – The crime situation at present is untenable. The criminals have changed their modus operandi and to treat with the threat a new approach must be adopted. The Security Forces members who are privileged to work on the IATF must see it as more than "just a duty". They must bring an attitude of personal commitment to reducing crime. They must see themselves as "the" person to make the difference. As such the regulations regarding hours of work may need to be revisited and members themselves would at times have to forget specific work hours when a job is needed to be done.

f. Re-juvenate the hearts and Minds Strategy - It is felt that this soft sided approach as well could help in effecting a positive change in the overall situation. Alternatives must be provided to the residents within the AO. Sports, Youth groups, Adult learning groups etc. will help tremendously. There must be the direct involvement by the TTPS Community Police. This involvement must be cohesive with both parties working towards a common goal.

g. Incentive - The TTPS personnel on IATF are already being paid overtime. It is felt that the TTDF personnel should be afforded some kind of incentive in their efforts in providing aid to the civil power once attached to the IATF.

h. Establishment of a Legal Framework for IATF – A legal framework for the IATF must be established in order to equate the powers amongst all IATF personnel this generating a more holistic approach by all concerned.

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