

THE GOVERNANCE OF POLICING AND SECURITY

Ironies, Myths and Paradoxes

BOB HOOGENBOOM



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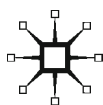
The Governance of Policing and Security

Ironies, Myths and Paradoxes

Bob Hoogenboom

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For Maurice Punch and Gary Marx

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Series Editor's Introduction

Bob Hoogenboom has extensive experience – as an academic and a practitioner – in the area of private policing and security, a rare background on which to critique past, current and possible future directions of research and practice. And it is put to excellent use in this text.

Bob's approach is imaginative. You will read about circumlocution, dataveillance, grey intelligence, undertows in the context of developing a security architecture. Chapter 7 is presented as a play incorporating a fascinating collection of 'actors', from the past and the present, from fact and fiction. Towards the end of the book you will find imaginary 'conversations with Clifford Shearing', a scholar whom he refers to as 'an inspiration' and 'a role model', but one with whom on a number of issues he chooses to 'differ in opinion'. Indeed, in this book you will find a range of issues on which Bob presents a different opinion.

The starting point of his analysis is a rather narrow focus of criminological research and publications which have prioritised an interest in the criminal justice system. He highlights something of a research vacuum on any type of public policing that is not community oriented, on any type of private or commercial policing, and on the relationship between policing bodies in the public and private sector which he collectively describes as 'unbearably light'. What work that does exist is unpicked and used as a foundation for critically evaluating how policing, in all its guises, might usefully be structured in the future.

The sub-title of this book reflects the considerable focus on 'ironies, myths and paradoxes' and he is not short of examples. Indeed, he believes that some scholars have overstated the amount of change that has occurred in public policing – at least in factual accounts rather than fictional ones – and argues that rather than lose ground, public policing has in fact retained its position by forging different types of alliances with both other state and private agencies. He is able to see both the benefits of increased security, as well as the drawbacks. The latter includes the potential erosion of civil liberties.

Accepting that the boundaries between different types of policing are blurred he advocates not just more research, but also the need to address – much better than has been the case so far – some key questions. These include the actual additional value provided by the police and the types of enforcement strategies that work the best. Bob is not against the public or private police, but argues the case of a stronger articulation of the context, in theory and practice, in which they can most usefully co-exist. His work is both important and timely.

Introduction

In John Irving's novel *The World According to Garp*, we encounter two scenes in which a young child is warned before taking a swim in the Atlantic Ocean: 'beware of the undertow', for undertows are dangerous for the unwary. The book analyses 'undertows' in policing and the broader security structures in our societies.¹ I have made my way through what is generally called police research with crossovers to criminology. The conventional policing and criminal justice systems that I first started with have become part of a far broader 'security architecture' involving new transnational policing structures, military influences, an emerging private security market, a wide variety of regulators for different market segments and, last but not least, after 9/11, the growing role of security and intelligence services. Moreover, policing and this new 'security architecture' are affected fundamentally by innovations in science and technology. Today's buzz words are *restructuring*, *reconceptualisation*, and *reframing* of policing and security. It is important to realise that this is *not* institutional tinkering but could very well indicate a covert and undebated paradigm shift. In all this, a permanent key question is 'what is truly real'? In this wilderness of mirrors, do we see what we think we see and can we believe what we are told? Can we feel the undertow before it carries us away? Or, is this viewpoint too dramatic?

In this book, I intend to go beyond piecemeal institutional change: beyond changes in segments within separate parts of 'the system'. I wish to explore issues and themes related to the growing process of interweaving taking place in the field of policing between regulators, military forces, private security and security and intelligence agencies. Sometimes called 'hybrid' policing and security arrangements, these grey areas raise fundamental questions with regard to the rule of law,

democracy, human rights, privacy and basic societal norms and values in an advanced, Western democracy.

The question concerned here is a seemingly technical one: given what has just been said, what do we actually know, what is it that we do not know and how can we get to know about it? This in turn raises issues about the perspectives adopted throughout police research and criminological discourse. In my view, these are too limited to tackle the issues raised: it is necessary to return to the notion of social science as penetrating façades and exposing hidden realities (Goffman, 1959).

In 1985, I started working as a researcher in the field of policing in the Dutch Home Office's Directorate of Policing. At the time, a small group of social scientists were conducting research on the introduction of the new concept of community policing. I must admit that the initial choice of regulatory agencies and specialised investigative units as my first research topic was slightly coincidental, but then my interest in policing as a process was grabbed immediately. In much of the policing research conducted in those days – and even today – policing is defined in organisational terms (*the public police*) and in terms of what the public police do: maintaining order, controlling crime and serving the general public. But at the time, there were also 67 different public administration agencies doing 'policing'. Studying policing as a process, I found many of the regulatory agencies and specialised investigative units doing exactly what the public police do: keeping law and order, but mainly in the economic domain (Hoogenboom, 1985). In our mental system, surveillance, control, information (or intelligence) gathering and even the investigative process itself are so closely inter-linked in being considered equal to *The Police* that it is very difficult to break away from this notion. The 'mental prison' we live in with regard to policing has all the characteristics of what Kenneth Galbraith calls *conventional wisdom*: a term used to describe ideas or explanations that are generally accepted as true by the public or by experts in a field. The term implies that the ideas or explanations, though widely held, are unexamined and, hence, may be re-evaluated upon further examination or as events unfold.

Subsequently, my research moved into the realm of privatisation and private investigations. My fascination with the limited scope of police research (and criminology for that matter) increased even more. Since then, I have tried (successfully) to break away from 'traditional science' (Kuhn, 1962) every now and then – but without ever losing sight of public policing. I have lectured at the Dutch Police Academy since 1988. In my PhD dissertation entitled *The Police Complex. On the Interweaving*

of Policing, Regulatory Agencies and Private Investigations (Hoogenboom, 1994) I not only pursued my interest in developments taking place 'outside' the criminal justice system, but I also became interested in the slow but steady process of interweaving taking place.

At the same time, I could not 'believe' the degree of 'slow-motion' thinking still prevailing in police research and criminology: community policing was – and still is – high on the research agenda. I was fortunate to visit international conferences on policing, criminology and, in the last decade, (private) security. Policing and criminology in these meetings are dominated by the criminal justice system and public policing. Currently, there is an abundance of conferences and publications on (private) security, and their numbers have increased dramatically since 9/11. Their academic level, however, is lacking in many ways. Many of the presentations are aimed at selling (new concepts, consultancy, hardware, software and other toys for the security girls and boys). This is not meant to sound degrading: I have the highest regard for 'old school' police researchers and criminologists, and certainly for private entrepreneurs. I used to be one myself. In 1997, I teamed up for a period of four and a half years with an accountancy firm that, to paraphrase Don Corleone from *The Godfather*, made me an offer I couldn't refuse if only I would be so kind as to set up a forensic accountancy practice in the Caribbean, working from the Dutch Antilles. This I accepted, and for three years I travelled the Caribbean. I educated myself in consulting, teaching and forensic investigation cases in matters such as money laundering, international fraud, business ethics and public-private cooperation.

Not only had I broken away from 'traditional science' by knocking on the doors of regulators, specialised investigative units and private security, but in doing so I also developed an interest in white-collar crime. Most of the rule breaking addressed by regulators, specialised investigative units and the private security sector is not at all related to the stereotypical thugs, hoodlums, organized crime figures trying to imitate Marlon Brando or 'scumbags and assholes' (Van Maanen, 1987) with whom traditional science seems to be so obsessed. I entered the offices of financial institutions, the Amsterdam Stock Exchange, oil and gas companies, trading companies, accountancy firms and the offices of other assorted everyday businessmen and public officials dealing with economic violations. 'Crime' in this neck of the woods – as we have all known ever since the publication of Sutherland's quintessential work (1939; 1946; 1986) – is not perceived as crime at all. The one-sided focus on traditional crime in police research and criminology – understandably so because one very much leans on the official criminal records and statistics – is all about

'nuts, sluts and perverts' but that focus blinds us to the structural and pervasive nature of 'crime' in a bona fide context (Punch, 1996).

Every now and then, some chagrin on my part slips into my teaching, my writing and my commentaries. Although I often use the Mafia movie quote 'nothing personal, just business' when charging into a traditional science situation, I sometimes feel that little progress is being made in policing and security studies. In 1999, when I was living and working in the Dutch Antilles, I came across an advertisement advocating writing a chapter on the future of criminology. The occasion was the twenty-fifth anniversary of the Dutch Criminological Foundation (NVK). I dipped my pen in vitriol and wrote *On Old Folks and Things That Pass Away. Criminology in 2018*. The chapter – also in this book – discusses 'Dinosaur Institutions' in criminology missing out on changes taking place not only in society, but also in institutional responses to crime. The undertows are not seen, not sought after and not found interesting it seems. True innovations, I argued, are taking place in information and communication technology (ICT), forensic accountancy, business administration, ethics, architecture and political science.

My interest in developments 'outside' public policing also took me in to the world of the intelligence communities and the academic field of intelligence studies. In the early 1990s, I became a member of the Netherlands Intelligence Study Association (NISA). Founded by social scientists and former political intelligence officials, NISA members study the history of intelligence (World War II, the Cold War). Again, intelligence is an undertow in policing and security that is hardly ever covered by academics. In cooperation with my friend and colleague Marc Cools, *Vulnerable Knowledge* (Kwetsbare Kennis) was published in 1996. The book – for the most part written by public officials from the Dutch intelligence community and security managers from multinational corporations – addressed economic and corporate espionage. Intelligence has always been connected in one way or the other with public policing as well as private security. I recently completed a publication on the growing interweaving (cooperation) between Dutch policing and the Intelligence and Security Service (AIVD) based on empirical research – interviews, internal sources and literature studies. But, in general, the second oldest profession in history does not get that much attention in mainstream normal science.

I strongly believe in crossing boundaries: moving in and out of academic disciplines. Intellectual life is far too organised along vertical lines. We have become specialists in limited policing and security topics, using our 'own' language, theories, concepts and definitions

to safeguard our autonomy in this specialised area. We have become specialist within specialist domains, speaking specialised languages for specialised audiences in small theatres. As for myself, I am not all that much interested in all the individual parts of the broader puzzle. I quoted Ericson and Carriere (1992) at the end of my PhD dissertation: 'the only viable academic sensibility is to encourage people to let their minds wander, to travel intellectually across boundaries and frontiers and perhaps never to return to them.'² Disciplines are necessary evils. Necessary because of the body of knowledge they produce. Disciplines may turn into an evil because of their hierarchy and the accompanying ego and power games being played (Foucault, 1974; Kuhn, 1962). Also, disciplines can be considered evil through their immanent rigidity in terms of theories, methodologies and research subjects.

Almost by chance, and later in actually venturing into blind alleys, dark caves and other relatively uncharted territories, I became somewhat disenchanted by academic silo thinking. My feelings were enhanced even more when I came under the 'spell' of Gary Marx in the early nineties. I read his '37 imperatives for young and aspiring sociologists' (Marx, 1997): 'don't linger on one subject for too long', 'speak truth to power', 'write all the time, on everything' and, last but not least, 'don't read books, write them'.

David Halberstam, the American author who more or less danced his way through politics (*The Best and the Brightest*, 1974), baseball (*Summer of 49*) and military history (*The Coldest War*, 2007) is another role model in this respect, as is Robert Reiner (2002) for much of his work, but especially for his fine work on the way in which the police have become an integral part of our popular culture in movies, television series, novels and literature. There are many ways to satisfy my curiosity in policing and security, and I am convinced that popular culture is vastly underestimated as a source for our understanding of social reality. *Crime and Literature. Sociology of Deviance and Fiction* by Vincenzo Ruggiero (2003) is a fantastic example, as is the movie *Serpico*, based on the true story of police corruption in New York in the early 1970s. Somewhere along the lines to follow, I will bring in Tony Soprano to make this point even stronger.

Plan of attack

First, I wish to challenge traditional science by stressing that the interweaving of social control and policing systems requires a new perspective: new intellectual lenses, so to speak. In the first two chapters, I

confine myself to the traditional research object of police studies and criminology: public policing. In these two chapters, I trace historic dynamics and patterns in the (political) function of the police, the gradual centralisation stemming from the political function, and I stress the differentiated character of policing on the ground. Much of the police research was – and still is – on the blue-coated worker and concepts like community policing, reassurance policing and, more recently, restorative policing. The point I'm making in the first two chapters is that for us to understand 'governance of policing and security' we first must return to some of 'the classics' in policing and rethink and reanalyse what the functions of policing are. Because of the one-sided nature of police research (and criminology) looking into the most visible aspects of policing, other police functions – from order keeping, gathering intelligence (infiltration, informants) and the criminal investigation process – are 'neglected'. The ongoing blurring of boundaries and interweaving taking place between different 'policing' actors can be understood only in the context of the history and theoretical function of the public police. Some commentators argue that policing is in the process of large-scale fragmentation and the public police is becoming but one among many organisations, agencies and/or nodes (Bayley and Shearing, 2001). I will dive into some undertows looking for empirical signs, examples, triggers and on-the-ground examples of the opposite idea: increasingly the state (and the police) is 'reinventing' itself along new hybrid structures and processes involving new 'policing' and security actors, agencies and private security companies. Fragmentation of policing is making some waves in the current literature while new alignments are constantly being created among a multitude of agencies.

Therefore, in the following chapters, I trace undertows in other parts of the new security architecture. Structures, functions, cultures and the blurring of boundaries and accountability issues will be analysed on a structural basis within the various security domains. I will touch on regulatory agencies, inspectorates, private security and private investigations but also the intelligence and security communities. Throughout the book, I will address the blurring of boundaries between the police and regulatory agencies, between the police and private security, between the police and the intelligence and security community and between the police and the military. One of the undertows in all this is the security technology cutting through traditional barriers. Policing is becoming more intensive and extensive than previous forms and transcends distance, darkness, physical barriers and time; its records can

be stored, retrieved, combined, analysed and communicated with great ease; it has low visibility or is invisible; is often involuntary; emphasises prevention; is capital rather than labour intensive and involves decentralised control and triggers a shift from targeting a specific individual to categorical suspicion (Marx, 1988).

Second, I intend to introduce ironies, paradoxes, double-loop arguments and irrationalities within the emerging new security architecture. Although, as my arguments go, we can trace increasing cooperation – and even interweaving – between different security domains or ‘silos’, we also find many contradictions, tensions and conflicts of interests. Privatisation, militarisation, internationalisation and, for instance, securitisation are in many ways based on broad and sweeping generalisations (Bowling and Newburn, 2006). The story of the new security architecture unfolds itself at different levels, in different time frames, and it involves many paradoxes. What do we know about the effects of the war on drugs, the war on crime and all the security measures, programs, technology and manpower involved? Does it ‘work’ or are we made to believe all the ‘necessity languages’ involved? What is real, what is stage acting?

Third, questions are raised related to accountability and governance issues within this new landscape that could have profound implications for human rights, privacy and civic society. The rule of law, due process, accountability and democratic control have a long-standing tradition in police research and criminology, but, so my arguments run, if public policing is becoming part of a new security architecture, do the traditional checks and balances still function well? Or are we on the brink of policing and security arrangements crossing and fudging blurring accountability boundaries? Is there any truth in Sartre’s question: ‘do you think you can govern innocently’? Can governments keep their hands clean, or do they endeavour to evade accountability?

On the one hand, we find much ‘necessity language’ (justifications related to rising crime and fraud, the threat of organised crime, the war on drugs and the war on terror), but at the same time significant organisational and corporate deviance is taking place (for example, Abu Ghraib and police corruption), as are megafraud cases that threaten the very future of financial markets (Enron, Parmalat, Ahold, the financial crises of 2008/2009 and new Ponzi schemes on an unprecedented scale by entrepreneurs like Bernard Madoff), cases involving collusion (‘revolving door’ argument) of public officials moving into private security companies and using their contacts for contracts and widespread bending of the rule of law (private justice arrangements) and cases of illegality by private military companies (PMCs).

I would certainly not wish to go as far as the Rolling Stones in stating that 'Rough Justice' (2005) is all around, but I will address undertows in the 'business' of justice that challenge conventional wisdom. For this reason, I use the concept of 'unsafe and unsound practices'. Can undertows be discerned within the new security architecture indicating criminogenic factors in themselves through new concentrations of power with unclear accountability structures? *Quis custōdiet ipsōs custōdēs?* is a Latin phrase from the Roman poet Juvenal that translates literally as 'who will guard the guards themselves?' and is variously quoted in colloquial English as 'who watches the watchmen?', 'who watches the watchers?', 'who will guard the guards?', 'who shall watch the watchers?', 'who polices the police?' or other similar translations.

The modern, democratic state is based on the separation of powers, professional legal-rational bureaucracies, transparency with respect to an elected parliament and inquisitive media, accountability under the rule of law with respect to the courts and finally an independent judiciary, based on the pivotal principles that no one is above the law and that the state will protect the citizen from the arbitrary use of authority. This system is an ideal, conveying the idea of a clean, legitimate state as opposed to a totalitarian police state where authority is arbitrary and people in power are unaccountable (as could be witnessed in the Soviet Union under Stalin). *Das Leben der Anderen*, the modern classic movie about the Staatssicherheitsdienst (the state security service Stasi) in communist East Germany, offers a frightening glimpse of an unwanted near future.

The closer a government moves towards this ideal system, the larger the degree of legitimacy it is likely to enjoy. It is assumed that, without legitimacy, there cannot be sound government, effective policing, feelings of safety or a belief in a 'just world'. Doubtlessly, there are many politicians and officials who endeavour to abide by the ideals and precepts of legitimate, accountable democracy, yet it is unavoidable that the scrutiny of undertows will reveal some grey areas of cooperation, perversions of the truth, covert activities and efforts to evade accountability. This is more than traditional Machiavellian manipulation: the stakes are higher as a result of globalisation, increased complexity and the new and different threats facing us today.

Finally, a few words are needed here to elaborate on my approach. I will sketch the contours of the new security 'architecture'. The metaphor suggests that there is an architect with a building plan, but this is open to debate. Some of the material presented here will give the reader more detailed background information and additional insights into current

trends. I will draw on police research in the Netherlands and some of my own research conducted in the Netherlands and also on (inter)national literature covering the changing nature of policing and security.

Finally, to 'complicate' matters more, I will draw somewhat on popular culture. For instance, Tony Soprano is introduced in one chapter, not only as my witness for the defence of some of the ironies witnessed at work, but also because social science is in dire need of a bit of humour every now and then. As Gary Marx puts it: 'have fun: enjoy what you do'. This is exactly what I planned to do from the outset of the current project in addition to making the reader more sensitive to certain new issues by pinpointing new themes and new research questions.

In all this, I wish to stress the essaylike character of the book. In moving beyond the 'traditional science' of policing and security, I enter some uncharted territories lacking safe and sound empirical bases. Indeed, the phrase 'underresearched' pops up many times in the limited number of writings on PMCs, regulation, militarisation, security technology and, for instance, the intelligence community. Of course, many different explanations are available here. They partly lie in the very nature of the work itself: regulation is carried out by regulators, loss prevention by the private security sector and antiterrorism measures by security and intelligence services. These tasks, however, are exercised with considerable variation and with different levels of discretionary power, with secrecy and/or confidentiality and with difficulties of access. In many ways, this may take place strictly within the rule of law.

Yet at the same time, the logs and files concerned here – simply because they often fail to find their way into the regular criminal justice system – are not systematically scrutinised by the public, investigative journalists, lawyers, Parliamentary Oversight Commissions, judges and, of course, police researchers and criminologists. They remain offstage, and this is intimidating for young researchers seeking grants and access to sites and publications. Still, it is even more widely noticeable that research topics that touch on the powerful, the mighty and their abuse of power – governmental deviance, the rapaciousness of multinationals and corporate crime, to name but a few examples – represent minority interests that are closely scrutinised only by the handful of scholars who continue to research these areas.

From time to time, I move from the Netherlands to the United States and the United Kingdom. For instance, chapters on technology and political intelligence lack substantial empirical sources in many countries. The strength – if any – in my approach is the charting of new territories, exploring emerging trends, markets and 'coalitions of the willing'

in the ongoing process of interweaving taking place. In doing so, I aim to gradually develop new ideas and new research questions that pinpoint ironies, myths and paradoxes. From a philosophy of science perspective, in many ways I'm in the exploratory phases of doing research. This strength is at the same time the weakness of the book because certain chapters cannot reasonably be labelled as 'international comparative' or 'empirical'. Moreover, political systems and cultures, legal systems and law enforcement systems in the countries I describe (because of the availability of sources) can be compared in some ways, but in many ways they differ – not to mention the countries and political systems not dealt with at all. Undertows are interesting intellectually but caution is necessary lest we draw too many parallels. I recently attended an international police conference in the Netherlands, and I wrote down a quote from an Australian police officer sitting next to me who, in a heated debate, said: 'Perhaps I'm not God's gift to police research, but still I've got something to offer'. In this mind-set, I wrote the book.

Finally, let me mention two valuable concepts that are addressed in the final parts of the book: varieties of the 'myth system' and the 'operational code'. The former refers to the formal front that governments and corporations present to the outside world and the latter indicates the actual informal – and sometimes covert – rules of the game: what really happens on the shop floor, in operations and in implementation? For instance: governments bribe, corporations form cartels, the police torture and security services set up illegal operations. Somehow, the interface between the two 'systems' has to be managed, and only when this has been exposed can we obtain a glimpse of the true lie of the land.

With the empirical obstacles outlined above, I invite the reader to join me on a journey into a bewildering hall of mirrors in which the criminal justice system is but one of the 'one hundred tiny theatres of punishment' (Foucault, 1988). The story about to be told is diverse, sometimes contradictory and perhaps in some ways covering too many subjects, but in my view, it offers one way of formulating new research questions. The challenge involved here lies in avoiding the distortions, in clarifying the images and in establishing some coherence. And of course, one should have fun while doing it – and perhaps while reading parts of it, too.

1

Within Public Policing: Gradual Centralisation

Introduction

In this and the following chapters, I trace historic dynamics and patterns in the (political) function of the police, the gradual centralisation stemming from the political function, and I stress the differentiated character of policing on the ground.

Policing: Functions and historical dynamics

In 1979, two theses were published in the Netherlands that analysed the political function of policing and the historical dynamics of the police system: *Overheidsgeweld* (Governmental Violence) by Van Reenen and *Opdat de macht een toevlucht zij?* (So that power be a refuge?) by Fijnaut. Van Reenen is a police functionary who later studied sociology in Rotterdam. Fijnaut is a former police inspector who went on to study philosophy and criminology in Leuven. In their research concerning the evolution of the police system and the police function, these two police researchers have developed invaluable new concepts. Both authors, like Robert Reiner (1992), develop a theoretical framework to understand policing in which the distinction between ‘the group of words, police, policy, polity, politics, politic, political (and) politician is delicate’ (Reiner, 1992). Indeed, the subtitle of Fijnaut’s study is ‘The history of the police as a political institution’.

The (historical) discussion of the police system takes place at two levels: the political/administrative level and the organisational level. Both are inextricably linked.

On the political/administrative level, considerable – and sometimes even fierce – discussions have so far taken place concerning the degree of command and control demonstrated by the police since the mid-nineteenth century (*City and County Legislation* and the *Federal Police Decree*, both dated 1851). This discussion about command and control is closely linked to the (desired) level of police care: locally, provincially, regionally or nationally.

Since 1858, the police force has consisted of a locally organised municipal police force, the municipal constabulary in smaller municipalities, the military police and the federal constabulary. The year 1919 saw the inclusion of the Corps of Police Troops. Cooperation among the various forces was relatively poor, and their areas of operation overlapped.

Various government committees (1852, 1858, 1881, 1883, 1898, 1931) formulated proposals not only to ensure uniformity, but also to organise police care on a national level. In 1852, for example, it was proposed that a federal police force be set up under the responsibility of the Ministry of Police. In 1883, it was suggested that the municipal police merge with the federal police, resulting in a combination that would then fall under the Ministry of Justice. In 1898, it was suggested that a general federal police force be set up, and in 1931, the government committee envisioned a municipal police force under the authority of the Royal Commissioner.

Following the Police Decree of 1945, a division was made between federal and municipal police. The military police no longer formed part of the police system. Command over the police was divided between the mayor of the municipality concerned and the state attorney. Mayors were responsible for maintaining public order, while the state attorney was charged with investigation tasks. Management tasks were distributed between the Ministry of Internal Affairs and the Department of Justice.

The 1993 Police Act ceased to distinguish between municipality and the federal police. Today, the police system consists of 25 regional police forces and a corps offering national police services known in the Netherlands as the KLPD. In 1998, management of the KLPD was transferred from the Department of Justice to the Ministry of Internal Affairs.

In his *IJzeren politiestelsel* (The Iron Police System), Van Reenen discusses the historical dynamics of the police system. Time and time again, supposedly decisive proposals were formulated to create a good and effective police system once and for all and, in so doing, end all discussion and strife. These attempts were never successful. The main reason for this is that the police system was not originally a rational

arrangement made by people with the help of certain resources and set up to achieve particular predefined goals. Rather, it was a system that developed over time: it had to grow. In addition, the police system was characterised by the existence of established interests: the mayor's (public order, local crime problems and the relationship with civilians), the state attorney's (criminal investigations) and interests held by ministerial departments (for example, coordination, standardisation, appointments and training/education). Also, established interests existed within the police system itself. Talking about a particular period, Van Reenen points to a 'battle between federal and municipal police'. Fijnaut analyses the 'institutional battle' among and within police services. The various established interests entail 'a powerfully conservative element in the discussion without it generally being clear that it concerns the representation of general interests' (Van Reenen, 1978).

Three types of dynamics

According to Van Reenen, the police system is subject to three types of dynamics: marginal change, system change and revolutionary change.

Marginal change

Marginal change forms part of the normal dynamics within the existing political and administrative order. Changes are called marginal because, from a political perspective, they do not – or only barely – change the existing balance of power. They are generally 'technical' adaptations, such as a cooperative agreement between forces.

System change

This type of change relates to changes in the police establishment that go beyond marginal alterations, but that nevertheless to an important degree remain within the existing political-administrative framework. The recent establishment of the national investigation squad is an example of this type of change. This involved more than marginal changes to the structure, although the positions of authority figures and managers have more or less remained as they were. The establishment change is a compromise between new and old concepts.

Revolutionary change

Revolutionary change occurs in the event of a radical deconstruction of the existing political and administrative order in which a new political order is created. In such situations, an entirely new 'revolutionary' police system needs to be built up. 'Old' elements remain recognisable as

a result of the need to take on expertise, manpower, auxiliary resources and organisational methods from the old system in order to maintain at least a minimum of effectiveness. During the German occupation of the Netherlands in World War II, a revolutionary change occurred because the police force was integrated within the German police system.

Criticising the police: Of all times

Inefficiencies in the police system have been criticised since the mid-nineteenth century. In the period ranging from 1850 to 1940, the relationship between federal and local policing was questioned regularly, with many references to 'the inefficiency of the police organization' (Van Reenen, 1978). In this period, the discussion addressed poor cooperation and overlapping areas of supervision and tasks. Without exception, proposals to solve the issues were founded on a federal or state police system. Another remaining issue concerned the question whether the system was indeed inefficient and thus what decisions in this matter should be based on, or whether in fact a political argument was concerned.

After the World War II, the issue of enhancing efficiency through reorganisation continued to play a similarly large role. Proposals for solutions again moved towards increases in scale. In 1993, the objective behind the formation of the regional police system was to 'end the existence of a fragmented, inefficient and proportionally expensive police apparatus' (Fijnaut and van Helten, 1999).

The memorandum *Criminaliteitsbeheersing. Investeren in een zichtbare overheid* (2001) (Managing crime. Investing in visible public administration) addresses the 'criminal enforcement shortage' and calls for an improvement of the 'quality and control of criminal investigation'. The memorandum strongly emphasises investigative activities and the associated necessary improvements in acquiring criminal information ('information position').

A historical constant: The gradual increase in scale

Central to Fijnaut's thesis is that, from a historical perspective, an ongoing process of 'nationalization of a repressive apparatus' has been taking place: a question of gradual increases in scale among police systems in Western Europe. Fijnaut distinguishes between 'rapid and slow phases' as far as changes in the establishment are concerned. In periods of political instability and threats, it is possible to change the existing order fundamentally and extensively. As some examples, Fijnaut mentions the

social unrest witnessed during and shortly after the French Revolution, the (imminent) revolutions in 1848 and in 1917–1919 and finally the police reorganisations during and after the World War II. This ‘basic pattern’ as Fijnaut describes it can clearly be illustrated by international developments following 9/11. Especially in the United States, reorganisations were introduced with the objective of improving cooperation on a national level (in particular the exchange of information) between police and investigation and safety services. This included the foundation of a new federal department: the Homeland Security Department.

We also find Fijnaut’s ‘basic pattern’ of lengthy and gradual scale increases in the foundation of various police units: in arrest and observation teams in the seventies employed throughout the Netherlands, in the organisation of supralocal investigation teams as criminal investigation teams in the eighties, in the foundation of supraregional core teams following the regionalisation of the system in 1993, in the foundation of a national investigation team and, more recently, in the foundation of a national investigation squad that includes the core teams mentioned above.

Fijnaut’s basic pattern is also found in the maintenance of public order. In the last 40 years, large-scale police actions have been subject to further supralocal and national regulations. In the 1992 outline memorandum *Riot Squads* (Mobile Units), the organisation is introduced into the new police system. The main issue in large-scale police actions is the so-called ‘up-scaling’ issue: when, how and by whom is this type of large-scale police action to be organised?

Finally, the basic pattern can be found in the growing desire, witnessed over recent decades, to store and process criminal information. Although this information is primarily collected on a national level (crime analysis), it is also to an important degree collected de-centrally. Historically and within the ‘iron police system’, we see a basic pattern of partial changes, a gradual centralisation of command and control. These partial changes to the establishment have primarily taken place within investigation services and criminal information operations. This historical analysis of policing and the political function of public policing have somehow been ‘neglected’ in Dutch police research. The more structural analyses of undertows in the police system (‘basic patterns’) that are related to traditional core tasks of policing – order keeping, law enforcement, intelligence gathering and the exercise of the monopoly of violence – have been ‘diluted’ in academia because of the overwhelming attention being given to ‘community policing’,