

GENDARMERIES

AND THE SECURITY CHALLENGES OF THE 21ST CENTURY

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Foreword

For a period of one year I had the honour of presiding over the Association of European and Mediterranean Gendarmeries and Police Forces with Military Status, better known by its abbreviation: FIEP. During the Presidency of the Royal Netherlands Marechaussee the revitalisation, as well as the dissemination, of the gendarmerie-concept was paramount.

FIEP's ambition, laid down in the *Way Ahead* for the Association*, was -and still is- to be better known as an association of gendarmerie professionals, also among other (police) professionals and the larger public. The document continues, stating that -inside and outside the FIEP- the association wants to be recognised as a learning organisation and acknowledged as the catalyst for the process of further professionalisation within the gendarmeries and the further development of the gendarmerie concept, and as platform for the exchange of best practices.

To that end, the Royal Netherlands Marechaussee organised the Special FIEP Seminar entitled 'Gendarmeries and the Security Challenges of the 21st Century'. This book marks the conclusion of the efforts made by the Dutch Presidency to contribute to the goals set for the near future of the association. It consists of contributions from both scholars and practitioners on the theme of the special seminar. In one common language, the book brings together the history and possible future of our gendarmerie family.

I would like to pay tribute to all the contributors to this book and express the hope that the rich blend of academics and practitioners will result in further research into gendarmerie and related topics, as well as in fruitful cooperation with academics in the further development of future gendarmerie leadership.

Dick van Putten, Lieutenant General
Commander Royal Netherlands Marechaussee
The Hague, October 2011

* Document developed during the Dutch Presidency and attached as an annex to the Common Declaration of the Summit of the General Commanders and Directors of FIEP in The Hague, 19 October 2010.

Editors' Introduction

Gendarmeries fulfil traditional law and order functions within several countries and this is occurring to an increasing extent in countries around the world. Some authors have doubts about the role the gendarmerie forces could or should fulfil. These doubts partly stem from misconceptions resulting from the fact that gendarmeries are often neglected in academic research. The consequences of this oversight are enhanced by the fact that the ample volume of literature on gendarmeries has been published in many different languages and is to some degree inaccessible to the main stream of academics.

At the same time the gendarmeries feel a need to (re-)assess their relevance, potential role and mandate, as well as their added value against the background of the 21st-century security challenges. The need to (re-)assess comes at a time when interest in the gendarmerie concept seems to be on the increase. Such an assessment can serve European and global police partners in acquiring a better understanding of the gendarmerie and its possibilities, as well as the association itself. It can also help to highlight the (operational) activities of the gendarmeries and clear away obstacles that hamper the realisation of these activities.

The development of this book is a follow-up to the seminar organised by the Royal Netherlands Marechaussee in Breda in December 2010 and was inspired by the thesis by Pierre Gobinet: "The gendarmerie alternative: Is there a case for the existence of police organisations with military status in the twenty-first century European security apparatus?"

The book has three objectives. First of all, it collects and synthesises the relevant views of (international) scholars and practitioners and describes the aforementioned assessment. Doing so, and that is our second goal, the book adds value to the public discourse on gendarmeries within the world of academics, practitioners, and policy makers. Finally, this book can be used as a stepping stone for further international comparative research on the subject of gendarmeries in the fast-growing field of international policing studies.

The realisation of *Gendarmeries and the security challenges of the 21st century* was both challenging and inspiring. As we wanted to interest both our academic and practitioner audiences, the book combines contributions by both practitioners and scholars from various countries and organisations. This turned out to be a challenging venture. We had to blend the general and theoretical parts with the more practical. How to strike a balance between the histories of the various gendarmerie corps, their organisation, tasks and position, and the possible views for the future of the gendarmeries in the 21st century? It was challenging also, because we had to find a balance between the depth and rigour of peer-reviewed contributions on the one hand, and the strong ambition to have as many participating writers as possible from all the various gendarmerie-type forces on the other hand.

Styles of course vary. While some contributors have concentrated on the more abstract -or academic- themes, others have concentrated more on international aspects. Still others have put more emphasis on the national context of their gendarmerie, and conducted a (strategic) study. We have been fortunate to have sufficient skilled reviewers, who enabled us to deliver contributions with quality. Many thanks to all those who helped us to realise this book: the reviewers, the graphic designers and our colleagues at the translation service, who helped us achieve a good standard in the English language. A special thanks also goes to the Netherlands Defence Academy for its support.

Finally, we are grateful to Vathec Publishing for their kind permission to reproduce the article by Pierre Gobinet, published earlier (2008) in the *International Journal of Police Science & Management*.

As has been said before, this journey was also inspiring. We learned a lot by reading all the contributions that were sent in, but reading them also made us very curious about the answers to questions that have not been raised yet. In this way, the book reflects the start of a promising journey into the interesting subject of gendarmeries. We welcome any comments, ideas and expressions of interest in joining us with this journey.

Hans Hovens
Gemma van Elk
October 2011

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General Introduction

Towards understanding the potential of gendarmeries

By Hans Hovens

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1. Background of this book

This book originates from an initiative of the association of national gendarmeries or affiliated corps, encompassing the European and Mediterranean Gendarmeries and Police Forces with Military Status (FIEP)¹. The goal of FIEP (which started with the corps of France, Italy, Spain, and Portugal) is to broaden and strengthen the mutual relationships, to promote an innovative and active reflection on the forms of police cooperation, and to value its model of organisation and structures abroad. FIEP wants to be recognised by the European authorities as a forum and a structure of separate police cooperation, capable of leading concrete actions. Furthermore, the association wants to contribute to a European police force, capable of operating within a context of regional crisis in Europe. The establishment of the European Gendarmerie Force in 2004 is considered to be a key step forward in this respect.

Since the establishment of FIEP, questions on the enlargement of the association have been raised frequently, and much attention has been given to the exchange of 'best practices'. In order to revitalise the association, the FIEP members tasked the Dutch Presidency (2010) with developing a strategy for the near future.

¹ FIEP is an acronym of first members (France, Italy, Spain, and Portugal). Today FIEP has nine members (besides the four founding members: Morocco, The Netherlands, Romania, Turkey, and Jordan (as incoming member)), as well as two associated members: Argentine and Chile.

In order to do so, a first rough analysis has been carried out which showed that at least two questions had to be addressed. The first question is: How can the association facilitate the enlargement, and with whom should FIEP establish strong relationships? Acknowledging that some organisations do not really fit in with either the gendarmerie, police or military model, and realising that cooperation is favourable for both FIEP and the organisation(s) concerned, the definition of 'gendarmerie' should be reconsidered. In doing so, semantic discussions must be avoided. A second question concerns the scope of cooperation: Why should and how can the association place more emphasis on the operational aspects of police cooperation in general, and -more specifically- what can be the impact of the 21st-century security challenges on this cooperation? These challenges can be considered against the background of global (in)securities and an emerging "risk society", in which knowledge of risk is used to control danger². They can also feature in the context of an era in which -when responding to them- the distinction between internal and external security, the police and the military, as well as public and private responsibility for security seems to be blurring, and "hybrid security practices" are emerging³. As a reaction to the increasingly fluid and flexible terrorist and criminal networks, security networks are created, and at the same time the practices are lending security professionals (police, military, intelligence) a transnational dimension since, in the context of globalisation and the manner of dealing with global threats, security professionals are also active within transnational networks, such as the International Criminal Police

² Ericson, Richard V. and Haggerty, Kevin D., *Policing the Risk Society*, Clarendon Press, Oxford 1997

³ See for example Bayley, David H. and Shearing, Clifford D., *The New Structure of Policing* (research report), Washington 2001, National Institute of Justice; Bigo, Didier 'When Two become One: Internal and External Securitisations in Europe', Morten Kelstrup and Michael C. Williams (Eds), *International Relations Theory and the Politics of European Integration, Power, Security and Community*, Routledge, London 2000, pp. 171-205; Haltiner, Karl W., 'Polizisten oder Soldaten? Organisatorische Dilemmata bei der Konstabilisierung des Militärs', *Österreichische Militärische Zeitschrift* (ÖMZ 3/2001), pp. 291-298; Hills, A.E., 'Security Sector Reform and Some Comparative Issues in the Police-Military Interface', *Contemporary Security Policy*, (2000), 21:3, pp. 1-25; Kraska, Peter B. and Kappeler, Victor E., 'Militarizing American Police: The Rise and Normalization of Paramilitary Units', *Social Problems*, Vol. 44, No. 1 (Feb., 1997), pp. 1-18; and Lutterbeck, Derek, 'Blurring the Dividing Line: The Convergence of Internal and External Security in Western Europe', *European Security*, Volume 14, (2005), no. 2, pp. 231-253.

Organisation [Interpol], the European Police Office [Europol], the Agency for Judicial Cooperation in the European Union [Eurojust], the Organisation for Security and Cooperation in Europe [OSCE], and the International Criminal Court [ICC]⁴.

Giving more emphasis to the above-mentioned issues, and taking the 21st-century security challenges into account, an assessment had to be made of the relevance, potential role (and mandate) and added value(s) of gendarmeries. Such an assessment would serve European and global police partners in acquiring a better understanding of the gendarmerie and its possibilities, as well as the association itself. It could also help to highlight the (operational) activities of the members of FIEP, and help to clear away the obstacles (caused by misconceptions) that hamper the realisation of these activities.

In line with this, the Dutch Presidency of FIEP decided to launch a project titled: 'Gendarmeries and the security challenges of the 21st century'. The aim of this project was threefold: First of all the relevant views of (international) scholars and practitioners on the above-mentioned assessment had to be collected and synthesised. Critical questions with regard to a possible shifting mandate of gendarmerie forces (viewed from an efficiency, effectiveness and ethical perspective) had to be raised and answered as well. As there is ample literature on the subject of gendarmeries and their role against the background of the security challenges of the 21st century, the research outcomes are expected to be both innovative and applicable in the educational field. Disseminating the knowledge on the subject of gendarmeries adds value to the public debate on these forces and was the second goal of the project. Finally, and this may be more of a point on the horizon, the project could function as a stepping stone for further international comparative research on the subject of gendarmeries in the fast-growing field of international policing studies.

⁴ Bigo, D., 'Globalized (in)security: the field and the ban-opticon', in: Bigo, D. and Tsoukala, A. (Eds), *Terror, Insecurity and Liberty, Illiberal practices of liberal regimes after 9/11*, New York 2008, pp. 10-48; and Bigo, D. and Tsoukala, A., 'Understanding (in)security', in: Bigo, D. and Tsoukala, A. (Eds), *Terror, Insecurity and Liberty, Illiberal practices of liberal regimes after 9/11*, New York 2008, pp. 1-9.

A selection of the outcomes of the project ‘Gendarmeries and the security challenges of the 21st century’ was presented at a seminar which was held at the Netherlands Defence Academy in Breda on 7 December 2010. The contents of this book include the contributions of all those who were interested in contributing to the project’s theme at that time.

2. Gendarmeries a blind spot in academic research?

When I took up police studies, my scope was initially limited to the subject of the Royal Netherlands Marechaussee. The book by Van den Hoek on the history of the Royal Netherlands Marechaussee was a great influence⁵. However, it soon became clear that examining the role and position of the present-day Marechaussee cannot be studied separately in a country where civil police and a police force with a military status form part of a dual police system. Looking back, describing and trying to explain this dual system and discovering the similarities and differences between the two police organisations turned out to be the stepping stone towards the international dimensions of police studies in general, and the subject of gendarmeries in particular.

As Bayley points out in his comparative international analysis *Patterns of policing*, scholars have neglected to deal with police for a long time⁶. It is since the mid-1960s that academics have been looking more and more at the police function in society. Bayley suggested four factors to explain the earlier neglect: police were rarely important actors in great historical events⁷; they did not have a high status; police were morally repugnant; and the practical problems encountered during the research (data collection, access, etc.). Mawby continues by pointing to the (in-)availability of valid, reliable and detailed data, the observation that definitions used vary from country

⁵ Hoek, W. van den, *De geschiedenis van het de Koninklijke Marechaussee*, Buren 1990.

⁶ Bayley, David H., *Patterns of policing: a comparative international analysis*. New Brunswick 1990, pp. 5-7

⁷ In this respect, Alice Hills refers in a more recent article to the fact that African police seem to be unable or unwilling to take on a more politicised role (and are therefore absent in coups). In the same article she points to the fact that (at least in Africa-author) police are regarded as inferior in status and skills to their military equivalents. Hills, A (2009) Henchmen: Why police don’t mount coups? *RUSI Journal*, 154, pp. 14-19.

to country, and the fact that the basis on which to compare and categorise is often complex⁸.

Fifty years later, police studies have resulted in a magnitude of collected writings. While police strategies, concepts and tactics such as (amongst others) 'broken window theory', community policing, problem-oriented policing, hotspot policing and restorative policing are described quite often, the contributions boil down to the same thing according to authors like Brodeur, Hoogenboom, Manning and Loader⁹. These authors argue, that police studies are often policy-driven, have a descriptive nature, and that fundamental academic theories are sometimes lacking. Another observation that must be made is that the nature of the major part of the outcome is Anglo-Saxon. Although material is also written in other languages, most of it is written in English.

Looking at the gendarmeries as one of the specimen of police, one has to conclude that there is ample literature on the subject of gendarmeries¹⁰, and certainly on their (possible) role against the background of the security challenges of the 21st century. However, the main body of studies on gendarmeries concerns institutional histories, written by members or former members of gendarmerie forces. Exceptions include Bayley¹¹, who considers how contemporary police institutions have developed and tries to explain the great variation in the structure of police forces and the future of policing. Emsley is another exception: he examines the role of Gendarmes in nineteenth-century Europe and gives an account of the foundation of the gendarmerie model¹². Furthermore, Easton describes the demilitarisation process of the Belgian Gendarmerie on three levels: its role and position in

⁸ Mawby, R.I Approaches to Comparative Analysis: the Impossibility of Becoming an Expert on Everywhere, Mawby, R.I. (Ed) *Policing across the World: Issues for the Twenty-First Century*, London 1999, pp. 13-22

⁹ See e.g. Brodeur, Jean-Paul, *The Policing Web*, New York, 2010; Hoogenboom, A.B. *Bringing the police back in; Notes on the lost & found character of the police in police studies*, 2009, Inaugural address given at the acceptance of the chair of Professor of Police Studies at the VU University Amsterdam, Thursday 3 December 2009; Manning, Peter K., *Democratic Policing in a Changing World*, 2010; Loader, I., 'Where is Policing Studies?' (Review Essay), 51 *British Journal of Criminology* (2011), pp. 449-458.

¹⁰ See the contributions by Gobinet and Hoogenboom elsewhere in this book.

¹¹ Bayley, David H. *Patterns of policing: a comparative international analysis*, New Brunswick 1990.

¹² Emsley, C., *Gendarmes and the state in nineteenth century Europe*, Oxford 1999.

society, and its operational and organisational dimensions¹³. The final two authors that can be mentioned in this respect are Mawby¹⁴, who surveys a wide range of structures and practices from around the globe, including colonial societies, Communist societies and the Far East, and Lutterbeck¹⁵, who, referring to the convergence of the realms of internal and external security, examines the growing significance of intermediary security forces as the gendarmerie.

So far, there has been little or no international comparative research on gendarmerie-type organisations. With some exceptions¹⁶, this also applies to research on the future of gendarmerie-type organisations. Obviously, the explanation for this meagre result depends on the same factors and arguments mentioned by Bayley and Mawby. Their arguments might be reinforced by the fact that writing on gendarmeries is in some countries limited to the realm of official documents. Furthermore, access to data and information is often limited, and the great variety of definitions of the gendarmerie often leads to subsequent misconceptions and misunderstanding.

Bringing together the researchers of the FIEP member countries can function as a catalyst for international comparative research on gendarmerie-type organisations and offer an opportunity to explore the future of these organisations. This research could validate the outcomes of research that point out at the possible added value of the gendarmerie concept, and the

¹³ Easton, M., *De demilitarisering van de Rijkswacht*, Brussel 2001.

¹⁴ Mawby, R.I., 'Models of policing', in: T. Newburn (Ed). *Handbook of Policing*, Cullompton/Devon 2003, pp. 15-40.

¹⁵ Lutterbeck, D. Between Police and Military: the New Security Agenda and the Rise of Gendarmeries, *Cooperation and conflict: Journal of the Nordic International Studies Association*, 39(2004), (1), pp. 45-68.

¹⁶ Armitage, David T Jr and Moisan, Anne M., 'Constabulary Forces and Postconflict Transition: The Euro-Atlantic Dimension', *Strategic Forum*, No 218 (2005); Hills, A., 'International Peace Support Operations and CIVPOL: Should there be a Permanent Global Gendarmerie', *International Peacekeeping*, 5.3. (Autumn 1996), pp. 26-41; Gobinet, P. *The Gendarmerie Alternative: is there a case for police services with a military status in the 21st century European police apparatus?*, 2006, dissertation University of Portsmouth, Institute of Criminal Justice Studies; Perito, Robert M., *Where is the lone ranger when we need him? America's search for a postconflict stability force*, Washington 2004; Sheptycki, J., 'Patrolling the New European (In)Security Field: Organisational Dilemmas and Operational Solutions for Policing the Internal Borders of Europe', *European Journal of Crime, Criminal Law and Criminal Justice*, 9, (2001), (2), pp.144-158; and Weger, M. de, *The Potential of the European Gendarmerie Force*, Clingendael Security Paper No.10, The Hague 2009.

subsequent potentials of gendarmerie-type organisations in -in particular- stabilisation operations abroad¹⁷.

3. Blending together the harvest of contributions

This brief introduction illustrates that research on gendarmeries is still in its infancy. And what is more, the ample material on this subject is hidden behind barriers: the different definitions given in relation to the subject and the subsequent misunderstanding, and the language barriers that hinder academics wishing to study the concept of gendarmerie. Finally, a factor that could explain why the scholars of police studies do not consider the gendarmeries, concerns the variety in relations between the gendarmeries and the academic institutions in the respective countries. Starting to break down these barriers, and bringing both scholars and practitioners together to describe the phenomenon of gendarmeries and to put forward the pros and cons for possible roles in the 21st century was the intent of the organisers of the seminar held by the Dutch Presidency of FIEP in December 2010. It is with this intent, and the support of scholars and practitioners from the various countries, that this book was developed. A brief summary of the individual chapters will offer a flavour of the uniquely blended composition of this book.

The book starts with a republication of the article by Gobinet entitled ‘The gendarmerie alternative: is there a case for the existence of police organisations with military status in the twenty-first century European security apparatus?’, which was published in 2008 in the *International Journal of Police Science & Management*. The article was an abridged version of a dissertation submitted as part of the course requirements for the University of Portsmouth’s (UK) postgraduate degree in International Criminal Justice in 2007. Gobinet starts by stating that historical literature traditionally assimilates gendarmerie forces

¹⁷ E.g. Hovens, J.L., ‘Police reform’, Michiel de Weger, Frans Osinga and Harry Kirkels (Eds.) *NLARMS 2009, Complex Operations, Studies on Lebanon (2006) and Afghanistan (2006-present)*, Breda 2009, pp. 307-332; Kelly, Terence K. *Options for transitional security capabilities for America*, Technical report, RAND Corporation, Santa Monica 2006; Perito, *Where is the lone ranger when we need him? America’s search for a postconflict stability force*, Washington DC 2004; and Weger, M. de, *The Potential of the European Gendarmerie Force*, The Hague 2009.

with old-fashioned, centralised, colonial, or totalitarian regimes. Similarly, his contribution continues, the media and much of the current academic literature seem to consider the gendarmerie model as antiquated, and unable to meet the demands of public accountability or human rights compliance associated with modern democratic policing. How then can France, Italy or the Netherlands still reasonably promote it as a credible policing alternative? Gendarmeries receive very little attention from the Anglo-American criminal justice community. On closer inspection however, it appears that gendarmeries are tasked to perform public order, riot control and criminal police duties in many European democracies. This unique association of military semantics and civilian police concepts symbolises the modern gendarmerie concept, which can provide a substantial added value with public, specialised and professional police units. This critical analysis of the existing literature examines how gendarmeries are viewed by the English-speaking academic community, and most importantly, why this perception has become flawed and incomplete. One of the lead arguments is that the terminology habitually used to describe the gendarmerie model, because it wrongly suggests a persistent functional discrepancy between these forces and their civilian counterparts found for instance in Common Law countries, actually conceals the fact that gendarmeries have become important actors on the European policing scene. The study singles out arguments which demonstrate that police forces bearing a military status present useful credentials to promote the liberal democratic-policing ideal in 21st century Europe¹⁸.

The ‘discovery’ of Gobinet’s thesis coincided with the development of the programme ‘Gendarmeries and the Security Challenges of the 21st Century’ by the Dutch FIEP Presidency, and inspired and guided all contributors in their quest. Gobinet’s contribution therefore deserves a prominent place in this book.

In the next chapter, Bruggeman points to the need to focus. His contribution is based on the introduction of the seminar held in Breda on 7 December 2010. Bringing together the blurring boundaries between internal and

¹⁸ This abstract is taken from Gobinet’s article ‘The gendarmerie alternative: is there a case for the existence of police organisations with military status in the twenty-first century European security apparatus?’, as published in 2008 in the *International Journal of Police Science & Management*.

external security, the civil police and the military, as well as the need for police with special skills, it is argued that -based on its specific capabilities- the gendarmerie concept is at the basis of its continuity in the 21st century. Underlining the necessity for gendarmerie forces to know their own limits, the contribution concludes that the gendarmeries need a focused, strong and well-balanced positioning in societies.

The following chapters have a more conceptualising and contextualising character. In addition, the chapters differ from the others because they are of a more international nature.

Marczuk starts with a contribution in three parts: the first part of her chapter is about modern approaches to an 'internal security' concept, the second one focuses on analysis of a new project of the European Union - an Internal Security Strategy for the European Union (February 2010), and the last part considers its implications for gendarmerie-type forces (in particular within the EU). Taking the more recent approaches in security studies, especially the concept of 'human security' as a starting point, the author searches for a modern definition of internal security and presents the results of her research. Subsequently, analysing briefly the EU's Internal Security Strategy project as a case study, Marczuk seeks links between theory and practice of internal security using the example of the European Gendarmerie Force, EGF.

In the next chapter, Hoogenboom discusses the relative neglect in police studies of gendarmeries. Exploring the history of police, he concludes that, although the military or gendarmerie type of forces gradually left centre stage in public-order maintenance and made way for modern civilian police, facts and figures on the role of gendarmeries -both national and international- show (or seem to show - *author*) that gendarmeries are becoming more important in law enforcement again. Trying to explain this reversal movement, Hoogenboom first briefly describes the history and recent developments of gendarmeries, as well as the ongoing international cooperation between European gendarmeries and their deployment in international conflicts. Moreover, Hoogenboom explores some hypotheses on these developments in order to be able to explain the reversal movement. After making a few remarks on the future of policing and in particular the place of gendarmeries in these possible scenarios on how the police

function is developing, Hoogenboom concludes that gendarmeries are increasingly becoming involved in internal public order and crowd control, and that gendarmeries are filling this gap in (post-)conflict areas and regions where civilian structures for law and order do not yet exist. In doing so, Hoogenboom continues, gendarmeries take over strategic, tactical and operational notions, concepts and mindsets from civilian policing, especially in peacekeeping operations. The distinction between “blue” and “green” is blurring to a degree, he states. According to Hoogenboom, this implies that we have to rethink and redefine what exactly ‘policing’ means nowadays and what it entails, and that, consequently, gendarmeries should be taken more account of in police studies and criminology.

In the following chapter, Berthelet comes back to the theme of security strategies. In his chapter, he focuses on Europe and argues that recent advances attest to the development of a European policy in the field of internal security. In this regard, he points to the fact that the issue of internal security appeared on the political agenda of European institutions and thus affected domestic policies. Changes during the last decades, he continues, reflect a paradigm shift: former intergovernmental cooperation between police and criminal justice has been brought under the umbrella of the EU (the former first pillar). According to Berthelet, this change is likely to lead to changes in the organisation and functioning of national services that contribute to internal security, particularly the gendarmeries. To illustrate this, he points to the European Internal Security Strategy (ISS) of 2010. As a document of operational scope, this text is oriented towards anticipation and intelligence-sharing. It is intended to redirect their efforts with such concepts as the global model for the exchange of information. However, Berthelet argues that Europe will not suppress States nor dissolve their internal security policies, and that the developments within the EU will not dilute the internal security forces, whether military or civilian. He concludes that the process of further European integration will neither break the strong link between the gendarmeries and their respective national political authority, nor lead to a European police force that would supersede the gendarmeries.

In the next chapter, I try to answer the question whether the EGF meets the requirements of the public security gap. After describing this conceptual framework, the capabilities for closing the gap are described. Comparing

these capabilities with those of the EGF makes it clear that this police force provides in an ever-growing demand for constabulary-type forces. Forces that try to bridge the gap between military operations and the performance of the individual police officer. The specific cooperation among the forces that are part of the EGF is still at an early stage and an adequate answer has to be found for numerous issues. Additional research can play a role in this respect. Besides this, one can wonder why the Dutch contribution is not more substantial. I conclude that in this respect it is absolutely worthwhile for the Netherlands, therefore, to consider setting up a sustainable EGF IPU (integrated police unit).

The last nine chapters are different in two ways. First of all their primary scope is a national one. In order to understand the introduction and evolution of the gendarmerie concept, they often start with a (brief) historical overview. Together with this overview, the position and relevance of the gendarmerie in the national context as well as the characteristics and values of the gendarmerie are discussed. All contributions give attention to the future role of the gendarmerie in both the national and international context. A second difference is that all contributions are written by (former) gendarmerie officers. Irrespective of the qualities of the respected authors, this means that there is a risk of (professional) bias. Balancing between this possible bias and the rich palette of contributions from so many different gendarmeries, the editors of this book relied on the quality of the reviewers and minimised this risk.

The second part of the book starts with a contribution by Bratulescu. Taking the European Security Strategy as a starting point, his contribution elaborates on the (future) consequences of the development of security threats on one hand, and the reactions of police organisations -in particular the Romanian Gendarmerie- to these developments on the other hand. Pointing to the intertwined relation of internal security and external security, as well as the specific characteristics of the gendarmerie, it is argued that the gendarmerie concept is still valuable for the execution of law enforcement functions and the maintenance of public order. It is also argued that gendarmeries have added value that enables those police forces to perform police tasks in less favourable situations.

The following chapter concerns one of the contributions on the Turkish Gendarmerie. In his contribution, Bingöl takes the challenges that public order and security are facing nowadays, on both a national and an international level, as a starting point. Changes in the security environment require dynamic and flexible law enforcement capabilities, he argues. It should be possible for these capabilities to be used in a civilian and military manner, he continues, and therefore gendarmeries then come to mind. Pointing at the -sometimes-excessive use of violence by the opponents, the gendarmeries, which are situated between civilian police and the military, are well-suited to engage the new challenges, both nationally and internationally.

The next chapter concerns a structural analysis of the Chilean *Carabineros*. Taking the advanced or post-industrial society as point of reference, Hernández, Moras, Rodríguez define seven fields (social, demographic, economic, political, technology, international and security) to be used in their analysis. After taking forty-two variables into consideration, the authors developed possible scenarios. A next step in their study concerns the contribution of existing plans regarding direct and indirect employment as well as the potential. Out of this mixture, the authors from the Centre of Strategic and Criminology Studies of the *Carabineros* performed a prospective analysis. Their main findings are reflected in the chapter.

A fourth chapter in the second part of the book addresses the Italian *Carabinieri*. After giving an explanation of the terminology used and the origin of gendarmerie(-type) forces, Conforti describes the history, position, organisation, tasks and international engagement of the *Carabinieri*. After describing the present-day security challenges, he concludes that gendarmerie-type forces rely on strong historical backgrounds. He stipulates that the military status has remained one typical connotation for the gendarmerie 'family'. The military hierarchy and structure were and still are essential prerequisites. Conforti states that the capability to fight against different threats and enemies (internal and external), the vicinity to the population, the broad control of the territory and the experience gained in the peacekeeping missions over the last decades are added values which could facilitate the comprehensive efforts aimed at facing the forthcoming security challenges. Finally, he points to the possible benefits of having more than one police force. A 'balanced' law enforcement system could potentially minimise the drawbacks of a monopolistic approach.

The second contribution of the Turkish gendarmerie is written by Bilgic and can be found in the next chapter. Bilgic gives a more extensive historical overview of the *Jandarma* before he raises the question as to how the organisation's competencies -in terms of organisational structure, equipment, training and commitment- tie in with the security challenges of the 21st century and the operational requirements for coping with them. After close examination, Bilgic argues that his organisation strives to address threats such as asymmetric conflicts, organised crime, computer-related crimes, natural disasters and acts of terrorism which may take the form of chemical, biological, radiological or nuclear attacks. He ends with the conclusion that the Turkish Gendarmerie has the required expertise and capability to restore and maintain public order under all circumstances.

The following chapter analyses the Argentinian National Gendarmerie in the context of the present-day security challenges. With the aim to have a better understanding of the present-day Argentinian Gendarmerie, Gomez and Mungai start by describing the historical background of this organisation. The authors call attention to the characteristics and values of the gendarmerie, as they are very useful in order to understand the way in which the gendarmes perform their day-to-day tasks, as well as to comprehend the ethical structure of the organisation. After analysing the position of the gendarmerie from the national and international perspectives, they provide their conclusions. Two conclusions attract the attention. The first to be mentioned is that extra-continental and regional cooperation between police organisations and gendarmeries is the way to be able to share common institutional objectives and management organisational models. Furthermore, the authors continue, adaptation to change is a basic requirement for all those security institutions, even if they are orthodox institutions. They have to assume the important role as legal and technical tools created within the frame of internal security to fight against criminals and organised crime.

In the next chapter, Jiménez starts by describing the origin and development of the Spanish *Guardia Civil* within the mainstream of the emerging gendarmeries in 19th-century Europe. He continues with a description of the present position and relevance of the gendarmerie in the Spanish context. As do other authors, he highlights the characteristics and values of today's gendarmerie forces. Jiménez then defines gendarmerie-type forces,

and points out the characteristics that he regards as the advantages or added value of the gendarmerie model. The author continues with a description of the future role of the gendarmerie in both the national and international context. In his conclusion, he puts forward a rather provocative question: If this model has worked in Spain and other democratic countries, why shouldn't it work in other countries?

Jordan's gendarmerie forces face many security challenges today. Events in the Hashemite Kingdom of Jordan, and in the neighbouring Arab countries, form the background for the following contribution of Abu Shattal and Al-Rawashdeh. Referring to those challenges or threats, the authors point to matters like terrorism (armed and intellectual), demonstrations, civil disobedience, riots, insurgency, organised crime, the globalisation of crime, natural and man-made disasters and forced migration and displacement. In their contribution, the authors give an introduction to the Jordanian security concept and the historical background of the (relatively young) Jordanian Gendarmerie. Abu Shattal and Al-Rawashdeh elaborate on the vision, mission, core values, tasks and main elements for the comprehensive strategy of their gendarmerie. They present the Jordanian Gendarmerie forces as an excellent security institution (positioned between civilian police and the military) in maintaining security and order, by implementing the world's best practices in accordance with human rights and the rule of law.

The final chapter, written by Da Costa-Cabral, focuses on the Portuguese *Guarda Nacional Republicana* (GNR). By sketching a retrospect from the predecessors of the GNR to the present-day, he explains the position, role and relevance of the GNR in its national context. In this respect, the dual function of the GNR, being both military and police, is singled out by the author. Da Costa-Cabral's arguments are strengthened by the references to the distinguishing characteristics and values of the GNR, as well as the references made to the type of missions attributed to the GNR and their versatility. He continues his contribution with a brief analysis of the reality of the new world, marked by strong instability and new and renewed threats. Da Costa-Cabral presents several reasons -based on recent events and reflections- that indicate a future role for gendarmeries in both the national and international context.

4. Some concluding remarks

The contributions to the seminar and the book reflect on and underline the communality of histories, evolutions, characteristics and shared values of the world's gendarmeries. As has been mentioned before, it is a rich and unique blend of contributions from scholars and practitioners. Together with the outcomes of the two workshops held during the seminar in Breda on 7 December 2010, conclusions can be drawn along three lines.

The first set of conclusions regards the rationale of the existence of gendarmeries. Although the contributions vary, they all seem to favour a role for the gendarmeries in both the national and internal context, now and in the future. With regard to the future, many influential trends came across, especially during the workshop¹⁹. Worth mentioning are the asymmetric threat with a higher level of violence from opponents; the growing importance -and scale- of peace operations, as well as the increasing numbers of joint operations in which military and civil organisations work together; security and public order problems arising in the aftermath of floods or natural disasters; and the growing importance of moral and ethical standards. All trends seem to appeal to the distinguishing characteristics of the gendarmeries. Characteristics that enable the gendarmeries to police in less favourable, less stable or less secure environments on the one hand, and enable these gendarmeries to be a linking pin between the worlds of the military and civil (police) organisations on the other hand.

¹⁹ Two workshops were held during the seminar. The theme of the first workshop was 'The added value of the gendarmerie concept and possible (future) roles', the topic of the second concerned the subject of gendarmeries in academic research. In the first workshop, the participants discussed the dual themes of the benefits of maintaining a standing gendarmerie force and thoughts for the future employment of gendarmeries. The group members began by listing trends which would influence gendarmerie forces in the future. Once the trends had been identified, the group narrowed the list down to three. At the top of this list is the need to cope with higher levels of violence. As a consequence of this, training and equipment need updating, according to the participants in the workshop. Only with this update would the forces actually be able to police in a violent environment. More in general, the participants underlined the necessity for gendarmeries to remain flexible in both their training and employment in order to cope with situations across both the military and civil policing spectrum.

A second line of conclusions deals with research. More than once it has been stated that there is ample literature on the subject of gendarmeries. The fact that, on the one hand, some authors are rather critical or in fact oppose a role for gendarmeries within security institutions in democratic countries²⁰, and that -on the other hand- the outcome of the contributions to the seminar and this book are without doubt in favour of gendarmeries, gives food for thought. Are the outcomes of the latter contributions too biased due to the fact that most of the authors are somehow related to the gendarmerie? Or is there still insufficient academic research to support or falsify Gobinet's hypothesis, according to which gendarmeries remain a viable and efficient solution to deal with contemporary crime and security issues? More research on the subject of gendarmeries seems an obvious necessity. It has been argued (especially in the working group on the research agenda for FIEP) that academic research and debate may prove to be a valuable contribution towards the development of gendarmeries and to the proliferation of the gendarmerie concept. Any new kind of research may provide interesting new insights into gendarmerie-type forces and bring gendarmerie capabilities to the attention of the academic community, decision-makers and the public. Comparison of qualities of gendarmeries and other security forces and research into relations and differences with civil and military police organisations may provide interesting insights. Moreover, it is felt that empirical research into the effectiveness of police missions is lacking. It must be underlined that research into gendarmerie forces may not only provide useful insights into the effectiveness of the gendarmerie concept, but may also contribute to the revitalisation of FIEP, if such research is performed in mutual cooperation between academics and FIEP members.

A final observation with regard to research must be made. Examining the present literature, including the contributions to this book, one can only conclude that the vast majority of contributions to the research on gendarmeries are characterised by an institutional approach: they deal with the formal organisations, the question as to how these formal organisations evolved over time and the implementation of (new) policies. The value

²⁰ E.g. A.E. Hills, *International Peacekeeping*, (1996), 5.3., pp. 26-41; Kimberly C. Field, and Robert M. Perito, *Parameters*, 2002-03, pp. 77-87.

of the research on gendarmeries within police studies or other academic disciplines would increase considerably if that research would go beyond this institutional approach alone.

The final conclusion actually links the two other sets of conclusions and is related to the familiarity with the concept of gendarmerie. Due to the fact that this concept is not well-known or even misunderstood, the forces seem to have few opportunities if any to show their added value. Therefore participants of both working groups stated that policy makers and the public should be made aware of the unique role the gendarmeries can play in policing more challenging situations. Gendarmeries should take responsibility to make clear to policy makers and the public the meaning of the gendarmerie concept, where it differs from civilian police and the military, and what it is able to do, the participants continued. New management tools such as branding should be introduced in this respect.

Both policy makers and the public are also (directly or indirectly) influenced by the outcomes of research, there is a role for the academic world as well in this respect. It is time to put the subject of gendarmeries on the research agenda. With this in mind, I hope the following chapters will inspire both academics and practitioners to continue along the path taken by the authors in this book.

The gendarmerie alternative:

Is there a case for the existence of police organisations with military status in the twenty-first century European security apparatus?

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1. Introduction

Lex pacificerat ('May the law pacify')

This study was initiated in the wake of the official inauguration of the European Gendarmerie Force (EGF) by France, Italy, Portugal, the Netherlands and Spain, in Vicenza, Italy, in January 2006 (Morin, 2006). One of the few English language articles to have commented on this event was that of *Statewatch* editor, Tony Bunyan, who wrote:

“The creation of a European para-military force, the EGF, adds to the growing list of bodies, agencies and forces spawned by the EU over which there is scant accountability, scrutiny, transparency or openness. Para-military police are by their very name and nature trained to use force beyond that normally available to police forces and require greater not less oversight”. (Statewatch, 2006)

However, if five western European democracies openly promoted the gendarmerie model on their security agenda in 2006, can it still be reduced to a paramilitary aberration? In light of these recent developments, it appears necessary to examine critically how gendarmeries are viewed by the English-speaking academic community, and why this perception has become flawed.

The first aim is to examine critically the perception of gendarmerie forces in the literature and to consider the impact of historical legacy on the modern structures and practices of gendarmeries by using the example of their ancestor, the French *Maréchaussée*. This brief historical overview outlines

the basic concepts of the gendarmerie model and is followed by a critical review of the terminology currently used to describe gendarmerie forces in the academic field.

The second aim of this study is to assess the relevance of gendarmeries in the twenty-first century European security apparatus. Arguments are categorised within two opposing hypotheses. The first hypothesis is that all gendarmeries are inevitably destined to be demilitarised and integrated with civilian police structures. This is supported by factors such as the growing urbanisation, privatisation and homogenisation of European police services, and by recent historical precedents in countries that have recently demilitarised their gendarmerie. To balance these arguments, this study looked at a series of functional factors which support an opposing hypothesis, according to which gendarmeries remain a viable and efficient solution to deal with contemporary crime and security issues.

This study ends with a critical examination of the controversial relationship the literature establishes between gendarmeries and democratic policing. The final discussion section thus argues that the specificity of the gendarmeries' military status is not inherently incompatible with police accountability.

2. Methodology

2.1. The design

This study is a non-empirical, critical analysis of the recent academic, media and institutional literature dealing with gendarmerie forces in Europe. The French Gendarmerie is used for comparative reference to assess the different qualitative approaches and to pinpoint any absence of academic research. The Guardia Civil and Carabinieri are also mentioned in order to maximise typicality (François, 2004).

2.2. Clarifying semantic issues

The research began by limiting the scope of the review explicitly and realistically. This was made possible by identifying the semantics commonly associated with the gendarmerie model, to make sure that the work would cover the most prominent publications and debates in the field. The methodological starting point is a critical review of the terminology which is recurrently used

in Anglo-Saxon literature to describe or compare gendarmerie-like forces in the academic field. Leishman (1999, p. 109) clearly points out the pitfalls of using English-speaking country comparisons as the ‘principal referents and/or taken for granted exemplars’, and this study tried to gain accuracy by looking not only into the intended subject, but also at the vocabulary, such as ‘paramilitary’ or ‘military police’, mistakenly associated with it.

2.3. *Ethics*

As a member of a gendarmerie force, the author’s main consideration was to avoid the inevitable preconceptions imposed by his professional background, and the potential role conflict which could arise from doing research on his own organisation. In order to avoid a neutral and politically desirable response that would not have brought added value to the topic, certain arguments were voluntarily discussed which ultimately were not in line with his institution’s views or goals.

3. Review and analysis of literature

The existing Anglo-Saxon research pertaining to gendarmeries is either historical or comparative. The author subsequently turned to non-English studies which bring together academics and practitioners to perform a functional balance (Picard, Richardot, & Watin-Augouard, 1993).

3.1. *Historical legacy and cultural heritage*

The majority of the academic work on the gendarmerie model is completed by authoritative historians. This research is recent and was spurred by a genuine lack of any historical synthesis on the subject. Watin-Augouard (1993, p. 113) declared that, apart from Lafont, Meyer and Virilio’s (1980) controversial *Le nouvel ordre gendarmique*’ and Sturgill’s (1981) research on eighteenth-century provost justice in France, gendarmerie studies were nothing but sterile depictions of a romantic image which lacked objective analytical endeavour. Academic researchers and gendarmes were mutually reluctant to cooperate, whereas the Anglo-Saxon scholars showed an early interest in the matters of criminal justice. Emsley’s (1999) unique examination of the role of gendarmes in nineteenth-century Europe gives a thorough account of the foundation of the gendarmerie model and explains the influence of history on what is both the oldest French military institution, and the oldest French police force. Luc

(2002) also scans the premises of policing in nineteenth-century Europe and assesses the impact of gendarmeries on the birth of the continent's modern societies.

From Maréchaussée to gendarmerie: the birth of a singular model

The Maréchaussée was an instrument of sovereign power and national consolidation, created during years of political and social instability to palliate the deficiencies of immature governments and the wave of violence triggered by the French Revolution (Broers, 1993; Brouillet, 1993; Emsley, 1993; Price, 1982). The provost marshal (*prévôt des maréchaux*), a term which has remained in contemporary military policing, initially combined police and judiciary functions. The landmark features of the Maréchaussée were introduced by War Secretary Claude Le Blanc in 1720 who organised a permanent and homogenised network of companies and territorial brigades set up throughout the kingdom, and financed by the State. These brigades symbolised a transition between itinerant policing to sedentary, networked and continuous territorial control, and remain the hallmark of gendarmerie policing. The Maréchaussée was initially set up as a military organisation not because it was thought that this status would make it more efficient, but because it followed an inclination for strict codification and regulation of all administrations.

When the Gendarmerie Nationale officially replaced the Maréchaussée on 16 February 1791, it maintained its territorial structure and its military status but lost the judicial prerogative. This consecrated the revolutionary principles of equal justice for all and the separation of powers. The founding legal document, the *Loi du 28 germinal An VI* (which corresponds to 17 April 1798), is still officially active.

The brigades symbolised the penetration of the nation state in the countryside, and introduced a social contract: obligations such as taxes and conscription in return for protection against thieves and corrupt local dignitaries. They combined tight central control with a form of community orientation. Their main task was to uphold law and order but also to blend in with the community, take part in its festivities, public ceremonies and parades, and ensure that the conscripts showed up at their regiment. The literature shows a clear emphasis on observation and prevention rather than repression and

their presence progressively imposed a conception of law and order and fostered a sense of national identity within the rural population.

European emulation of the model

The revolutionary and Napoleonic wars spread the model as gendarmes were tasked as provost forces. They were subsequently imposed along with French administrative and judicial practices during the Napoleonic hegemony. Gendarmeries were associated with a gallant, romantic and chivalrous image which largely contributed to their exportation. The model became very popular among the rulers of nineteenth-century continental Europe. Spain, Russia and the Habsburg Empire were all intent on centralising their respective administrations and strengthening their grip on rebellious rural areas using the visible presence of gendarmes (Emsley & Phillips, 1999). It developed into a model which survived the passage of different political regimes.

Interestingly, gendarmeries appeared almost concurrently with the Anglo-Saxon urban and civilian policing model. Eighteenth- and nineteenth-century England was not as rural as continental Europe, with fewer farmers living in the countryside. The notion of the English entity thus appeared much sooner than on the continent (Bayley, 1985, p. 67). In Anglo-Saxon and Scandinavian countries, the government imposed its authority with much less resistance, and the birth of a national identity did not necessarily require territorial conquest of the peripheries of the emerging nation state.

3.2. Updating the traditional comparative approach to an anomalous status

The historical review highlighted that gendarmeries were functionally and socially integrated to Europe's countryside. Additional arguments were sought among nonhistorical academic research.

The traditional comparative approach

In Anglo-American literature, gendarmeries are associated with the highly centralised, continental model which emphasises political and administrative tasks. Mawby provides extensive and useful comparative guidelines (1999a, 1999b, 2001, 2003). Valuable material was also found in the works of Brogden (2005), Cole (1999), Pakes (2004), Shelley (1999) and Waddington (1999, p. 154), all of which highlight similar classifications.

The inadequacy of Anglo-Saxon terms to describe the model

A review of academic and media publications referring to the gendarmerie model shows the recurrence of terms which are verbally convenient but inadequate.

- Search on ‘paramilitary’

Typing ‘paramilitary’ in a search engine produces information on a substantial number of documents related to Northern Ireland. The term describes the privatisation of violence in the absence of effective security policies, various punishments and human rights violations, and contradictions between democratic reforms and the establishment of effective authority during the formation of political identity (Scobelle & Hammitt, 1998). Hills (1995, p. 453) defines paramilitary forces as those that ‘act in support of, or in lieu of, full time active or reserve armed forces’. The term ‘paramilitary’ can refer to both state-controlled and non-state security forces, but the true meaning of the term remains elusive (Lutterbeck, 2004, p. 47). Many authors seem to use the word ‘paramilitary’ mistakenly to describe units or organisations which are officially military, but which cover what they consider to be a traditionally civilian police mandate (Albuquerque & Paes-Machado, 2002, 2004). Accordingly, the French Gendarmerie, the Spanish Guardia Civil, and the Italian Carabinieri, are not ‘paramilitary’ because their administrative status is constitutionally defined and clearly acknowledged as being military.

- Search on ‘military police’

Many European police organisations historically developed from military institutions. However, military policing now corresponds to a clear functional police mandate within the armed forces, usually symbolised by the function of provost marshal. Defining gendarmeries simply as military police is only partly correct inasmuch as it is one of the prerogatives attributed to gendarmeries. It nevertheless omits the predominance of their civilian police mandate.

Specific literature for a specific model

The gendarmerie model is covered by a limited number of heterogeneous studies which have seldom followed the gendarmeries’ latest functional developments and technical evolutions spurred by the adaptation to modern society. There is a strong tendency to limit the scope of comparative

studies comfortably to English-speaking countries and to the features of Anglo-American liberal-democratic societies, thus applying theories that bear little significance to other cultural backgrounds (Nelken, 2002, p. 176). Gendarmeries are hybrid institutions and borrow features from different comparative categories. Consequently, the traditional comparative classification becomes irrelevant. It was therefore necessary to examine the academic works of French, Italian and Spanish researchers, who are now more productive on the subject. For instance, Bigo (1996, p. 329) is famous for analysing the growing influence of international cooperation on the structures of police institutions. Parliamentary publications such as the ones found on the French Senate website are also good indicators of the interest granted to the activities and control of the French Gendarmerie (Sénat, 2000a, 2000b). Dieu (1993) gives a detailed account of the unique sociology of the gendarmerie, which is neither a fourth army nor a second police because it possesses an institutional specificity with its own cultural system of values. The most useful documents are written by academic researchers who associate with gendarmerie officers to provide a more balanced, objective assessment of the corps' activities (Picard et al., 1993). These publications are generally sponsored by academic journals and were considered more authoritative for this study because they avoid the potential bias of the practitioner. The French academic journal, *Les Cahiers de la Sécurité intérieure* dedicated one of its issues to the gendarmerie model in a series of critical essays contributed by both academics and highranking practitioners. Although somewhat dated (1993), it provided an appropriate overview of the main topics and debates, and was thus used to determine the main avenues of research.

4. Research findings

Two conflicting hypotheses stand out in the contemporary literature. This section enumerates their most convincing arguments and highlights opportunities for discussion.

4.1. *The gendarmerie seen as an endangered police model*

The first hypothesis considers that all gendarmerie forces are destined to be demilitarised and integrated with civilian police structures. This is supported by the following arguments.

The Belgian experience of demilitarisation

Several countries have experienced a fusion into single-force police structures. The author singled out the Belgian example as examined by Bergmans (2005), Outrive (1993, 2005), Easton (2001) and Punch (2003). The Belgian gendarmerie officially became a federal, integrated civilian corps in January 1992, to implement the directives of the law of 18 July 1991 which cancelled its military status. It was placed under the authority of the Ministry of the Interior, in close coordination with the Ministry of Justice in matters of criminal investigations (Morin, 1993, p. 129). Although this is never directly stated by academics as being the dominant paradigm, one has to wonder whether demilitarisation and amalgamation are inevitable in countries with dualistic police structures.

The impact of growing urbanisation

Traditionally, the French National Police cover towns with more than 10,000 inhabitants (Carraz & Hyst, 1998). The rest are covered by the Gendarmerie, which explains its historical link to rural France. This classical distinction between rural and urban policing is disappearing because cities are expanding and few rural areas are still economically independent from larger metropolitan areas (De Maillard & Roché, 2004). Many rural units have to be reevaluated and their tasks reassigned to fit urban jurisdictions. Specialisation in public order, riot control, highway traffic police, special intervention and criminal investigations is seen as primordial to complement the action of static, polyvalent territorial brigades. However, these developments alienate and depersonalise the gendarme from his involvement in the local population.

European homogenisation

Institutionalised police cooperation networks promote a centralising and harmonising effect on most western European states because they blatantly confront their policing methods and entice them to automatic comparison (Bigo, 1996). Thus there is an evolution towards the progressive amalgamation of Europe's police services into homogenised, integrated, highly specialised and mostly civilian structures.

The rise of privatisation: when safety becomes a product

The increasing specialisation of the economy and a decline in the confidence that the public sector can provide adequate domestic security guarantees have

introduced private policing as a valuable partner for state and local authorities in western European countries (Bayley & Shearing, 2005). The number of people employed in private security firms has progressively surpassed the number of sworn officers (Forst, 2005, p. 363). There is thus an obvious contrast between the gendarmerie model, seen as an integrated, all-in-one policing structure, and the increasing trend of governments and local authorities to outsource their police services' tasks and personnel management to the private sector.

A reputed incompatibility with human rights and democracy

The gendarmerie model is often depicted as undemocratic and disrespectful of human rights standards (Barley, 2001; BBC, 2001; Skinner, 2003). The commonly acknowledged view among Anglo-Saxon researchers is that policing only falls to the military in non-democratic countries, and gendarmeries are thus closely associated with the concept of a political police. Decentralisation is seen as the best way to tighten the relationship between police and the community it is meant to serve. A military-style organisation cannot be decentralised, consequently there is an absence of any kind of interaction, let alone subordination, with local and municipal authorities (Weber, 2001, p. 54). The chain of command is impervious to societal changes or civilian oversight. The internal structure of a militarised police organisation facilitates human rights violations because officers follow orders unquestioningly and are granted very little initiative by their central command (Koszeg, 2001, p. 5). According to Babovic (2001, p. 234), a police organisation with a military status has a greater propensity towards noninstrumental brutality and police violence because it is insulated from the society it works in. The military model generally neglects contact with the community because it softens the proper use of force and is considered a deterrent to operational efficiency. Parliamentary and judicial oversight are limited and considered to interfere with operational police matters. Consequently, accountability is diminished and the opportunities for unreported brutal behaviour arise. This argument is corroborated by historical facts. During the Franco era, the Spanish Guardia Civil was considered to be the regime's main instrument to crush dissent and opposition (Ballbé, 1993). Officially created in 1844, it symbolised the sophisticated and disciplined consolidation of a centralised, military dominance over the State's political and administrative institutions, which culminated in the coup carried out on 18 July 1936 by Army and Guardia Civil generals.

4.2. The gendarmerie seen as a legitimate police alternative

Lutterbeck (2005, p. 23) reveals that European gendarmerie forces have expanded their personnel by 30 per cent since the 1980s. In the 1990s they showed by far the highest growth rates compared with regular standing army units. What are the reasons for this? The second opposing research hypothesis enumerates distinctive gendarmerie features that may be tokens of longevity.

The brigade

The success of any rural police depends on their intimate knowledge of the community they live in. The brigade structure implies that, because the gendarmes live in the same conditions as the local population, they quickly become familiar faces. They compensate for the repressive aspect of their job by the services that they render to the community, and thus acquire trust and credibility (Luc, 2002, p.209). According to Dintilhac (1993, p. 90), the tasks and services they carry out within these communities are usually highly public and visible, not unlike those associated with the Anglo-Saxon model of community policing.

An emphasis on the human factor

The motto of the French Gendarmerie, 'Une force humaine', highlights the importance given to the management of people. Great attention is thus given to the training of the recruits who will usually use a high level of initiative in their respective working environments, commonly in remote areas far from central authority. The hallmark of this initial training, carried out in the '*Ecoles des sous-officiers de gendarmerie*' (ESOG), is an emphasis on 'moral' instruction which shows the impact of the corps' daily interaction with society's civilian representatives (Bruneteaux, 1993, p. 96).

Various levels of militarisation and multiple ministry affiliations

Gendarmeries are often placed under the auspices of various Ministries. Operational direction may for instance be given to the Ministry of Interior, but officers remain members of the armed forces (Defence). There is a third aspect of supervision, that undertaken by public prosecutors (Justice who have a legal prerogative to monitor police activities. The Guardia di Finanza, the Italian fiscal and customs agency, is affiliated to the Ministry of Defence, which grants it a military status, and to the Ministry of Finance, which gives it extensive prerogatives to cover transnational fraud, contraband and tax evasion.

Benefits of multi-force governance and dualistic structures

According to Watin-Augouard (Picard et al., 1993, p. 195), police dualism can only be conceived in liberal democracies. There should always be some kind of separation of police forces much like the principle of the separation of powers in the State. This separation also exists in totalitarian states, but there it implies subordination, whereby the political police control all the others. In cases where democratic states have only one police institution, this is usually compensated by a strong decentralisation of the chain of command. Separating the police corps is considered a safety feature for the State, so as not to concentrate too much power into the hands of one institution (Mawby, 1999a, p. 24). It also provides magistrates with a substantial amount of leeway to choose which service will be more suited to their aims for criminal investigations.

The extreme versatility of the model

Gendarmeries are polyvalent, multipurpose institutions which often surpass the normal scope of policing duties (Lutterbeck, 2004, p. 48). Dintilhac (1993) enumerates an impressive array of missions on behalf of numerous ministries (Defence, Interior, Justice, Finance, overseas departments and territories, transport and environment), and within joint structures of the armed forces. Their military capabilities combine with their judicial police and administrative prerogatives and offer a unique approach to crisis management in hostile environments. They are able to provide continuous service on the full crisis spectrum, from normal society to war, and back again. This capacity makes them ideally suited for low-intensity post-crisis situations, which are inaccessible to normal police forces but do not quite require the use of regular army troops.

The way forward: new fields of expertise

In addition to their already wide policing mandate, gendarmeries have actively promulgated a number of activities in which they now appear as authoritative practitioners on the European policing scene. Two of these activities are border control (Lutterbeck, 2004, p. 48) and riot control, with an emphasis given to the latter in the framework of peace support operations. Recent experiences in public order, particularly in the Balkans, have shown that gendarmerie forces offer unique characteristics as efficient peace-keeping and peace-building protagonists (Direction Générale de la Gendarmerie

Nationale, 1998). On 17 September 2004, the Defence Ministers from France, Italy, Portugal, the Netherlands and Spain gathered in Noordwijk, the Netherlands, to formalise the creation of the European Gendarmerie Force (EGF), thus uniting the rapid reaction capacities of Europe's five main gendarmerie forces (the Gendarmerie, the Carabinieri, the Guardia Nacional Republicana, the Royal Marechaussee and the Guardia Civil) under one ad hoc task force headquartered in Vicenza, Italy (Bernard, 2005). The EGF includes the creation of an 800-man *Eurogendfor* task force, capable of being projected on a 30-day notice practically anywhere in Europe to perform peace-keeping, public order, riot control and criminal police duties in conflict-torn countries (Esquivel Lalinde, 2005; European Commission, 2003). Research on internet sites and specialist reviews also shows their strong involvement in forensic science (*European Network of Forensic Science Institutes* (ENFSI)), or in operational and strategic criminal analysis (Cardinetti et al., 2004; Gaudry et al., 2001; Malgorn & Coquoz, 1999).

5. Discussion

The previous section juxtaposed two alternative hypotheses depicted in the literature. This section attempts to widen the perspective.

5.1. *On the militarisation of public order*

There are two prerequisites for efficient riot control: the use of non-lethal methods, and the rapid projection of quasi-overwhelming manpower on site (Walker, 2005, p. 410). Democratic public order policing demands political neutrality and the disciplined and proportionate use of force.

Crowd control in the UK

Public order is, beyond a concept, a professional technicality. In the UK, the Army traditionally has been an important component of domestic public order, with an obvious focus on Northern Ireland (Mandeville, 1993). This is labelled as 'military aid to the civil power' (MACP) in the Queen's Regulations for the Army (Ministry of Defence, 1975). However, the logic of public order policing is paradoxically opposed to the demands of soldiering: destroying the enemy is out of the question, minimal force must be used with proportionality. The army has to interact on the field with civilian authorities which do not share their operational guidelines and do not necessarily seek

to achieve short-term operational results. This can lead to problems without the arbitration of a strong political authority.

Filling the gap

Mandeville's (1993) analysis suggests that, following the reported failure of regular police units to quell the violence between Protestants and Catholics in 1969, the Army was the only organisation left to act as a peace-keeping force in Northern Ireland. This is where the ambivalence of the gendarmerie model represents an added value for any established democracy because it can be used throughout the spectrum of a crisis to carry out tasks which a civilian police could not assume, yet which do not require the drastic use of standing army units (Moreau-Desfarges, 2002, p. 59; Perr, 2005). In this respect, Watin-Augouard (Picard et al., 1993, p. 207) admits that the Anglo-Saxon denigration of 'undemocratic' gendarmeries is hypocritical, because they have no other choice but to use their army's massive means to solve a domestic public order situation as soon as it gets out of hand. Crisis is a permanent fluctuation, and thus calls for fluctuating means of response. The government loses its freedom of action if it does not possess the flexible means to respond proportionately and can only adopt an 'all-or-nothing' approach.

5.2. On the militarisation of the civilian police

Despite the attention given lately to other practices such as community policing, evidence shows that civilian police services are reverting to tactics and practices inspired by the military. This was accelerated by antidrug and anti-terrorism law enforcement following the impulse of the US government's drug war, and of course after September 11 (Brandl, 2003, p. 145). One could therefore argue that the specificity of the gendarmerie model does not lie in its tactics, weaponry or apparel, since leading practitioners and researchers acknowledge that many civilian police forces adopted these features early on. In light of these elements, it would therefore appear that the only factors that differentiate gendarmeries from their civilian counterparts are their institutional culture and an official, not wannabe, military status.

5.3. On the progressive fusion of police and military and the emergence of a new security concept

Security risks such as organised crime, drug trafficking and terrorism have introduced a contemporary convergence between the realms of internal

and external security. This has led to the militarisation and externalisation of policing (hence the expansion of international police cooperation), and conversely to an internalisation and 'domestication' of soldiering. This situation has provided intermediary gendarmerie-type organisations with an ideal margin of development because they can cover the requirements of both domains and seem adapted to meet the needs of this new security agenda.

5.4. On the compatibility of gendarmeries with democratic policing

Associating gendarmeries and their military status with undemocratic policing may be an oversimplification of issues that also affect civilian police organisations.

The pitfalls of oversimplification

According to many authors, the democratisation of European police services relies exclusively on immediate demilitarisation, depoliticisation and decentralisation (Kadar, 2001). This generalisation would logically imply that centralised, military corps such as gendarmeries cannot fundamentally perform democratic policing. Yet there are gendarmeries performing police duties in several established western European democracies. The cost/benefit ratio of demilitarisation and its general impact on police efficiency has yet to be objectively assessed, and it remains to be proven whether the civilian status of a police force constitutes in itself a democratic guarantee. Hasty conclusions are drawn by authors who see the military model as a facilitator of police brutality because it implies too much police discretion (Babovic, 2001, p. 232).

However, is it proven that military-style police officers enjoy more discretion than their civilian colleagues? Would not the military structure and hierarchy imply otherwise? If police brutality can be essentially interpreted as a failure of internal leadership, could not brutality be the result of the misuse of the police tool, whether military or civilian, rather than the intrinsic propensity of a model to exercise police brutality? One can hit someone with a hammer, but this does not make the hammer brutal. Research carried out on Bulgarian officers by Vassilev (2001, p. 240) concluded that the main reasons for police violence were an inadequate selection and training of police officers, high levels of professional stress, and a lack of institutionalised care for their

mental health and emotional stability. The problem thus becomes one of police leadership, executive and judicial control, as well as police training, rather than one of structure.

Does centralisation affect democratic policing and accountability?

Centralisation has become controversial because the patterns of accountability are easily mistaken for the structure of the police. There is a belief that decentralisation of command ensures popular control, responsiveness to communities and public trust, whereas centralisation is synonymous with non-representative, bureaucratic control. According to Bayley (1985, p. 56) this is not true, because the key factors in comparing accountability are the scale of the political community, or 'buffeting bureaucracy', which directly supervises the police, as well as the size of the units being compared. This implies that decentralised structures can also use repressive policing methods. Extremely decentralised police structures have also shown obvious disregard for human rights issues (Skolnick, 2001, p. 222).

Traditional comparisons based on the criteria of centralisation neglect the formal and informal command relationships of national police organisations. A centralised structure does not necessarily imply centralised decision-making, and the involvement of central government in policing can be relatively unimportant. Real decentralisation is achieved when local units are granted independence of command. The assistance that is given by central governments to subunits and local police forces to coordinate and standardise their equipment and practices is often mistaken for centralisation. Paradoxically, this may reinforce the prerogatives of local and regional forces to resist centralisation. If one increases their capacity, one reduces their need for central intervention.

What is a democratic police?

Criminal justice researchers highlight three prerequisites of democratic policing, regardless of whether the police service has adopted a military or civilian police structure: a clear constitutional mandate, the liberation of the law-enforcement forces from the political sphere, and finally, independent and institutionalised oversight. According to Szikinger (2001, p. 15), democracy and policing are fundamentally incompatible and contradictory because institutions tasked with the maintenance of public security are necessarily

authoritarian in character. Universal standards for a democratic and ‘tolerable’ police system, if they exist, still remain to be clearly identified. Examples abound where the police and security organs of the most established democracies violated the very values they were originally tasked to uphold fervently. The most a police organisation can therefore do is insist that its institutional culture and law enforcement practices incorporate a number of basic international, constitutional and democratic values, regardless of the nature of the police service. Democratic policing is a complex combination of crime fighting, operational efficiency, community policing and adherence to human rights standards to fulfil the demands and obtain the participation of local society. Given the duality of police functions, the real question is not whether the police adopt a military-like or civilian structure, but whether it can act along the lines of a service concept (Hazenbergh, 2001, p. 179).

6. Conclusion

This study was conceived as a nonempirical, critical analysis of the way contemporary literature depicts the gendarmerie model. The aim was to avoid a generic enumeration of gendarmerie forces and attempt to single out specific traits which are liable to affect their longevity on the European police scene.

Outside of historical research, the literature review established that the subject receives very little attention from the European criminal justice and police community. The terminology used to describe gendarmeries is predominantly military, and bears little significance to the realm of Anglo-American civilian police practitioners. English-language literature usually includes the gendarmerie model in its comparative approaches, but fails to go into any deeper examination of the model in terms of functionality, command structure and adaptability. There is therefore a lot to be learned from other European approaches, especially those which associate researchers and gendarmerie personnel.

A number of arguments portrayed the gendarmerie model as an atavistic anomaly. The growing impact of urbanisation, the rise of privatisation and European homogenisation of police practices can jeopardise the existence of dual police structures comprising both an urban, civilian and a rural, military

police force. The general view is that a centralised, militarised police cannot show genuine concern for the well-being of the population in a given area, which is the overarching concept of democratic policing.

An opposing series of arguments credited the gendarmerie model as a legitimate police alternative. The basic unit, the brigade, has historically blended the autonomy of territorial dispersion, the versatility of a wide public order mandate, and the humane flexibility imposed by the constraints of rural policing. Throughout Europe, gendarmeries have developed various levels of militarisation to respond and adapt to the demands of multiple ministry affiliations. Their functional versatility has persuaded many governments that multiforce police governance, despite its drawbacks, confers undeniable leeway in terms of executive decision-making, and promotes a democratic balance of police power. Intermediary forces have also been increasingly solicited for specific security tasks such as peace-keeping and crowd control.

The use of gendarmeries in public order should not be narrowed down to a mere militarisation of police work, and their presence on the European police scene can be functionally justified. Their specificity derives from an official, constitutionally acknowledged military status and from a stalwart organisational culture. Arguing that the increased use of gendarmeries is detrimental to democratic policing in general is an oversimplification which assumes that the status and structure of a police organisation are the sole prerequisites to accountable and democratic policing. There is no authoritative study which scientifically proves that gendarmeries are fundamentally incompatible with democracy and cannot meet the demands and expectations of modern European policing (Megie & Scherrer, 2004). Modern criminal justice studies may therefore gain useful insights by paying more attention to the specificity of the gendarmerie model and to its added value for the modern mandates given to European policing.

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Gendarmeries and the Security Challenges in the 21st Century

Some introductory remarks

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1. General introduction

We are currently witnessing the globalisation of security, sometimes leading to international and national conflicts and security situations¹. Globalisation, privatisation, pluralisation and hybridisation: these factors all have a bearing on the gradual reshaping of the security paradigm and entail a fundamental reorientation on the role of the state in providing security. Today, security challenges are becoming more and more complex. Many phenomena are interlinked and there is an inherent connection between “internal” and “external” threats. Security is adapting itself: the concept of security is shifting and becoming “liquid”. Ultimately, it is all about security: security and defence policy are becoming interwoven. Consequently, internal security and external security are inseparable², and merge into one large security amalgam where organisational and cultural distinctions between the military sector and public organisations are beginning to disappear³.

Moreover, there is growing overlap between internal security issues and foreign policy and external security. Threats currently come from both organised terrorists and from so-called “lone wolves”, who may have developed their radical beliefs on the basis of extremist propaganda and found training

¹ See e.g. Bigo, D., *Les nouveaux enjeux de l'(in)sécurité en Europe: terrorisme, guerre, sécurité intérieure, sécurité extérieure*, Paris 2005, l'Harmattan; Lutterbeck, D, *Blurring the Dividing Line: The Convergence of Internal and External Security in Western Europe*, *European Security*, 14(2), (2005), pp. 231-253.

² As reiterated in the 2008 European Security Strategy.

³ Internal security covers the following fields: police operations (also by para-military units), immigration and customs, internal security agencies, civil contingency planning, the military, judges and courts, national and local government, hospitals and firefighters, multi-national companies and small businesses, schools, universities and civil society.

material on the Internet. Before '9/11', the problems of organised crime and terrorism were generally considered to be separate phenomena. The list of links and similarities between the two phenomena is now becoming longer and longer:

- security challenges include war, violations of human rights, terrorism, immigration, other crimes (e.g. piracy);
- terrorists engage in organised crime activities to support themselves financially;
- both frequently operate in (intersecting) network structures;
- both operate in areas characterised by few governmental controls, weak law enforcement, open borders, and in conflict areas;
- both use corrupt local officials to achieve their objectives;
- both use similar means of communication, using modern technology;
- both launder money, often using the same methods and even the same operators to move their funds.

This leads to the following question: what role can gendarmerie forces play within this complex international arena?

2. Policing

Policing and security issues affect every aspect of our society. A wide array of phrases, such as plural policing, policing quilt, plural security or security continuum, a terrain in which a growing number of actors operate, is being used to describe the new realities and manifestations of the concept of security.

The state remains or ought to remain responsible for ensuring security and policing, based on the monopoly of legitimate coercion, the delivery of civic governance, the guarantee of the provision of collective security, and the symbolic unity of state and nation. Operational boundaries between the public and the private sector, but also between civil police and military organisations are becoming blurred. This leads to role confusion and improper tasking at the national and the international level⁴.

⁴ Concepts take an all-encompassing approach and include: policing; criminal law; immigration, asylum and border control; counter-terrorism; crisis management; civil-military interface; public-private interface; security agencies cooperation; and information and intelligence gathering and sharing.

3. International frameworks

The international frameworks that are involved in external security matters include the United Nations (UN) (peace and security; UN Police-UNPOL)⁵, the North Atlantic Treaty Organisation (NATO)⁶, the European Union (EU) Common Security and Defence Policy (CSDP)⁷ missions, the Council of Europe, and the Organisation for Economic Cooperation and Development (OECD).

The extraterritorial, preventative (pre-emptive), multi-agency and comprehensive security perspective has become interwoven in the security strategies of nation states as well as multilateral organisations with a security mandate, in particular the UN and NATO, the EU and the OECD.

The EU has taken the lead in building integrated civil-military crisis management structures and has continued to support the UN in its counter-terrorism activities.

The UN is now bringing together the different parts of the UN system, such as the Counter-Terrorism Executive Directorate (CTED), the Cellule de Traitement d'Informations Financière (CTIF), the UN Office on Drugs and Crime (UNODC), and the Terrorism Prevention Branch (TPB).

With the EU, NATO is of the opinion that security abroad means security at home, and NATO has been involved in developing a new Strategic Concept to tackle new threats such as cyberattacks, piracy, large-scale energy supply disruptions and fragile states⁸. At the same time, the EU human security report⁹ argues that -faced with a range of security threats, many of which are undermining the existence of citizens and whole communities- there is a need to focus on "human security". Concerning the latter, we are currently witnessing a shift in orientation away from the state to the individual level.

⁵ One of the purposes of the UN was to maintain international peace and security (UN Charter, Chapter 1, Art. 1, sub 1). The UN remains the most important international organisation.

⁶ New strategy as adopted on 20 November 2010.

⁷ The Lisbon Treaty creates the basis for more coherent and efficient EU participation in the work of the UN and other international organisations.

⁸ Adviesraad Internationale Vraagstukken (Advisory Council on International Affairs), 2010, pp. 34-35.

⁹ Kaldor, M., Martin, M. and Selchow, S., *Human Security: a New Narrative for Europe*, *International Affairs*, March 2007, pp. 273-288.

4. International missions: the changing role and function of international missions (executive and non-executive¹⁰)

4.1. *The operations*

International operations, in general, have become more complex and multidimensional¹¹. Peacekeeping operations involve peacekeeping, peace-building and peace enforcement. After two World Wars and following the Cold War, the nature of operations has changed significantly from ‘war operations’ to ‘Operations Other Than War’ (OOTW).

Contributions to peace operations by international police units (UN, NATO, and EU) have changed significantly since the beginning and will continue to do so. In reality, every mission is different, and the situations in which international police missions are deployed often vary widely. In addition to seeing an increase in the number and importance of police missions, over the past decades, we also observe an increasing variety of tasks and roles in respect of international police missions.

We currently distinguish three general categories of international police missions¹²:

- monitoring and supervising the local law enforcement organisations;
- providing training and assistance for local law enforcement organisations;
- fulfilling active law enforcement functions as part of the international police component.

Effective from 1999, we are now in the third generation of police missions¹³. Tasks of the military that result from the linking of internal security and external security include peace enforcement, peacekeeping, nation building, providing civil-military cooperation, and humanitarian assistance, but also assisting civilian authorities in crisis situations and disasters, and combating terrorism. Also, a number of other tasks have been identified in terms of

¹⁰ The problem is often: what is executive and what is not?

¹¹ Including reconstruction and reform.

¹² Thesis by H. Hovens, *Policing at the threshold*, LIPO, 2005.

¹³ The distinction between monitoring and advisory missions on the one hand, and performing law enforcement on the other has become blurred.

further task differentiation: humanitarian missions¹⁴, crisis and conflict prevention¹⁵ and observer missions.

In reality, however, operations are very often confronted with a shortage of international or indigenous police forces. Such shortfalls cause a security gap that can only be filled by international forces deployed in the mission area. Police reform, supplemented with other programmes in the areas of security reform, rule of law and good governance, has been increasingly recognised as a fundamental element in post-conflict transition. Worth mentioning in this context is the Feira (EU: 2000) civil crisis management concept, which makes a number of important distinctions where the main focus of a mission is concerned: this may range from policing and reinforcing the rule of law and civil governance, to reinforcing civil protection.

4.2. The actors involved in contemporary missions

The nature of the contribution by international police units is subject to constant change. The required capabilities vary from military to civil (basic policing, crowd and riot control, investigations, technical and forensic support, monitoring local policing, training, and logistic support). Currently, there is a growing need for new specialised missions, such as: antipiracy operations, operations in the field of border security (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union [Frontex]), special investigations, human rights, and search and rescue operations.

Mixed missions may lead to a blurring of tasks and of security operations¹⁶. A shift is visible in the militarisation of policing and the “blurring of boundaries” between civil and military organisations. As contemporary missions consistently demonstrate the need for both combat personnel and peacekeepers, most international missions include military and civilian components: military (police), gendarmerie forces and civilians.

¹⁴ Escorting fugitives, monitoring observation of human rights, disarming warring parties, monitoring elections, organisation and restructuring of police forces, reinstallation of civil government ...

¹⁵ *Agenda for Peace* (Boutros Ghali): required UN capabilities and assets.

¹⁶ Easton, M, den Boer, M., Janssens, J., Moelker, R. and Vander Beken, T. (eds.), *Blurring Military and Police Roles*, The Hague 2010, p. 231

In addition, and seeing that forces operating in contemporary missions increasingly do so on the basis of extraterritorial mission mandates, they begin to take on new combinations of roles that blend military and constabulary or policing roles. Blurring boundaries emerge between the different actors within the control and security domain, including such organisations as the administrative authorities, special inspection services, municipalities, the police, intelligence services, the army, private security services, and non-governmental organisations.

But not only do these roles (warrior, peacekeeper) require different approaches and attitudes, they are, at least partly, contradictory, and are subject to change over time and through experience. The blurring of boundaries can therefore be interpreted in two ways, as either *complementary* or *competitive*. The blurring of the boundary between internal security and external security will have a growing impact on globalised tasking.

Therefore, and in the spirit of an integrated approach, a multi-lateral and multi-agency strategy is advocated: the police, the armed forces, border inspection and intelligence and security services are encouraged to build coalitions with the private and “third” sector. Within the Security Sector Reform (SSR) concept, different tiers have been identified for constabulary forces (gendarmerie forces or military police):

- dealing with all basic policing activities, varying from community policing, crowd and riot control to arresting suspected war criminals and terrorists¹⁷;
- the second tier consists of combat units for dynamic response to insurgencies and large-scale violence¹⁸;
- the third tier consists of offensive support capabilities such as air support and artillery.

¹⁷ The units are equipped with all arms and equipment necessary to deal effectively and efficiently with every police contingency, such as protective equipment, automatic fire arms, armed personnel carriers and helicopters.

¹⁸ Infantry units provide military presence and backup, such as military patrol, control and protection of urban or sensitive areas, security of international sites and buildings. Special forces can deal with counter-terrorism and counterinsurgency operations and manoeuvre elements, such as tanks and combat helicopters and provide robust backup when appropriate during military operations. Engineers provide support in reconstruction projects and in the detection and clearance of improvised explosive devices (IEDs).

The increased importance of military-style police forces and the use of military technologies and equipment, the deployment of police officers in peace operations and related stability operations and military involvement in domestic issues are just a few examples of blurred boundaries. These “blurred” boundaries are based on the assumption that some institutions adopt a larger number of tasks, while the range of duties and tasks of others are shrinking.

Although there is no agreed definition of a constabulary force, we roughly distinguish three different models:

- the expeditionary force based on Janowitz’ classic constabulary concept;
- the hybrid military model which is a mixture of the police and the military organisation;
- the gendarmerie-based constabulary, a military force with a police background and experience.

The commercial character¹⁹ of police and military organisations is an important variable in the convergence of security organisations, leading to a growing overlap between methods, instruments and technologies.

At this stage, reinforcing military police is not a viable option, because the most urgently needed capabilities are part of the police organisation. It is not surprising, therefore, that civilian police play an increasingly prominent role in current peace operations. There is a great pressure on the timely arrival and deployment (thus sometimes in more dangerous settings) of civilian components (UNPOL).

The EU security strategy advocates an integrated strategy with a prominent role for preventive intervention and anticipation. This entails that the EU seeks to deploy civilian instruments alongside military forces in its approach to conflicts, while struggling with the issue of fragmented authority. The (EU) Standing Committee on Internal Security (COSI) is now invited to also discuss the possible content of the future Commission communication on the cooperation between CSDP-Civilian police missions and Europol.

¹⁹ Police organisations increasingly show similarities with commercial organisations. Techniques and language used in private organisations (e.g. management, logistics, technical support, and overhead) are very common.

Faced with the necessity that even high-intensity military operations must incorporate a civil dimension from the start, and the fact that many interventions currently required are of a primarily or even exclusively civilian nature, the Alliance knows that it will have to adapt to the new situation or risk becoming obsolete.

But efforts are under way to improve the availability of police, civil protection, magistrates, and other civilian experts for civilian CSDP operations. There is a new challenge to defuse potential tensions between CSDP missions, e.g. in the area of SSR, and capacity-building missions run by the European Commission.

The clearest indication of the EU's success in this area is perhaps the desire by some in NATO and the United States to emulate EU achievements and gain access to EU civil-military capabilities.

The idea is to create an “inverse Berlin Plus” that would give NATO access to the EU's civilian and civil-military capabilities OR to opt for a partner agreement with the EU. To conclude: it is clear that the best approach to conflicts is a balanced mix of military and civilian capacities. But, as ever, the question remains: who are able and willing?

4.3. Conditions

Over time, the following conditions have been formulated for participation in international police missions:

- legitimacy of and trust in peacekeeping operations;
- legal use of force;
- the establishment of international standards and norms²⁰;
- a concerted and coordinated political, military, civil and economic approach²¹.

Mixed missions may lead to a blurring of organisational and cultural boundaries between civil and military power, which in itself may cause a reconfiguration of the ethical framework that underlies these missions.

²⁰ UN Blue Book

²¹ NATO, 2004

In addition, in the external security environment, the Responsibility to Protect principle (R2P) has gradually gained ground, albeit that controversial questions concerning the legitimacy of military interventions in foreign jurisdictions are still pending. During a conference in Canada, the term R2P principle was coined²² and three elements were identified, namely the responsibility to prevent, the responsibility to react and the responsibility to rebuild.

The most ambivalent cases of international policing are those in which the police operate with executive authority or have public-order responsibilities. In those cases, the architecture of the security landscape is changing profoundly. In addition, the nature of the actions to be undertaken in international missions is evolving constantly, and this has a direct influence on the conditions for participation. For example, the protection of critical infrastructure, including plans to protect those assets, including transport services and energy generation and transmission, which are essential to the functioning of society and economy, are given high priority. A network of specialised CBRN law-enforcement units will therefore be created.

Two hypotheses can be formulated as far as gendarmerie forces are concerned²³:

- a. the police are developing their civil police duties and there is no further need for gendarmerie forces;
- b. the gendarmerie concept is the *raison d'être* for its continued specific role into the 21st century.

I am convinced that the second hypothesis is the only valid and viable one. In order to support this conclusion, it has to be made clear what makes gendarmeries different from the police.

²² Canada instigated the International Commission on intervention and State sovereignty (ICISS) and established itself as the world's leading proponent of the responsibility to protect (R2P).

Black, D. and Shaw, T., Canada out of Africa? Are Disappointments around Darfur Omens for Canada's G-8 Summit? *Human Security Bulletin* (2007), Vol. 5, Issue 3.

²³ Gobinet, P.: *The Gendarmerie Alternative: is there a case for police services with a military status in the 21st century European police apparatus?* Dissertation(2006), University of Portsmouth, Institute of Criminal Justice Studies.

5. What makes gendarmeries different from police?

The main difference between gendarmeries and regular police forces is the former's military status, their structure and, if necessary, their military way of operating.

Bowling and Newbrun (2006) indicate that the security agenda is increasingly becoming hybrid, featuring internal, external military, criminal and civil threats. The regular police have greater difficulty adopting a more military approach. In addition, the problems that the police are faced with tend to be on a larger scale and are becoming increasingly international as well more violent in character.

This development tends to favour the military-bureaucratic police model, with the organisational and operational elements from military policing. Gendarmerie forces are better placed to select and deploy the required assets. The military's functional uniqueness rests on the characteristics²⁴ that are needed to be successful as a military organisation. The military's socio-political uniqueness derives from the perspective that nation states have on the role and position of the armed forces.

The academic debate on the militarisation of the police is based on two paradoxical trends. On the one hand, the focus is on the military character of police organisations, an issue which has been discussed from the advent of modern police organisations²⁵. On the other hand, the development of democracies raises questions about how to democratise/demilitarise police forces to meet all requirements of a modern constitutional state. The concept of community policing is at the heart of this trend²⁶.

²⁴ Such as obedience, loyalty (political neutrality in liberal democracies), availability, cohesion, physical strength, low recruitment age, minimised participation of women, restriction of civil rights (precluding the use of the right to strike, freedom of expression, etc.) and the possibility to use force and the orientation towards force in training, motivation and indoctrination.

²⁵ Kraska & Kappeler, *Militarizing American Police: The rise and normalization of paramilitary units*, *Social problems* (1997), 44(1), 1-18.

²⁶ Friedmann, R., *Community policing – Comparative perspectives and prospects*, New York, Harvester, Wheatsheaf, 1992;

Ponsaers, P., Reading about community oriented policing and police models, in: *Policing: an international journal of police strategies and management* 24(4), (2001), pp. 470-497.

The two dimensions of military uniqueness discussed above had a crucial influence on the process of institutionalisation of the police in Western societies²⁷.

The influence of the military model operates at three levels²⁸:

- the role and position of the police in society;
- the organisational level of the police (structure, discipline, decision-making, etc.);
- and the operational level of the police organisation (set of duties and implementation principles).

At the operational level, the transformation from ‘crime control’ to ‘war on crime’ and ‘war on terrorism’ mirrors a transition from routine work to crisis management. To some extent, the “war on terrorism” seems to require a re-militarisation of the police, while good relationships with different neighbourhoods, and the call for community policing, are elements needed to be able to deal with terrorism as a societal problem. If we accept that the two trends are not paradoxical at the societal level, as they are two sides of the same coin, they may nevertheless generate paradoxes on the organisational and operational levels of police management, and require a reconsideration of the current process of militarisation of the police²⁹. Therefore, armed forces have gradually developed into constabulary forces. Specific arguments for the use of gendarmerie forces can be listed as follows:

- the police are citizen-oriented; gendarmerie forces are state-oriented;
- normal police and light infantry missions;
- permanent availability and rapidly deployable police units;
- better suited to work in teams;
- more prepared to serve as part of a chain of command (top-down approach);
- units able and willing to carry arms and to operate in a more robust way: capable of operating in three scenarios: military, constabulary, and hybrid;

²⁷ Monet, J.C., *Polices et sociétés en Europe*, Paris 1993, La documentation Française.

²⁸ Easton, M., Reconsidering the proces of demilitarization of the Belgian Gendarmerie, in: *Asian policing* (2006), nr 1, pp. 19-30.

²⁹ Easton, M., De grenservaging tussen politie en krijgsmacht ... een “vergeet-mij-nietje”?, *Orde van de dag*, (2006) Vol. 33, pp. 15-21.

- capable of operating in a broad range of security needs (public order and rule of law) and types of assistance;
- more readily lends itself to being placed under military command;
- less conditioned deployment;
- multi-task training (violent and non-violent situations);
- cultural differences (hierarchy, discipline, cohesion, leadership);
- no right to strike;
- connected with the military and with the police;
- expertise in international policing;
- the European Gendarmerie Force³⁰ is a new and strong player³¹.

6. Know your limits

The capabilities of gendarmerie forces are limited. Due to limited resources and assets, gendarmerie forces are not capable of providing universal or long-term solutions to security gaps.

In addition, police and gendarmerie forces should not underestimate the fact that they cannot always replace military forces or local police forces, or fulfil all the specialised tasks that are not part of gendarmeries' core business.

In some circumstances, there is a lack of trust in gendarmerie forces because they are considered to be too military-oriented.

Also within the UN system, paramilitary involvement in UN police operations is considered incompatible with the leading principles of SSR. The UN handbook on UN multidimensional peacekeeping operations explains that the purpose of SSR is "to emphasise the strict separation of military and paramilitary entities from civilian police in developing national law enforcement structures"³².

³⁰ The European Gendarmerie Force is an initiative of five EU Member States (France, Italy, the Netherlands, Portugal and Spain) aimed at improving capabilities in sensitive areas. It is at the disposal first and foremost of the EU, but it can also contribute to other organisations, such as NATO, the UN and the OSCE, as well as to ad-hoc coalitions.

³¹ See: Stockholm EU programme.

³² UN, 2003, p. 88

7. The future challenges for gendarmerie forces

By 2020, policing by gendarmerie forces, in a changing international (in) security situation, must be well-balanced and strongly positioned.

Three options seem to be possible with respect to the relationship between gendarmerie forces and the police: separation, cooperation or a merger.

The basic question is: what are the “regularities”, standards and (universal) values in the event of deployment in the enforcement gap: general and/or gendarmerie-specific?

Gendarmerie forces, however, need to better define their contribution in the current security “discourse”.

Key factors of success for gendarmerie forces are: availability, coherence, quality and capacity, complementarity, acceptance and respect for international standards and procedures³³.

To be successful, gendarmerie forces need to identify “the enemy” within gendarmerie capabilities. This point is illustrated by two questions. The first is: are gendarmerie forces able and willing to conduct ICC arrests in hostile environments or in war situations? And secondly, are gendarmerie forces prepared to adopt a preventive and multifaceted approach?

Gendarmerie forces need to further develop their capabilities to maximise task differentiation and to “improve” their social positioning as set out in general by professor Bigo (see Annex). Also, they need to be prepared for future multiple projects with a global orientation and focus³⁴.

In this perspective, gendarmerie forces find themselves in a situation in which they must deal with a great diversity of security risks. Consequently, they should seek to define their roles and tasks in a transnational world which is governed by a network of multilateral organisations. Gendarmerie forces seek the connection with a transnational society which is marked by a wide differentiation of security issues, ranging from straightforward local crimes

³³ E.g. agreement between the EU and NATO on the security of information, security standards for the protection of classified information exchanged between NATO and the EU.

³⁴ Globalisation not only forces us to face the facts of the security issue, it also provokes local responses.

and public-order issues to combating organised crime and counterinsurgency in territories beyond the realm of a state. They will have to cover the full spectrum from conflict prevention to post-conflict stabilisation.

The desire for security seems to be permanent, building on the perpetual chain of links between crisis, security deficits and elimination of these deficits by means of new policy instruments. The values offered to the state are mirrored in contemporary peace-building and security sector reform efforts.

Important issues are therefore:

- to win hearts and minds;
- in the spirit of SSR: it is about both capacity building and integrity building;
- to strive for unity between gendarmerie forces and a common gendarmerie culture;
- to avoid becoming actively involved in the tension between convergence and competing values and organisational models of police and military;
- gendarmeries must also avoid becoming hampered by pressure to mimic strategies or to copy organisational models.

8. General conclusion

Gendarmerie forces are no longer confronted exclusively with national situations and problems. They are more and more frequently engaged in a variety of national and international missions. This calls for different approaches and attitudes. In reality, every mission is different and the situations in which international police missions are deployed may vary greatly.

The blurring boundaries between military, constabulary or police missions can be interpreted as either complementary or competitive.

Gendarmerie forces should clearly define their contribution in the current “security discourse”, even in situations in which they are dealing with a wide variety of security risks. In addition, gendarmerie forces have to strive for greater unity between gendarmerie forces and for a common gendarmerie strategy in international police missions.

The gendarmerie concept is its own best ticket for continuity into the 21st century. The European Gendarmerie Force is, and will, continue to fill a deployment gap.

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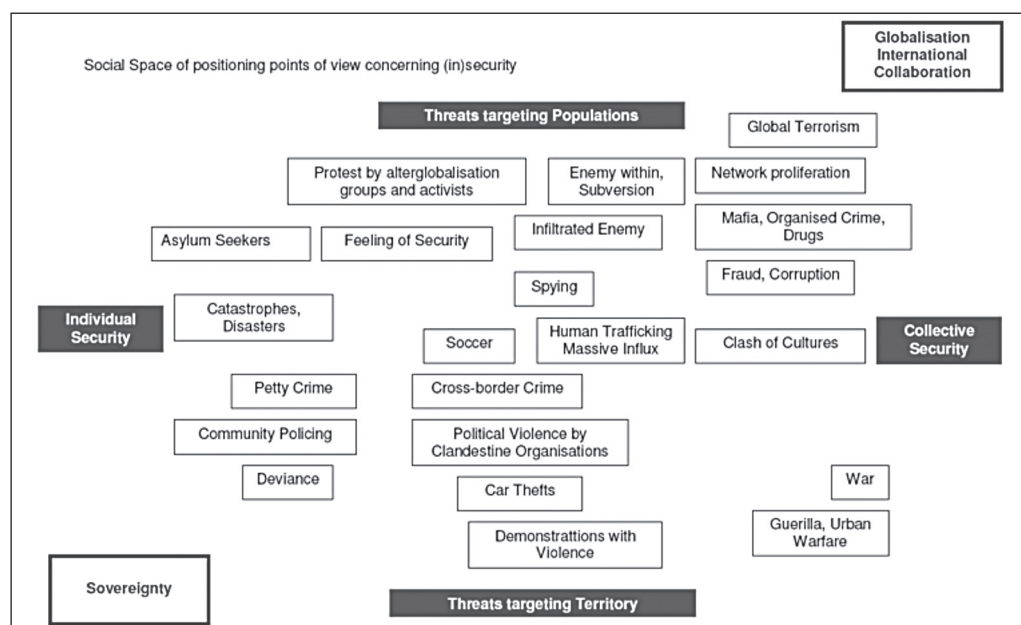
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Annex

The diagram below, based on the theories developed by Professor Didier Bigo³⁵, provides an overview of the numerous challenges of transnational security the world faces today. From left to right, the overview shows threats with an increasingly collective perspective, from threats to individuals to threats to society.

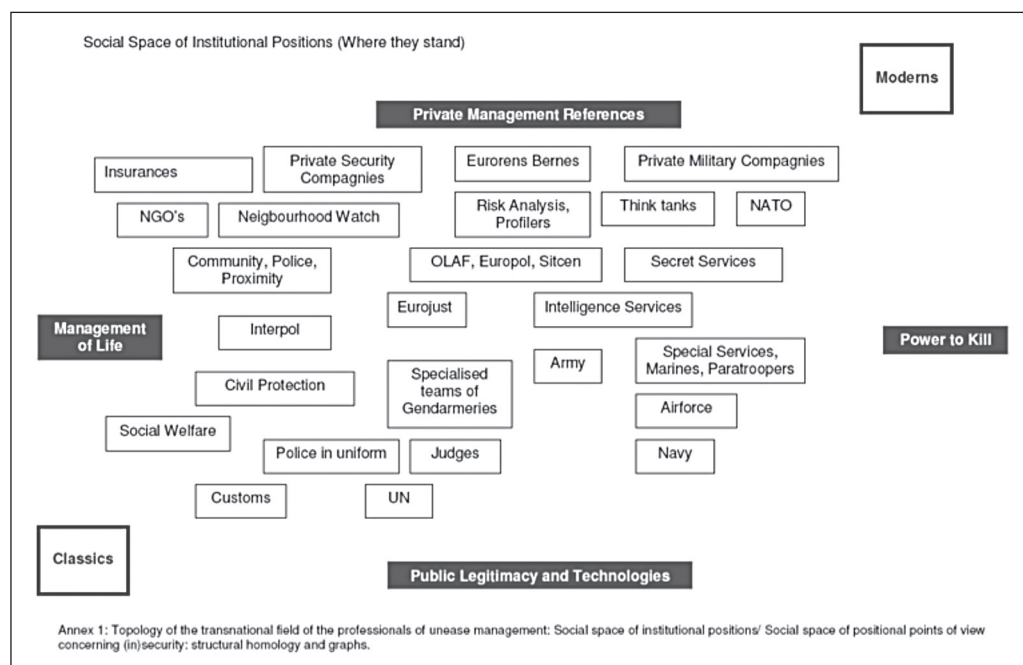
The vertical axis represents the extent to which threats target populations or territories. The diagonal axis represents the position of threats in terms of sovereignty versus globalisation.



³⁵ Didier Bigo, Professor of International Relations at Sciences-Po, the Institut d'Études Politiques de Paris and researcher at CERI/FNSP. He is also the director of the French Centre of Study of Conflict.

Actors

For a total overview of all the law-enforcement organisations involved, the diagram below, based on the theories developed by Professor Didier Bigo³⁶, provides an overview. In combination with the overview mentioned earlier, this schematic overview gives an impression of the social positioning of different national and international institutions³⁷.



³⁶ D. Bigo

³⁷ For the sake of brevity and clarity, not all law enforcement institutions are mentioned here. However, others may be missing due to oversight. All suggestions are welcome.

A contemporary internal security concept and its implications for gendarmerie-type forces

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1. Introduction

A contemporary concept of security, so-called broad security, focuses not only on the military, but also on the non-military threats to security. Traditionally, a nation state was the referent object of security. Nowadays, it is the individual and his/her safety that is the most important purpose of security. Furthermore, the ongoing process of globalisation, which within the framework of the European Union (EU) might be called 'Europeanisation', has an increasing impact on the internal security concept, and can be observed particularly within the EU's security environment.

Before the collapse of the Cold War order, the internal security concept was restricted mainly to maintaining public order and security, as well as protection of the authorities of nation states. Since 1989, its meaning has been expanded. In a contemporary and globalised world, new (transnational) threats to security emerged and, consequently, security aspects also changed (broadened). Usually, these threats are called non-military and, according to alternative security theories such as human security, human beings are considered to be the referent objects of security.

First and foremost, it is necessary to stress that nowadays the internal security concept is affected by the above-mentioned factors. Particularly the division line between external and internal threats to security is blurring and, in consequence, aspects of internal security are expanding. Secondly, globalisation and gradually closer ties between states in various fields, as well as the evolution and development of the European integration process, have a profound impact on internal security. Bearing in mind all of these

factors, it is therefore necessary to introduce a contemporary definition of this concept.

This contribution is also devoted to the EU internal security project. In February 2010, the EU's ministers of the interior approved an Internal Security Strategy for the European Union; this was one of the priorities of the Spanish Presidency. Additionally, the Standing Committee on operational cooperation regarding internal security, COSI, was set up. From a practical point of view

“[t]he strategy's main objectives are:

- to present to the public the existing EU instruments that already help to guarantee the security and freedom of EU citizens and the added value that EU action provides in this area;
- to further develop common tools and policies using a more integrated approach which addresses the causes of insecurity and not just the effects;
- to strengthen law enforcement and judicial cooperation, border management, civil protection and disaster management”¹.

The strategy is particularly significant due to its connections with the change in perception of internal security and its objects. This paper discusses these issues using official documents published by the EU's agencies and bodies. Hence, the thesis on the expanding context of internal security might be proved. Moreover, bearing in mind the internal security concept promoted by the EU, one might assume that the EU, if it wants to put the concept into practice, may in future need an instrument -a force- which will be responsible for protecting its internal bodies as well as its citizens. Such an organisation could possibly be the European Gendarmerie Force. Finally, seeking links between theory and practice of internal security (meaning the EU's activity in this field), the article provides a number of lessons learned.

¹ Council of the European Union, *2998th Council meeting Justice and Home Affairs*, Press Release 6855/1/10 REV1 (Presse 42), Brussels, 25-26 February 2010, <<http://europa.eu/rapid/pressReleasesAction.do?reference=PRES/10/42&format=HTML&aged=0&language=EN&guiLanguage=en>>, (16.04.2010).

2. Non-traditional security conceptions: the Copenhagen School and human security

Firstly, if one intends to discuss contemporary approaches to internal security and its changing nature, one should review modern concepts of security (classic security theory is for instance based on realism). Moreover, it is necessary to take into consideration that the evolution of the security concept also led to the evolution of an internal security concept, which will be considered later. Therefore, in this part of the paper, two of these theories, the Copenhagen School of security as well as human security, however often criticised, are briefly examined.

The Copenhagen School

The concept of broad security, known as the Copenhagen School of security, has been described by the author in detail in previous papers². Thus, for the purposes of this paper, only the key issues will be mentioned.

First of all, during the Cold War security was reduced to mainly military issues. For instance, Ole Waever, bearing in mind a set of 'peaceful' initiatives by the USSR, observed an interesting fact that

“*Eastern* security concepts in the 1980s involve a ‘broad understanding’ of the term, and considerable interest in ‘non-military aspects’. (...) The *Western* concept of security focuses more on the military dimension (...)”³.

It is thus very understandable that an innovative, broad approach to security studies, which notes the importance of non-military threats to the security of states (without neglecting the existence of military threats), could become popular for the first time in the West at the end of a bipolar era⁴.

² See further: K.P. Marczuk, *Trzecia opcja: gwardie narodowe w wybranych państwach Basenu Morza Śródziemnego* [Third option: carabinieri/gendarmerie-like forces in selected Mediterranean countries], Warszawa 2007, pp. 64-65; p. 70; p. 75; K.P. Marczuk, *Trzecia opcja: gwardie narodowe w wybranych państwach Basenu Morza Śródziemnego* [Third option: carabinieri/gendarmerie-like forces in selected Mediterranean Countries], 2nd edition, Toruń 2009, pp. 72-73; pp. 78-79.

³ O. Waever, *Conflicts of Vision: Visions of conflict* [in:] O. Waever, P. Lemaitre, E. Tromer (eds.), *European Polyphony. Perspectives beyond East-West Confrontation*, Basingstoke 1989, pp. 302-303.

⁴ See further: B. Buzan, *Rethinking Security after the Cold War, Cooperation and Conflict*, vol. 32(1997), no 1 (March), pp. 5-9.

Consequently, in 1983 Richard H. Ullman openly criticised

“(...) national security in excessively narrow and excessively military terms. (...) [D]efining national security merely (or even primarily) in military terms conveys a profoundly false image of reality”⁵.

Nevertheless, in a world dominated by the arms race, Ullman’s idea was taken as a joke by contemporary security researchers, as Peter Katzenstein pointed out⁶. The process of dismantling the USSR and, in consequence, reshaping the world order, provoked a dissemination of the broad security concept. It was Jessica Tuchman Matthews who, in 1989, as one of the first, called for a redefinition of security, highlighting the significance of ecological threats⁷. Others, like Michael T. Klare, stressed the diminishing risk of nuclear conflict on the one hand, but on the other hand, a rise of so-called regional wars characterised by an intra-states nature⁸.

Consequently, from 1988, the idea of importance of non-military threats to security was developed by Barry Buzan and his colleagues associated with the Copenhagen Peace Research Institute (COPRI). They published extensively and one of the most concrete results of their research is a leading volume which broadly describes the ideas of the Copenhagen School of security entitled *Security: a new framework for analysis*⁹, where Buzan, together with Ole Waever and Jaap de Wilde, describes the following sectors (dimensions) of security:

⁵ R.H. Ullman, *Redefining Security*, “International Security”, vol. 8 (1983), no 1, [in:] B. Buzan, L. Hansen (eds.), *International Security*, vol. I, London 2007, p. 296.

⁶ Further see: P.J. Katzenstein, *Introduction: Alternative Perspectives on National Security* [in:] P.J. Katzenstein (ed.), *The Culture of National Security: norms and identity in world politics*, New York 1996.

⁷ See: J. Tuchman Mathews, *Redefining Security*, “Foreign Affairs”, vol. 2(1989), no 68 (Spring), pp. 162-177.

⁸ See further: M.T. Klare, *The new challenges to global security*, “Current History”, vol. 93 (1993), no 573 (April), pp.155-156.

⁹ See: B. Buzan, O. Waever, J. de Wilde, *Security: a new framework for analysis*, Boulder-London 1998.

“(...) the military sector is about relationships of forceful coercion; the political sector is about relationships of authority, governing status, and recognition; the economic sector is about relationships of trade, production and finance; the societal sector is about relationships of collective identity; and the environmental sector is about relationships between human activity and the planetary biosphere”¹⁰.

In consequence, supporters of the Copenhagen School characterise threats to security by both military and non-military (political, economic, societal and environmental) dimensions. According to them, it is possible to distinguish not only military security, but also political, economic, societal and environmental security(-ies). Another problem is the internal/external nature of threats to security, because some of them only concern external threats (military threats), while others concern both types of threats (military and non-military):

“[t]he redefinition of security threats illustrates a partial merger between the domains of internal and external security”¹¹.

A crucial question, which is discussed by Buzan and his colleagues, concerns the contemporary objects of security. According to the classic theories of security, such as realism, it is **the nation-state** which is perceived as **a referent object** of security (the Westphalian system in International Relations). Buzan, however, in constructing a notion of *securitisation*, points out that

“[a]ll discussion of security must have a referent object (...). For international security, the referent object has traditionally been the state (...). Size or scale seems to be one crucial variable in determining what is or is not a successful referent object of security. (...) In practice, the middle-scale of ‘limited collectivities’ has proved the most amenable to securitization as durable referent objects”¹².

¹⁰ *Ibidem*, p. 7.

¹¹ M. Anderson *et al.*, *Policing the European Union*, New York 1995, p. 158.

¹² B. Buzan, *Human security in International Perspective* [in:] A.C. Mely, M.J. Hassan (eds.), *The Asia Pacific in the new millennium: political and security challenges: papers presented at the 14th Asia-Pacific Roundtable, June 3-7, 2000*, Kuala Lumpur 2001, pp. 585-586.

Therefore, scholars from the Copenhagen School call for a societal security concept which is concerned with **society** as the most appropriate **referent object of security**:

“[s]ocietal security is about situations when societies perceive a threat in identity terms”¹³.

Human security

An alternative concept of security, which has become popular during recent years, is human security, i.e. security focused on individuals.

The issue of human security has become wellknown since 1994 when the United Nations Development Programme (UNDP) published the Human Development Report entitled *New Dimensions of Human Security*. The document addresses the concept of human security by redefining security as being primarily concerned with people and development, rather than with territories and arms:

“[t]here have always been two major components of human security: *freedom from fear* and *freedom from want*. This was recognised right from the beginning of the United Nations. (...) It is now time to make a transition from the *narrow concept of national security* to the *all-encompassing concept of human security*”¹⁴.

Thus, the report stressed that human security is an universal concern; its components are interdependent; it is easier to ensure it through early prevention than later intervention and, finally, it is people-centred¹⁵. Moreover, it encompasses all non-military dimensions of security, as mentioned by Buzan.

¹³ O. Waever, B. Buzan, M. Kelstrup, P. Lemaitre, *Identity, Migration and the New Security Agenda in Europe*, New York 1993, p. 23.

¹⁴ *United Nations Development Programme, “Human Development Report 1994: New Dimensions of Human Security”*, New York: United Nations Development Programme, 1994, p. 24. Italics marked by the author.

¹⁵ *Ibidem*, p. 23.

Human security was a popular concept in the 1990s, in particular in such countries as Canada and Japan, and it still is. Numerous books, articles and papers were published on the topic. Moreover, some countries introduced human security to their policy. In particular two of them, the aforementioned Japan and Canada, followed up human security by introducing a so-called Japanese approach to human security, focused on the “freedom from want” (fulfilling the basic needs of people such as food, access to water, education *etc.*) and a Canadian dimension, related to the “freedom from fear” (right to live in a safe, democratic country, better known as ‘responsibility to protect’ – R2P or humanitarian interventionism¹⁶). The EU also appreciated the human security concept, adopting *A Human Security Doctrine for Europe*, known as the Barcelona Report¹⁷ in 2004.

It is important to note that both visions of human security see **human beings as the referent object of security**. However, in 2000 a former Canadian Minister of Foreign Affairs and supporter of human security, Lloyd Axworthy, asked rhetorically:

“Does Canada see human security as an alternative to state or national security? Is human security foreign policy on the cheap? The short answer to both questions is no. We are not arguing that we are seeing the beginning of the end of the nation-state. (...) In a sense, *we see national security and human security as two sides of the same coin*”¹⁸.

What might be surprising is the fact that a similar view on human security was recently expressed by those who traditionally neglect the importance of individual values and appreciate more collective values, for instance China, as noted by William T. Tow and Akiko Fukushima. These scholars pointed out

¹⁶ See further: International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, Ottawa December 2001.

¹⁷ See: Study Group on Europe’s Security Capabilities, *A Human Security Doctrine for Europe: The Barcelona Report of the Study Group Europe’s Security Capabilities*, Barcelona, 06.10.2004, <<http://www.lse.ac.uk/Depts/global/Publications/HumanSecurityDoctrine.pdf>>, (18.04.2010).

¹⁸ L. Axworthy, *Human rights: Humanitarian intervention*, “Vital Speeches of the Day”, vol. 66 (2000), no 19 (15 July), pp. 579-580. Italics marked by the author.

that Wang Yizhou, Director of Institute of World Economics and Politics of the Chinese Academy of the Social Sciences, wrote that

“it should be clarified that human security and social security are the foundations for national security”¹⁹.

Moreover, particularly non-military aspects (non-military threats to security) are emphasised by human security. Thus, after the collapse of the Cold War order

“[t]he old external threat of communism was replaced by an external threat established by mass immigration, organized crime, and imported terrorism [meaning *internal* threats for security], the penetration of which would, like the old threat, lead to the destabilization of ‘well-balanced’ Western societies”²⁰.

3. An ‘intermestic’ security concept

Traditionally -by the end of the Cold War- internal security referred mainly to the interior of nation states and

“(...) traditional [internal] security policy used to be the exclusive domain of states (...)”²¹.

During the bipolar world order, the internal security concept was understood rather narrowly and it concerned mainly the functioning of state’s domestic institutions, often being linked with the activities of secret services. Therefore, the referent object of ‘classic’ internal security was the states’ ‘interior and its aim - states’ (authorities’) safety.

¹⁹ A. Fukushima, W.T. Tow, Human security and global governance [in:] W.T. Tow (ed.), *Security Politics in Asia-Pacific: A Regional Global Nexus?*, Cambridge 2009, p. 183.

²⁰ M. Anderson *et al.*, *Policing the European Union...*, *op.cit.*, p. 165.

²¹ Ch. Daase, C. Friesendorf, “Introduction: Security governance and the problem of unintended consequences” [in:] Ch. Daase, C. Friesendorf (eds.), *Rethinking security governance: the problem of unintended consequences*, London; New York 2010, p. 1.

After the collapse of the Cold War order, the approach to internal security changed rapidly. This raised another issue, which should be discussed now, namely an increasing role of closer domestic (internal) and foreign (external) correlations in the field of economy, policy *etc.* and, consequently, security as it can be observed nowadays. It might be surprising to note that these closer correlations relate to an old Lenin dictum:

“[t]here is no greater nonsense than the separation of international from domestic policy”²².

Some scholars observed that Lenin’s statement might also be true for the relations between the external and internal security of states²³.

The concept is often called ‘intermestic’ security and will be explained in this section.

Originally, the word ‘intermestic’, a neologism, was coined in 1977 by an American researcher, a former President of the Council on Foreign Relations, Professor Bayless Manning, who claimed that

“[t]hese new issues [i.e. an increasing interdependence in the fields of economy, policy, diplomacy and so on] are thus simultaneously, profoundly and inseparably both domestic and international. If I may be permitted a coinage whose cacophony may help provide emphasis – these issues are ‘intermestic’ [a neologism made by linking ‘inter-’ and ‘domestic’]”²⁴.

Initially, as Manning stressed, the term ‘intermestic’ referred mainly to economic and political affairs. For the purpose of this paper, however, close relations between domestic and foreign policies are mentioned briefly,

²² The quotation of Lenin was found in: J. Sherr, *Soviet power: the continuing challenge*, Basingstoke-London 1987, p.12; see also: J. Sherr, *New thinking: collapse or rebirth?*, *Geopolitique* (1991), no 36 (Winter), p. 46.

²³ See further: K. Derghoukassian, *After the Powell Doctrine: The Global Intermestic Security*. Paper presented at the annual meeting of the International Studies Association, Hilton Hawaiian Village, Honolulu, Hawaii, 05.03.2005, p. 5.

²⁴ B. Manning, ‘The Congress, the executive and intermestic affairs: three proposals’, *Foreign Affairs* (1977), no 55 (January), p. 309.

²⁵ J. Tuchman Mathews, *Redefining Security...*, *op.cit.*, p. 162.

as they have a direct impact on connections between internal and external security(-ies). The reason for that is, obviously, increasing globalisation and regionalisation of all sectors of states' policies, including security policy.

First and foremost, it was the collapse of the Cold War world order which led to strong mutual interdependence between foreign and domestic policies. This fact had already been observed in early 1989:

“[t]he once sharp dividing line between foreign and domestic policy is blurred, forcing governments to grapple in international forums with issues that were contentious enough in the domestic arena”²⁵.

The idea was subsequently followed up by researchers and politicians during the last two decades. They coined such terms as ‘intermestic policy’²⁶, ‘intermestic problems’²⁷ or ‘intermestic zone’²⁸. It is thus understandable that sooner or later the term ‘intermestic security’ would also become popular.

‘Intermestic security’ was introduced by Victor D. Cha in 2000 in his article entitled *Globalization and the Study of International Security*. The author was particularly focused on the changing nature of threats to security, which he relates to the globalisation process:

“Globalization creates an interpenetration of foreign and domestic issues that national governments must recognise in developing policy.

²⁶ For instance, one of the definitions of ‘intermestic policy’ claims that “[i]ntermestic policy is the set of government policies that share the traits of domestic and foreign policy” such as trade or immigration policy.

See: L. Barrington *et al.*, *Comparative politics: structure and choice*, Boston 2009, p. 488.

²⁷ Richard Rose has explained a term ‘intermestic problems’: “[t]he distinction between national and international problems is increasingly blurred. Today, many problems of national government are *intermestic*, combining both international and domestic influences”; see: R. Rose, *Learning from Comparative Public Policy. A practical guide*, New York 2005, pp. 3-4.

²⁸ Christopher Hill states that „[i]f analytically one can talk about a continuum between the domain of the state and the domain of intergovernmental relations, at the mid-point of which exists the grey, ‘intermestic’ zone, this is of no help in terms of specifying the different functions of governments and transnational actors”; see: Ch. Hill, *The Changing Politics of Foreign Policy*, Basingstoke; New York 2003, p. 214.

One example of this ‘intermestic’ approach to security policy might be an acceptance that the transnationalization of threats has blurred traditional division between internal and external security”²⁹.

To sum up, an ‘intermestic’ concept has many supporters and also many adversaries, as does the globalisation process. Supporters such as Christopher Hill argue decidedly that

„[f]irst, only an innocent would ever suppose that the distinction between ‘domestic’ and ‘foreign’ is, or ever was, hard and fast. (...) [T]he internal and the international are inherently connected. (...) Inside and outside, domestic and foreign, are therefore best conceptualized as the two ends of a continuum, allowing for a good deal of overlap, in a category sometimes called ‘intermestic’”³⁰.

On the other hand, some opponents of the ‘intermestic’ idea still apply the distinction between internal and external security, explaining their position by claiming that

“(...) [this division] is one which is commonly employed rhetorically, but which, if treated with caution, may also be of heuristic value”³¹.

Adversaries could also quote those Copenhagen School scholars who demand the distinction between domestic and foreign affairs:

“‘Transnational’? Is this one more version of the ‘liberalist’ attempt to deny the specificity of international politics? No. National politics *are* different from international politics”³².

²⁹ V.D. Cha, *Globalization and the Study of International Security*, “Journal of Peace Research”, vol. 37(2000), no 3 (May), p. 397.

³⁰ Ch. Hill, *What is to be done? Foreign policy as a site for political action*, “International Affairs”, vol. 79(2003), no 2 (March), p. 236. Italics marked by the author.

³¹ M. Anderson *et al.*, *Policing the European Union...*, *op.cit.*, p. 158.

³² O. Wæver, *Conflicts of Vision: Visions of conflict...*, *op.cit.*, p. 305.

'Europeanisation' of internal security?

The issue which is related to an 'intermestic' concept, but restricted to the European Union's territory, is the merging of internal with external security aspects, considered as the one of the unique features of the EU.

In the late 1980s, one of the most prominent scholars of the Copenhagen School, Ole Wæver, introduced a new term related to the political and security changes which occurred in Europe after the collapse of the USSR – 'Europeanisation':

“What does it mean? (...) 'Europeanisation' is a fact -if it is taken to mean a Europe that is gradually being defined more from the inside, and less from the outside- less, in short, by the superpowers”³³.

For Wæver it was the Western European integration process which was the leading component of 'Europeanisation'. Wæver, however, does not agree with the statement on overlapping internal and external dimensions of security mentioned previously. Nevertheless the author, fully respecting Wæver's assertion, borrowed the term from him in order to refer to very close cooperation by the EU members in the field of internal security (meaning interstates multilateral cooperation as well as within a framework of the EU's organisations such as FRONTEX *etc.*) as *'Europeanisation' of internal security*. On the other hand, in Europe we may observe a rise of threats to security which previously were restricted to the interior of states, but during the recent years have become external or 'intermestic' (such as criminal activity of mafia or financial crimes *etc.*). The main reason, obviously, is an increasing interdependence of the EU members – this phenomenon has reached an unparalleled level³⁴. What determines the uniqueness of the 'Europeanisation' of internal security within the EU is also, as Dider Bigo has remarked,

³³ *Ibidem*, p. 286.

³⁴ See further: W. Wagner, *Building a Internal Security Community: The Democratic Peace and the Politics of Extradition in Western Europe*, “Journal of Peace Research”, vol. 40 (2003), no 6 (November), pp. 699-700.

“[t]he change of significance of national borders as barriers and the creation of a distinction at the European level between internal and external borders [of the EU] (...)”³⁵.

4. Case study: towards the EU's Internal Security Strategy

For many years the European Union has called for the development of effective and mutual cooperation within the internal security field creating, for example, the Area of Freedom, Security and Justice. Moreover, the EU has adopted a number of documents directly or indirectly related to internal security. The key documents are: the European Security Strategy, the Strategy on the External Dimension in the Area of Justice, Freedom and Security, the Information Management Strategy, the Stockholm Programme *An open and secure Europe serving and protecting the citizens*, and, finally, an Internal Security Strategy for the EU. In this section, the author makes an attempt to analyse the most significant provisions related to the EU's new approach to internal security. The aim, obviously, is to search for links between theoretical considerations on the changing nature of internal security, which was previously considered, and applying them to current EU practice.

First and foremost, one of the most significant European documents on security (in general) was the European Security Strategy *A Secure Europe in a Better World* adopted in 2003. Another document, the Internal Security Strategy from 2010, is considered as a complement to that strategy. Parts of these documents refer directly to internal security within the EU. The merger (blurring) of foreign and domestic threats to security of the European states plays a particularly important role:

“[t]he post Cold War environment is one of increasingly open borders in which the internal and external aspects of security are indissolubly linked”³⁶ and “[l]arge-scale aggression against any Member State is

³⁵ D. Bigo, *The Möbius Ribbon of Internal and External Security(ies)* [in:] A. Mathias, D. Jacobson, Y. Lapid (eds.), *Identities, borders, orders: rethinking international relations theory*, Minneapolis 2001, p. 112.

³⁶ *European Security Strategy “A Secure Europe in a Better World”*, Brussels, 12.12.2003, <<http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>>, (20.04.2010), p. 2.

now improbable. Instead, Europe faces new threats which are more diverse, less visible and less predictable”³⁷; moreover, “[t]he new threats are dynamic”³⁸.

As far as contemporary threats are concerned, the EU refers to such phenomena as terrorism, proliferation of weapon of mass destruction, regional conflicts, state failure and organised crime. On the one hand, the process of overlap among the internal and external aspects of security may be understood as a consequence of gradual intensification of mutual co-operation; on the other hand, a profound globalisation process prompts the EU’s members to cooperate closely in the field of internal security (the ‘Europeanisation’ of the EU’s internal security). Dider Bigo has explained it in this way:

“[t]he notion of borders is fading away, as is the old notion of lines or fronts. In its place are boundaries and regions (NAFTA, ‘Schengenland’) and the concept of security must be adapted accordingly to take account of these changes. The transnationalization of security opposes national (and societal) security. It creates (...) a situation where one never knows whether one is inside or outside”³⁹.

Moreover, the Strategy links ideas on security promoted by the Copenhagen School with human security. So, what are the threats to security? Who is the referent object of security for the EU? Answers to these questions are also provided by the Strategy:

“[i]n contrast to the massive visible threat in the Cold War, *none of the new threats is purely military*; nor can any be tackled by purely military means”⁴⁰, so therefore “[s]ecurity is a *precondition of development [of humankind]*”⁴¹.

³⁷ *Ibidem*, p. 3

³⁸ *Ibidem*, p. 7.

³⁹ D. Bigo, *When two become one: internal and external securitisations in Europe* [in:] M. Kelstrup, M.C. Williams (eds.), *International Relations Theory and the Politics of European Integration. Power, security and community*, London; New York 2000, p. 171.

⁴⁰ *European Security Strategy...*, *op.cit.*, p. 7. Italics by the author.

⁴¹ *Ibidem*, p. 2. Italics marked by the author.

The European Security Strategy also highlights the necessity of close collaboration of the EU with third countries and regions in the field of security. However, it is another document, the Strategy on the External Dimension in the Area of Justice, Freedom and Security from 2005, which very strongly emphasises domestic and foreign ties between the EU and third countries or outermost regions⁴², in the field of tackling such menaces as terrorism, organised crime or drug trafficking⁴³. Once again it was stressed that

“(...) internal and external aspects of EU security *are intrinsically linked*. Societies based on common values such as good governance, democracy, the rule of law and respect for human rights will be more effective in preventing domestic threats to their own security as well as more able and willing to cooperate against common international threats. Moreover, these principles have also been identified by the international community as critical factors in reaching the Millennium Development Goals. *Development, security and human rights reinforce each other*”⁴⁴.

Thus, the EU has recognised the globalisation process and its impact on security. Moreover, only the countries where democracy, as well as the rule of law are well-established and human rights are respected, are able to fight effectively against modern transnational threats. Therefore, the document mentions human security by quoting the Millennium Development Goals from 2000.

The next document which contains direct provisions regarding the anticipated Internal Security Strategy of the EU is the Stockholm Programme *An open and secure Europe serving and protecting the citizens*, adopted by the European Council in 2009 and planned for the period 2010-2014. Among other aims, it stresses

⁴² Further see: *A Strategy on the External Dimension in the Area of Justice, Freedom and Security. Communication from the Commission*, COM(2005) 491, Brussels, 12.10.2005, <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2005:0491:FIN:EN:PDF>>, pp. 6.

⁴³ *Ibidem*, p. 3.

⁴⁴ *Ibidem*, p. 5. Italics marked by the author.

“(...) *internal and external security are inseparable* [meaning the concept of ‘intermestic’ security]. Addressing threats, even far away from our continent, is essential to protecting Europe and its citizens”⁴⁵.

To conclude, providing merged internal and external security(-ies) to all individuals within the European Union’s territory is currently a priority for the EU. Therefore, not only the nation state and its authorities might be the referent object of internal security, but also other objects: **the European citizens and the EU’s bodies and agencies**.

In 2010, the project of the Internal Security Strategy of the EU was one of the priorities of the Spanish Presidency. The Strategy encompasses a wide spectrum of aims and goals for the European Union in the field of internal security. Therefore, the main aspects of a theoretical approach to internal security are analysed below.

Firstly, the Strategy formulates **a definition of internal security of the EU**:

“[t]he concept of internal security must be understood as *a wide and comprehensive concept* which straddles multiple sectors in order to address these *major threats* and others *which have an impact on the lives, safety, and well-being of citizens*, including natural and manmade disasters such as forest fires, earthquakes, floods and storms”⁴⁶.

What is more, internal security within the EU must encompass horizontal (cooperation *of various institutions and organisations*, including NGOs, in the field of internal security) as well as vertical (cooperation *at various levels*: international, European, regional, national and local) dimensions⁴⁷.

⁴⁵ The Council of the European Union, *The Stockholm Programme “An open and secure Europe serving and protecting the citizens”*, 17024/09, Brussels, 02.12.2009, <http://www.se2009.eu/polopoly_fs/1.26419!menu/standard/file/Klar_Stockholmsprogram.pdf>, (20.04.2010), p.73. Italics marked by the author.

⁴⁶ Council of the European Union, *Draft Internal Security Strategy for the European Union: “Towards a European Security Model”*, 5842/2/10, Brussels, 23.02.2010, <<http://register.consilium.europa.eu/pdf/en/10/st05/st05842-re02.en10.pdf>>, p. 2. Italics marked by the author.

⁴⁷ *Ibidem*, p. 8.

Moreover, in the EU's view, **individuals** are the **referent object of internal security**:

“(...) the Union must create *a safe environment* in which *people* in Europe feel protected. (...) In this context *EU internal security means protecting the people* and values of freedom and democracy, so that *everyone can enjoy their daily lives without fear*”⁴⁸ and “[p]eople in Europe expect to live in security and to enjoy their freedoms: security itself is a basic right”⁴⁹.

This statement makes an explicit reference to human security, to the Canadian approach (so-called “freedom from fear” or R2P). Subsequently, the Strategy establishes the EU's common internal security policy and, simultaneously, it defines a European Security Model

“(...) consisting of common tools and a commitment to: a *mutually reinforcing relationship between security*, freedom and privacy; cooperation and solidarity between Member States; involvement of all the EU's institutions; addressing the causes of insecurity, not just the effects; enhancing prevention and anticipation; involvement, as far as they are concerned, of all sectors which have a role to play in public protection – political, economic and social; and a *greater interdependence between internal and external security*”⁵⁰.

The aim is to fight *together* against modern threats such as terrorism, organised crime, cybercrime, cross-border crime, and natural and man-made disasters. The main goal of the Strategy is therefore

“(...) a more integrated approach (...). To achieve that aim we have chosen a security model which integrates action on law enforcement and judicial cooperation, border management, and civil protection”⁵¹.

One transnational aspect of the EU's vision of internal security should be

⁴⁸ *Ibidem*, p. 3. Italics marked by the author.

⁴⁹ *Ibidem*, p. 7.

⁵⁰ *Ibidem*, p. 4. Italics marked by the author.

⁵¹ *Ibidem*, p. 7.

pointed out in particular. The Strategy connects an external dimension of security with an internal dimension stressing that

“[a] concept of internal security with an external dimension, given that more and more, internal security depends to a large extent on external security”⁵².

This connection is aimed at broad cooperation of the EU with third countries, which has to be focused on

“(...) security as a key factor, driving coordination mechanisms between security and other related policies, such as foreign policy (...)”⁵³.

In this context, the Strategy claims to cultivate regional, bi- and multilateral relations through a ‘global security focus’ by transnational cooperation with other states and organisations such as Interpol. This phenomenon was explained in the following way:

“[t]his system of working will mean establishing opportunities for dialogue through which areas of mutual interest, concerns, and possibilities for joint work can be identified”⁵⁴.

5. Case study: the European gendarmerie-type forces as an instrument of implementation of the EU’s internal security concept?

As it was mentioned before, during the Cold War a ‘classic’ concept of internal security referred mainly to the protection of the safety of states’ interior. For instance, the Eastern European countries maintained forces (units) which were focused on the states’ internal protection (meaning the protection of the authorities and the Communist regime). In these states, changes in internal security systems occurred in or after 1989. In Poland, for example, changes to the Polish system of internal security were introduced in the 1990s. Former President Lech Walesa had the intention of creating a

⁵² *Ibidem*, p. 12.

⁵³ *Ibidem*, pp. 12-13.

⁵⁴ *Ibidem*, p. 13.

National Guard of the Republic of Poland, a unit whose commander would be directly responsible to the President. A corps of that kind had also been established by Leonid Kuczma in Ukraine (Ukrainian National Guard). At that time, the Polish government wanted to dissolve former Vistula Military Units (internal security troops) and prepared a plan to transform them into the above mentioned National Guard. The plan, however, did not come to fruition, but the issue of establishing a Polish National Guard is discussed from time to time among Polish politicians. Their latest idea was to return to the former concept of the Polish Gendarmerie by enhancing and enlarging the competence of the present Military Gendarmerie, which is, *de facto*, a military police force.

On the other hand, a group of Western European states took a different path to maintaining public order and internal security. Some of them, such as a number of Mediterranean countries (like France, Italy, Spain, Portugal) and the Netherlands, have organisations which are characterised by a dual nature – police forces, but with military status. Possibly, in future, modern tasks for gendarmerie-type forces might be linked directly with the above-mentioned EU's approach to internal security adopted in the Internal Security Strategy. Perhaps the European Gendarmerie Force, known as the EGF (obviously, its further role depends on the development of political integration of the EU) will become the main instrument of implementation of the EU's internal security concept.

In discussing these issues, it seems that it is possible to employ the above-mentioned group of countries. All of them possess gendarmerie/carabinieri-type forces which are similar in organisation and structure and have similar competences and tasks. Because of this they are able to cooperate within the framework of the European Gendarmerie Force; other countries' gendarmeries may apply for membership of this initiative (like the Romanian and Turkish gendarmeries already did). Secondly, all of these formations are characterised by a similar origin, tradition and history and are connected with the Napoleonic model of gendarmerie forces. Lastly, the military status of gendarmerie forces with police tasks also allows them to ensure public order and security during foreign interventions, after the regular armed forces have defeated the opponent, but when it is too early for regular civilian police forces to maintain order. In this post-conflict environment, the force which

is able to stabilise the situation, assure humanitarian assistance and support new, democratic local authority could be a multinational contingent of gendarmerie-type forces, such as the Italian Multinational Specialised Units (MSU). Finally, the international cooperation of police forces with military status has already been institutionalised – the Association of Mediterranean and European Gendarmerie Forces and Police Forces with Military Status (FIEP) and European Gendarmerie Force (EGF) are in operation.

One important aspect of the EGF is that it is based on previous accomplishments of gendarmerie-type forces in the management of public order and security. If its gendarmes take part in peacekeeping operations, they can draw on the great experience of police forces with military status gained during the stabilisation phase of operations.

It is necessary to stress that the EGF was founded on the national gendarmerie-type forces acting in France, Italy, Portugal, Spain and the Netherlands, as they share a number of common values regarding their ability to maintain public order and internal security inside their respective states and during missions abroad. Taking this into consideration, there are a number of lessons learned which are elaborated below:

- the first lesson learned is that gendarmerie forces from the above-mentioned countries have some common qualities, which are not only the result of adapting a French (Napoleonic) pattern, but also the result of the impact of the Roman Empire's military culture. The Mediterranean gendarmeries could use these previous experiences today during contemporary peacekeeping operations for providing public order and security. Their common heritage assisted them in initiating, developing and, finally, institutionalising cooperation in the field of public order and internal security within the framework of the European Gendarmerie Force;
- the second lesson learned is that after the end of Cold War security started to be understood broadly which led to the necessity for international cooperation against new threats. A further characteristic was the blurring of the line between internal and external threats to security (*intermestic security*). The broadening of the security concept, the rise of human security

and humanitarian interventionism -using minimal or no violence- means using gendarmerie forces, for instance during foreign operations, as the most appropriate force (the military is focused on traditional -military-security concerns, while civilian police forces are mainly responsible for maintaining public order);

- the third lesson learned is that participation in missions abroad would be a contemporary mode of activity of gendarmerie-type forces. Building the FIEP Association and becoming operational in the European Gendarmerie Force, gendarmerie forces proved that only their previous experiences, unique civil-military organisation and broad competences allows the European Union to build effective policy for participation in foreign peacekeeping operations;
- the last, but not the least, lesson learned is that nowadays police capabilities and the military status of gendarmerie-type forces are attractive to partners such as the United States, a country which is engaged in various foreign campaigns. Therefore, perhaps it might be the European Gendarmerie Force that could become a preferred partner for the US, serving as a stabilisation tool in the post-conflict environment.

Moreover, bearing in mind an internal security concept promoted by the EU, one might assume that the EU, if it wants to put the concept into practice, in future may need an instrument -a force- which will be responsible for protecting its internal bodies and its citizens – referent objects of the EU's internal security concept. Which organisation would be the most appropriate to fulfill such tasks? Police, military or gendarmerie-type forces? National or transnational (European) forces? What is more, a precondition is that a corps of that type, if it is to be responsible for the safety of individuals, has to respect human rights. The Western democracies respect human rights, so their (para-) military forces (should) do so. This may be another argument for further expanding the tasks of the European Gendarmerie Force, meaning providing safety to all European citizens and to the European bodies, according to the provisions provided by the EU's Internal Security Strategy project. Perhaps European citizens, as a referent object of internal security in the EU's view, should be protected by the EU's service. Therefore, might it be the EGF -as *de facto* the only one institutionalised European force, with

previous experiences of national gendarmeries in the field of maintaining public order and security and executing internal security tasks abroad- that could be used for the protection of the EU's bodies and individuals? There is no ready-made answer. The future will show whether the EGF will be given that opportunity.

6. Conclusions

To sum up all of the previous considerations, a number of lessons learned related to a new approach to internal security should be pointed out briefly:

1. first and foremost, nowadays the security of states should be considered in a holistic way, encompassing all its aspects (military and non-military) as well as internal (non-military) and external (military) threats to it;
2. secondly, during the Cold War era, in general, the distinction between external and internal security, their challenges and threats, was clear-cut⁵⁵. External security was connected with military threats and military defence against these threats and, on the other hand, domestic threats (non-military), for instance crime or drug trafficking, were considered as an internal problem of states. After the collapse of the bipolar world order, however, a fundamental change can be seen: an increasing blurring of internal and external aspects of security, which is particularly a consequence of the rise of challenges to security characterised by their transnational nature, such as crime, international terrorism *etc.* One of the reasons for this rise might be the gradual opening of borders between countries after 1989 (in particular within the European Union's territory);
3. subsequently, today these threats prompt wide international cooperation in order to eliminate them. A special case is the EU which tends, on the one hand, to formalise (institutionalise) cooperation between its member countries in the internal security field and, on the other hand, to cooperate with neighbours in order to fight against transnational threats;

⁵⁵ See further: D. Lutterbeck, *Between Police and Military. The New Security Agenda and the Rise of Gendarmeries*, "Cooperation and Conflict", vol 39 (2004), no 1 (March), pp. 45-46.

4. moreover, it was the nation state which traditionally was recognised as the referent object of security and the protection against external military threats was the key issue of states' policy. Nowadays, however, another entity -the individual- is considered as the referent object of security by some scholars as well as by institutions such as the UN or states like Canada and Japan (advocates of human security). Furthermore, another significant fact which should be noted is that, recently, it has been the EU that regards safety of its citizens as a vital matter for the organisation;
5. mostly, it is the globalisation process which has had a profound impact on the current change in understanding regarding internal security. Therefore, a term such as 'intermestic security' was coined to emphasise a merging of foreign and domestic realms. What is more, it is the EU which has to not only contain, but also to manage and to order this process, because its member countries are not able to defend themselves individually against the negative consequences of globalisation⁵⁶;
6. finally, it is the European integration process which has a crucial effect on the understanding of internal security within the EU, as well as on the fostering of European cooperation in this field. The phenomenon mainly arose from the opening of borders between the EU's members ('Schengen'). Today it might be called by 'Europeanisation' of internal security. Moreover, the European Union has recently extended that concept insisting on regional, bilateral and multilateral cooperation with third countries in the internal security field (an external dimension of the EU's internal security policy). This European approach to security might be defined

"(...) as a sequence of concentric circles, rather than on the basis of a strict distinction between internal and external security"⁵⁷.

⁵⁶ See further: S. Keukelerie, J. MacNaughtan, *The Foreign Policy of the European Union*, Basingstoke-New York 2008, p. 229.

⁵⁷ M. Ekengren, The interface of external and internal security in the EU and in Nordic policies [in:] A.J.K. Bailes, G. Herolf, B. Sundelius (eds.), *The Nordic Countries and the European Security and Defence Policy*, New York 2006, pp. 271-272.

To sum up, taking into consideration all of the above-mentioned conclusions, as well as the EU's approach to internal security, it can be noted that the concept of internal security will be focused not (only) on the security of a nation state and its authorities, as it was understood previously, but also on the security of people, in all of its dimensions (internal and external, military and non-military) (*'a wide and comprehensive concept which straddles multiple sectors in order to address these major threats and others which have an impact on the lives, safety, and well-being of citizens'*) in order to ensure law enforcement and maintain public order and security⁵⁸. In particular, people should be protected from both military and non-military threats. The question is: who will be given the responsibility: nation-states or international organisations such as the European Union -using the European Gendarmerie Force- or both of these or even someone else? And secondly, will the nation state still be the main referent object of (internal) security, in particular within the united Europe, after the Lisbon Treaty came into force with an intense focus on the fostering of the European integration process? These questions might inspire the reader to a careful consideration of the future regarding the internal security concept.

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⁵⁸ See further: K.P. Marczuk, Bezpieczeństwo wewnętrzne w poszerzonej agendzie studiów nad bezpieczeństwem (szkół kopenhaska i *human security*) in: S. Sulowski, M. Brzezinski (eds.), *Bezpieczeństwo wewnętrzne państwa. Wybrane zagadnienia*, Warszawa 2009, pp. 66-78.

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Policing the Gap:

The Growing Importance of Gendarmerie Forces in Creating National and International Stability

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'It can thus be expected that currently existing gendarmeries will continue to be upgraded and receive high levels of funding, and perhaps also that countries which thus far have not had such agencies will begin to create gendarmerie-type forces.'

Lutterbeck (2003)

1. Introduction

In the last 150 years, academics studying the history of policing have been more or less in accord about the role of civil police forces in maintaining law and order. The military or gendarmerie type of forces gradually left centre stage in public order maintenance and made way for modern civilian police forces¹. In section two I discuss the relative neglect of gendarmeries in police studies and raise the question of 'reversal'. As for this 'reversal', I want to explore facts and figures on the role of gendarmeries at both national and international levels to draw attention to the fact that gendarmeries are becoming more important in law enforcement.

Section three contains an illustration of the 'reversal' argument, a short history of the gendarmerie in different countries, and a discussion of a number of recent developments.

In section four, I explore the 'reversal' argument further through a brief description of the ongoing international cooperation between European gendarmeries and their deployment in international conflicts.

¹ Emsley, C., *Gendarmes and the state in nineteenth-century Europe*, (University Press, Oxford), 1999.

In section five, I examine a number of hypotheses on these developments: how can the ‘reversal’ be explained? The assumption here is that gendarmeries fill the gaps in contemporary policing, at national level, but especially in international conflicts. At the national level, gendarmeries fill the gaps existing in civilian police force capabilities through rapid deployment of force as a necessary back-up of civilian police. And in the international theatre, gendarmeries fill in gaps through the rapid deployment of units in situations where there is no civilian police at all. Why do governments resort to gendarmeries and not to civilian police forces in such cases? An intriguing question that cannot be answered easily. It is, however, highly relevant to our understanding of the evolution of the police function in our societies.

In section six, I will therefore make a few observations on the future of policing and, especially on the place of gendarmeries in the various possible scenarios for the future role of police. This section is entitled ‘Ironies, myths and paradoxes’. The fact that these undercurrents in policing have not yet become a subject of structural international policing research strikes me as ironic. I am very interested in the myth according to which policing focusses on common-sense notions such as community policing and reassurance policing while the potential for force associated with policing is relatively neglected, creating a gap that gendarmeries seem to be ‘filling’. And, finally there are paradoxes at work: is the nature of policing changing? How do developments discussed relate to the rule of law, transparency and democracy?

2. Gendarmeries: neglected in police studies

Gendarmerie forces are ‘neglected’ in mainstream criminology and international police studies. Gendarmeries do not really feature in policing studies², nor are they included as subjects in the growing field of international or transnational policing studies (Sheptycki. 2000).

² Newburn, T. Policing. Key Readings. Willan Publishing, 2005. In this excellent introduction of policing we find one chapter dealing the blurring of boundaries between the military and law enforcement: Dunlap, C.J. ‘The thick green line: the growing involvement of military forces in domestic law enforcement’ (chapter 44). Gendarmeries are only mentioned in the book as a whole in chapters dealing with the history of policing.

This is noteworthy in this time and age, for gendarmerie forces no longer only fulfil traditional law and order functions within their home countries, but also increasingly in other countries around the world. The role of paramilitary, gendarmerie-type forces or constabulary forces in providing stability in international conflicts and peacekeeping operations is growing³. Lutterbeck adds that, since the beginning of the 1990s, police forces with military status have shown the fastest development of all the security forces in the whole of Europe⁴. Between 1980 and 2000, the overall number of gendarmes increased by about 30 percent, while the number of soldiers in conventional armies in the same countries fell dramatically. Another striking feature in the evolution of gendarmerie forces is the ongoing transnational cooperation between gendarmerie forces around the Mediterranean: the European Gendarmerie Force (EGF) initiative⁵.

When I first studied policing as part of my History course at the Erasmus University in Rotterdam, one of the major influences was the paper *Opdat de macht een toevlucht zij?* (So that power be a last resort?) by Fijnaut (1979).

³ Marczuk, P.K., 'Mediterranean Constabulary Forces – Theory, Practice, Solution?', *Romanian Military Thinking*, 1/2007, pp. 125-136 ; Schmidl, E.A. , 'Police Functions in Peace Operations: A Historical Overview', in R. B. Oakley, M. J. Dziedzic, E. M. Goldberg (ed.), *Policing the New World Disorder: Peace Operations and Public Security*, Washington D.C. 1998, p. 22.; D. T. Jr. Armitage, A. M. Moisan, 'Constabulary Forces and Postconflict Transition: The Euro-Atlantic Dimension', *Strategic Forum* (2005), nr. 218 (11).

See further A. M. Ruano, 'La Fuerza de Gendarmería Europea comprueba su plena capacidad operativa', *Guardia Civil* (2006), nr. 746 (06). further: D. Zimmermann, 'The Best of Two Worlds: The Role of Third Force Paramilitaries in the Combating of Political Violence Movements', in R. Gunaratna (ed.), *Combating Terrorism*, Singapore, 2005. ; V. D. Cha, 'Globalization and the Study of International Security', *Journal of Peace Research*, vol. 37 (2000), nr. 3.; Lutterbeck, D. 'Between Police and Military, The New Security Agenda and the Rise of Gendarmeries', *Cooperation and Conflict*, vol. 39 (2004), no. 1(March), pp. 45-68.

⁴ D. Lutterbeck, 'Blurring the Dividing Line: The Convergence of Internal and External Security Western Europe', *European Security*, vol. 14 (2005), no. 2 (06), p. 246.

⁵ Assembly of Western European Union, *Document A/1928. The role of the European Gendarmerie Force. Report submitted on behalf of the Defence Committee by Baroness Taylor of Bolton, Rapporteur (United Kingdom, Socialist Group) and Ignacio Cosidó Gutiérrez, co-Rapporteur (Spain, Federated Group)*, 21.06.2006, <http://www.assemblyweu.org/en/documents/sessions_ordinaires/rpt/2006/1928..php?PHPSESSID=f3137d60...#P218_34390>, (31.01.2007).

Fijnaut analyses the emergence of modern police forces in the 18th and 19th centuries in the context of nation and state-building processes. The military-style or gendarmerie-style forces played an important political role in public order maintenance. But this was to change in the course of time. A central element of his study is the gradual decline of the military style of policing, and the growing importance of civilian police forces. First a few words on the historical role of the military style of policing.

Gendarmeries were first established in France during the time of the revolution, and in the 19th century they were also introduced in a number of other European countries⁶. They were basically military personnel, but their principal task was to maintain law and order in the interior, chiefly in rural areas and along major thoroughfares. In the emerging nation-states, gendarmeries were essentially instruments of the central powers in extending and consolidating their rule over the national territory, in particular the often 'unruly' countryside⁷. As such, they also served to deal with particularly severe forms of internal strife and turmoil, which in many European countries accompanied the nation-building process (Bayley, 1985; Emsley, 1993). Gendarmerie forces, however, have also regularly been deployed in external interstate conflicts. The French Gendarmerie, for instance, actively participated in all of France's major wars, both as military police and as a combat force. While gendarmerie-type forces can be found in all parts of the world, they are a typical feature of continental European states, and did not develop, at least in formal terms, in Anglo-Saxon or Scandinavian countries (Bayley, 1985; Mawby, 1999; Waddington, 1999).

The thrust of Fijnaut's analysis is the gradual growth in importance of civilian police forces. Within national and municipal police forces, public order maintenance tasks were organised through riot police units, political intelligence gathering, firearms units and mounted units (on horseback or motorcycles) to deploy forces rapidly and in general to organise force in times of strikes, riots and other public order incidents. Fijnaut's work is about the 'civilianisation' of public order maintenance. My aim in this section is to

⁶ Lutterbeck, D. 'Cooperation and Conflict', *Journal of the Nordic International Studies Association*, Vol. 39(1), pp. 45–68. (www.ps.au.dk/NISA)

⁷ *idem*

explore the ‘reversal’ of this long-term development within policing. In many European countries public order maintenance gradually became one of the core tasks of the municipal, and later regional and national police forces. This situation has remained more or less the same in many European countries. However, the gendarmerie never left the policing stage. Especially in France and many other Mediterranean countries, the gendarmerie has continued to play a role.

Contemporary gendarmeries

The model for most of today’s paramilitary forces is the French Gendarmerie (*Gendarmerie nationale*), which was created in the late 18th century⁸. Within the French police system, the Gendarmerie is responsible for maintaining law and order in rural areas, whereas the country’s other national-level police force, the National Police (*Police nationale*), is tasked with policing the cities. In line with its semi-military status, the French Gendarmerie is not only structured along military lines, it also has extensive military-style weaponry, in addition to police equipment, such as heavy machine guns, armoured combat vehicles, helicopters and light tanks (Haenel and Lizurey, 1999).

An example of a gendarmerie-type force which has retained an even more military character than the French Gendarmerie is the Italian Corps of Carabineers (*Arma de Carabinieri*). Similarly to the French Gendarmerie, the Carabinieri are an integral part of the Italian armed forces -they constitute the fourth branch, after the army, the navy and the air force- and they have been involved in all of the country’s military conflicts. Nowadays, the principal duties of the Carabinieri include combating organised crime and riot control⁹. In addition, they also have an important military function, both as a military police and as a combat force. Consequently, the Carabinieri are equipped with a broad range of military-style equipment, such as aircraft, armoured vehicles, helicopters, patrol boats, as well as light-infantry weapons (Collin, 1985; Pallida, 1992: 248–51). Italy also has another police force with military status at the national level, the so-called *Guardia di Finanza*. In principle, the Guardia di Finanza, as its name suggests, is a fiscal or customs police, which traditionally has been concerned mainly with preventing different types of

⁸ idem

⁹ idem

cross-border economic crime, such as contraband and tax evasion. It too, however, is a semi-military institution. The Guardia di Finanza's traditionally large and well-equipped naval component, for instance, which also comprises actual warships, was deeply involved in the naval battles in the Mediterranean during the Second World War (Matera and Serra, 1990).

A further gendarmerie-type force which was modelled on, and bears many similarities with, the French Gendarmerie is the Spanish *Guardia Civil*. Similar to the French Gendarmerie, the Guardia Civil played a crucial role in the Spanish nation-building process in the 19th century and the consolidation of central power over the more peripheral areas of the national territory¹⁰. Nowadays, combating terrorism and separatist movements such as ETA are among the Guardia Civil's main fields of activity. As other gendarmerie-type forces, the Guardia Civil has a military structure and is equipped with a considerable amount of military-style equipment, such as light-infantry weapons¹¹.

3. Gendarmeries: on their way out, or in?

The 'reversal' argument has already been partly illustrated by the facts and figures mentioned. But let us look somewhat closer at 'undercurrents' in policing¹².

In this table, growth figures between 1980 and 2000 of gendarmerie forces in six European countries are shown.

	1980	2000
Austria	11,000	15,751
France	78,000	94,950
Spain	64,000	75,000
Netherlands	3,900	5,200
Portugal	13,000	25,300
Italy	84,000	110,000

¹⁰ idem

¹¹ idem

¹² Hoogenboom, A.B. *The Governance of Policing and Security. Ironies, Myths and Paradoxes*. Plagrave, 2010.

These figures make it very clear that gendarmeries are indeed on the rise in all European countries with a history of military-style police forces. Whereas criminologist and police researchers tend to overemphasise not only the historical civilianisation of policing, but also the ‘softer’ elements in policing such as community relations, reassurance policing and, more in general, the community policing model, military-style police forces have always played significant roles in the background. And they are indeed gaining in prominence in all countries, even though first impressions would lead one to believe that the gendarmerie model has been moved away from altogether. But in fact the opposite is true: we witness a process of ‘reversal’.

The present roles of these gendarmerie-type forces can be understood in the context of their genesis (Napoleonic era), their rich history in (inter) national conflicts, their traditions and the continuities in competences and tasks throughout the 19th and 20th century.

Gendarmerie forces are security organisations with a mix of police and military characteristics and tasks. The gendarmeries in Europe are well established organisations that were created in the 18th or 19th century. As Emsley (1999) describes, an important task of gendarmerie forces was pacification of (remote) areas where central governments had limited influence (De Weger, 2009).

Emsley is looking backwards at the history of the gendarmerie but clearly history -as the saying goes- is repeating itself in a modern-day variant. The pacification of (remote) areas where central governments have limited influence seems to be in a process of redefinition and reorientation.

As Gobinet (2006) argues, the existing literature on national and international policing, and especially the way contemporary science looks at gendarmeries ‘is flawed and incomplete’.

One of the main arguments is that the terminology habitually used to describe the gendarmerie model is not adequate at all, because it wrongly suggests a persistent functional discrepancy between these forces and their civilian counterparts found for instance in common-law countries. This actually conceals the fact that gendarmeries have become important actors on the

European policing scene (Gobinet, 2006). This author also points out the fact that ‘gaps and misconceptions in the existing Anglo-American academic literature’ exist. Gobinet argues that ‘police forces bearing a military status present useful features and credentials to promote the liberal-democratic policing ideal in 21st century Europe’.

4. Transnational Gendarmeries

The idea of institutionalising cooperation between the gendarmeries of Mediterranean countries emerged for the first time in 1992. On 1 October 1992, the Director-General of the French National Gendarmerie took the initiative to bring all experience, information and training exchanges between functionaries of the French, Italian and Spanish gendarmeries together under one formal and juridical framework. On 12 May 1994, a Common Declaration concerning cooperation between those three entities was signed in Madrid. It was called the FIE Agreement – the acronym being the initials of the names of the Member States (France – Italia – España). Since the accession of the Portuguese National Republican Guard in 1996, the association has been known by the acronym “FIEP”. Over the following years, FIEP expanded considerably.

The main objective of the FIEP statutes was the development of cooperation between the Mediterranean police entities with military status. Their main task was to guarantee internal security, together with the police forces with civilian status. The members of FIEP focused on establishing contacts with gendarmeries that were not part of the Agreement, as one of the priority targets of the creation of FIEP was to guarantee internal security on the territory of all of the member countries of the European Union – there were plans for the future creation of a European Gendarmerie on the basis of FIEP. The Agreement was open to the idea of cooperation, particularly with the gendarmeries from Portugal, Belgium, Luxembourg, the Netherlands and Austria, but even at that early stage, the possibility of future membership of the gendarmerie forces of a number of countries that might become members of the Communities -Romania, Poland and Turkey- was considered.

European Gendarmerie Forces

All the forces are similar in organisation and structure and have similar powers and tasks¹³. They also have a similar tradition connected with the Napoleonic model of gendarmerie forces. Moreover, gendarmeries, because of the role they play in military operations, are usually the first police forces to perform public-order enforcement tasks in post-conflict situations in unstable areas and regions. In many post-conflict environments, the only force able to stabilise the situation, assure humanitarian assistance and support new, democratic local authority is a multinational contingent of gendarmerie-type forces, such as the Italian Multinational Specialised Units (MSU) under NATO.

Furthermore, it was proposed within FIEP to approach units of similar structure, organisation and history. To be precise, the focus of the new cooperation was on the perfection of techniques, the management of human resources, the organisation of services and the modernisation of technology. Cooperation in these areas yielded guaranteed benefits to all three member forces – for example, in the domain of the development of communication technologies or methods of recruitment of gendarmes. For that reason, an emphasis was placed on learning foreign languages.

The requirement of proficiency in foreign languages soon became the basic criterion for the recruitment of gendarmes. As this linguistic requirement was taken seriously, it became possible to strengthen the relations between French Gendarmes, Spanish Civil Guards and Italian Carabinieri. A number of actions were also taken with regard to the mutual exchange of non-commissioned officers and officers from the three units in the context of international exchange and formations. The principle of annual meetings of the directors-general of the organisations was also established.

By virtue of the Madrid Declaration on 20 October 1998, during the Spanish presidency, the Turkish Gendarmerie joined the FIEP. The following year, on 19 October, during the presidency of Italy, the FIEP was joined by the Royal Moroccan Gendarmerie, followed by the Royal Netherlands Marechaussee on 20 October, by virtue of the Rome Declaration adopted on that occasion.

¹³ F. Dien, 'Vers une Europe des gendarmeries: la FIE', *Défense Nationale* (1996), nr. 5.

During the Turkish presidency, the Romanian formation acquired observer status by virtue of the Istanbul Declaration, and became a member to the Agreement in 2002. During the Dutch presidency in 2010, the Jordanian Gendarmerie Forces were granted the status of observer as a stepping stone to full membership of the FIEP Association. The Argentinean Gendarmerie and the Chilean Carabineros joined the FIEP as associated members in October 2005.

It is interesting to note that on 25 December 2000, during the French presidency, the Command of Internal Troops of Ukraine applied for membership, too.

FIEP's initiative to enhance the operational cooperation between its European members in the area of crisis-management operations led to the establishment of the European Gendarmerie Force (EGF). This force can be deployed in both police substitution missions and strengthening police missions abroad. The EGF can be deployed during the stabilisation and reconstruction phases of peace operations.

At present, EGF command has 800 personnel at its disposal, who can be ready for action within 30 days. The authorities of the member countries have great expectations with regard to the demand for the European Gendarmerie Force's services. This concerns not only the effectiveness of its functioning but also the fact that this force is considered a factor capable of reinforcing European defence policy¹⁴.

Gendarmeries: part of a broader picture

The intensification of cooperation between gendarmerie forces is only one of the elements of the increasing cooperation and integration in European security. In December 1999, the European Council in Helsinki set itself the goal of being able to deploy an EU military force of 50-60,000 personnel within 60 days by 2003. This goal was achieved by 1 January 2007 (De Weger, 2009).

¹⁴ K. Marczuk, Position of Gendarmeries in Internal Security Systems: The Mediterranean Countries and EU. Paper for I World International Studies Conference (WISC), Bilgi University, Istanbul, 24-27.08.2005, <http://www.bbn.gov.pl/?strona=pl_kryzys_stambul>, (31.01.2007).

In 2004, the European Council decided on the establishment of the Frontex organisation. Now based in Warsaw, Frontex coordinates the border security activities of Member States. The year 2005 saw the creation of CEPOL, the Collège Européen de Police or European Police College. It organises training courses for senior police officers from European police forces and engages in research activities. Although it has a secretariat in Bramshill in the United Kingdom, its activities take place at the national police academies of its Member States. Based on their domestic responsibilities, the six gendarmerie forces cooperating in the EGF also participate in and liaise or cooperate with many European security organisations individually (De Weger, 2009).

5. Why? What explains the growing national and international role of gendarmeries? And, are they filling the gap?

Demand: domestic crowd control

Gobinet (2006) argues that British armed forces can manage public disorder situations and in doing so ‘fill the gap’ of civilian policing. The increasing paramilitarisation of public order policing can either mean adoption of aggressive and anti-democratic methods, or more efficient procedures to ensure that police can cope with modern public-disorder situations. It can be interpreted pejoratively, or can be viewed as a technical feature applied to riot control methods.

In most European countries, the army initiated riot-suppression techniques until this task gradually shifted to local or central civilian police departments (Johansen, 2001). The tactics have remained military but advocate two prerequisites to effectively control urban unrest: the use of non-lethal methods, and the rapid projection of appropriate, quasi-overwhelming manpower on site (Walker, 2005, p. 410).

Mandeville’s analysis (1993) suggests that, following the reported failure of regular police units to quell the violence between Protestants and Catholics in 1969, the Army was the only organisation left to act as the main peace-keeping force in Northern Ireland (Gobinet, 2006). This is where the ambivalence of the gendarmerie model represents an added bonus for any established democracy, because it can be used throughout the scope of

a crisis to carry out tasks that do not require the drastic use of standing army military units and which the civilian police is unable to perform (Perr, 2005).

In this respect, Watin-Augouard (Picard *et al.* 1993, p. 207) admits that the Anglo-Saxon denigration of 'undemocratic' gendarmeries is hypocritical, since the authorities in Anglo-Saxon nations have no other choice but to use their army's massive means to solve a domestic public order situation as soon as it gets out of hand.

Demand: international police and peacekeeping operations

Obviously, crime and security problems have outgrown local, regional and, increasingly, national interests. Problems are interrelated on an international scale, and strategic, tactical and operational responses of police forces therefore reflect an ongoing international demand for personnel and activities. There is, as has also been concluded by other authors, ample demand for police personnel in international crisis-management operations. The United Nations have recognised the importance of international police operations. In the mid-1990s, the UN department for peacekeeping operations appointed a Police Advisor, and in 2000 a Police Division was created to support UN policing operations. By January 2008, operations were taking place in 13 countries, involving over 11,000 police officers. The UN created a standing police capacity, consisting of 25 officers, which is a rapid-response team for operation assessment and organising the initial stages of an operation.

Demand: border controls

Since the beginning of the 1990s, a general trend among EU countries, as well as in the US, has been the increased employment of paramilitary forces in the field of border control, whereby many of the agencies in question have undergone a drastic expansion. A related development has been the increased involvement of military forces in controlling national borders¹⁵. In fact, since the early 1990s, gendarmerie forces concerned with border control appear to have been the fastest growing security forces in the Euro-Atlantic area, with a clear shift in priorities and funding from external to internal, and in

¹⁵ Lutterbeck, D. 'Cooperation and Conflict', in Journal of the Nordic International Studies Association, Vol. 39(1): pp. 45-68. (www.ps.au.dk/NISA)

particular gendarmerie-type security forces. Thus, while the end of the Cold War has prompted a considerable contraction of military budgets -between 1989 and 2000 average defence spending in NATO countries dropped from 4.5% to 2.5% of GDP- spending on law-enforcement has increased, in some countries dramatically. And within law-enforcement, gendarmerie forces responsible for border security have witnessed by far the highest growth rates¹⁶.

Gendarmeries better suited?

Gendarmerie forces are considered to be well suited for policing in international peacekeeping operations. While no (detailed) studies comparing the performance of civilian police officers, the military, gendarmerie and MP in peacekeeping seem to have been published, many authors have noted that a gap exists between military personnel and civilian police deployments and that gendarmerie forces are suitable to fill this gap¹⁷. Some authors describe in more detail why gendarmeries are preferable. Armitage and Moisan (2005) argue that special forces and MP lack the full gamut of specialised equipment to deal with lower levels of stabilisation and nation building. Gendarmerie forces have conducted numerous operations in many parts of the world. They will not be confused with the forces who have just done the fighting and they are highly skilled in the tactics and doctrine of the light infantry, including rapid deployment and an ability to sustain themselves logistically. Moreover, they can be placed under military command and work in a military environment.

Bigo (2000) states that the wide spectrum of activities of gendarmerie forces allows them to be present where the police dare not go (restoration of order in a crisis situation) and where the military do not want to or do not know how to intervene (not killing the enemy, but controlling the opponent).

¹⁶ idem

¹⁷ Weger, M. The Potential of the European Gendarmerie Force. Netherlands Institute of International Relations Clingendael March 2009. See also: Weger, M.J., de, De binnenlandse veiligheidstaken van de Nederlandse krijgsmacht, (Van Gorcum, Assen), 2006. Weger, M.J., de, Dutch defense forces and policing, research paper no. 74, Netherlands Defence Academy, January 2007. Weger, M.J., de, International policing missions: a framework for effective civil-military cooperation, in: Rietjens, S.J.H., and Bollen, M.T.I.B., Managing civil-military cooperation, (Ashgate, Aldershot), 2008.

Gendarmerie forces have been prepared for centuries for internal security, having an advantage over the regular military due to their role as the soldiers of the law and due to their authority to use military means in a civilian context, while knowing that their opponent must not be transformed into an enemy to be eradicated. Their structure allows them to respond to increasing violence without a radical change of attitude and without trespassing across the threshold of public opinion. Gendarmerie forces combine the knowledge of the police and the military, and have an intimate knowledge of crisis management.

Hills argues along the same lines¹⁸. According to Hills a deployment gap results from the fact that although restoring order is a priority, local security forces have either ceased to function or are part of the problem, while multinational civilian police (CIVPOL) forces are incapable of dealing with the severe breakdown of law and order characteristic of post-conflict situations. As a result, military units are expected to enforce basic public order and separate armed or enemy groups, lest CIVPOL forces are unable to operate effectively¹⁹.

Finally, Rémy (2004) writes that gendarmerie forces are the most suitable for stabilising a country because of their nature, military character, operations concept and ability to carry out policing tasks in all circumstances.

6. Ironies, myths and paradoxes

As stated previously, I find it ironic that certain undercurrents in policing are not yet a structural part of international policing research. I have an interest in the myth of policing characterised by common-sense notions such as community policing, reassurance policing and, more in general, the

¹⁸ Hills, A, 'The Inherent Limits of Military Forces in Policing Peace Operations' in *International Peacekeeping*, Vol.8 (2001), No.3 (Autumn), pp.79–98.

¹⁹ Klep, C. and Donna Winslow, 'Learning Lessons the Hard Way – Somalia and Srebrenica Compared', in Erwin Schmidl (ed.), *Peace Operations Between War and Peace*, London and Portland, OR: Frank Cass, 2000, pp. 93-137; Michael Kelly, 'Military forces in policing peace operations; Legitimacy and the Public Security Function', in Robert Oakley, Michael Dziedzic and Eliot Goldberg (eds), *Policing the New World Disorder: Peace Operations and Public Security*, Washington, DC: National Defense University, 1998, pp. 399-431.

relative neglect of the potential for force which the gendarmeries seem to be providing. And, finally, there are paradoxes at work: is the nature of policing changing? How do the developments mentioned earlier relate to the rule of law, transparency and democracy?

Gendarmeries: just one element of restructuring policing along military lines?

Does the rise of gendarmeries illustrate the supposedly ongoing ‘militarisation’ of civilian policing? Some commentators argue that gendarmeries contribute to the militarisation of police work, which is in total opposition to the principles of community policing (Gobinet, 2006). Their argument is that the prerogatives of the army and the police are substantially blurred in post-conflict societies, and that resorting to gendarmerie forces further enhances the confusion. Lutterbeck (2004) does not take a stand on this issue, but simply notices that their increased involvement in peace-keeping must be acknowledged because it derives from their functional capacity to use both police and military skills during crises, when the objective is not to destroy but rather to control. Unlike regular civilian police forces, gendarmeries possess robust capabilities which can be deployed on hostile territory. Their dual subordination implies a very flexible interoperability which can be used as an interface by both civilian and military authorities (Gobinet, 2006). I find it ironic that these undercurrents in policing have not yet become the subject of structural international policing research. I have an interest in the myth of policing that features common-sense notions such as community policing, reassurance policing and, more in general, the relative neglect of the potential for force which the gendarmeries seem to be providing. And, finally there are paradoxes at work: is the nature of policing changing? How do the developments mentioned before relate to the rule of law, transparency and democracy?

The concept of hybridity²⁰

Policing can no longer be understood solely in the context of public policing. I use the concept of ‘blurring’ and ‘hybridity’ (Hoogenboom, 2010) to draw attention to the interweaving taking place between for instance public and

²⁰ Hoogenboom, A.B. *The Governance of Policing and Security. Ironies, Myths and Paradoxes.*

Palgrave, 2010. The notion of hybridity here is used to describe and analyze the ongoing interweaving of public and private policing, civilian and military policing and for instance the blurring distinctions between the physical and digital worlds through the incorporation of datamining, open source intelligence, social media etc.

private policing, between physical policing and digital policing (internet surveillance, front companies on the web etc.) In this section, I am interested in the ‘blurring’ between civilian and military policing.

The study of gendarmerie forces implies a constant oscillation between the fields of internal and external security (Gobinet, 2006). The separation between the military and the police was originally at the core of liberal Western democratic nation-states. It was the central line of reasoning in the analyses by Fijnaut (1979). Challenges, however, are no longer state-based, and the classical distinction between internal and external security is now obsolete (Gobinet, 2006). The advent of new post-Cold War transnational security risks such as organised crime, drug trafficking and terrorism have jeopardised this traditional differentiation between police and military, and introduced a contemporary convergence between the realms of internal (mainly understood in the sense of ‘domestic’ and ‘criminal’) and external security (Gobinet, 2006).

Hybridity, or the blurring of lines between domains that were until recently confined within their own boundaries is also mentioned by Lutterbeck²¹. The differentiation between internal and external security, and between police and military, has long been a core principle of the modern nation state. A distinctive feature of the security landscape of the post-Cold War era, however, is that the dividing line between internal and external security has become increasingly blurred – a consequence of, inter alia, the emergence of a growing number of transnational risks and challenges. All of this has created a gap, and the consequences for policing are not at all clear at this point. What seems to be emerging, however, is the ‘filling’ of the gap through a restructuring of gendarmeries and their increased deployment. There is a political, and therefore also an operational need for rapid deployment of policing capabilities.

Modern policing: flexibility and functional adaptation

This new security agenda, called for a rapid ‘functional adaptation’ of security institutions (Lutterbeck, 2005, p. 27) which, often in the midst of internal bureaucratic struggles with other internal or external organisations, have had

²¹ Lutterbeck, D. ‘Cooperation and Conflict’, in *Journal of the Nordic International Studies Association*, Vol. 39(1), pp. 45-68.(www.ps.au.dk/NISA).

to find new areas of activity to justify their budgets and their existence, as their legitimacy was being directly questioned. This de-differentiation of internal and external security has led to a degree of militarisation and externalisation of policing (hence the growth in international police cooperation), and conversely to an internalisation and ‘policification’ or ‘domestication’ of soldiering. There is a growing involvement of the army in domestic security issues, from a logic of war to a logic of public order, which is corroborated by the convergence of foreign intelligence and law enforcement. Consequently, this new agenda is directly responsible for the increasing role played by intermediary gendarmerie-type forces (Gobinet, 2006). This situation has provided intermediary gendarmerie-type organisations with an ideal margin of development because these agencies can scan the mission scope of both domains and seem better-suited to meet the needs of this new security (Gobinet, 2006).

Scrutiny, democracy and accountability

Does the increasing growth of gendarmeries, the role played by gendarmeries in public order enforcement at home, the ‘militarisation’ of civilian policing and, moreover, the ongoing blurring of lines (i.e. cooperation) between civilian and military policing alter the nature of (democratic) policing? These answers cannot be answered at this moment, because we lack the theoretical frameworks and, what is more, empirical studies of both the presumed ‘militarisation’ of civil policing and the role played by gendarmeries in international conflicts. There is a structural ‘knowledge gap’. There are only a limited number of researchers working in this area, but contemporary police studies (and criminology) are still very much focused on traditional frameworks (the criminal justice system, the police).

One of the few people to have commented on the EGF is Statewatch editor Tony Bunyan, who stated that:

“The creation of a European para-military force, the EGF, adds to the growing list of bodies, agencies and forces spawned by the EU over which there is scant accountability, scrutiny, transparency or openness. Para-military police are by their very name and nature trained to use force beyond that normally available to police forces and require greater not less oversight” (Statewatch, 2006)

Gobinet (2006) does not agree with the Statewatch argument. According to Gobinet the increased use of gendarmeries is not detrimental to democratic policing in general. In his opinion, this is an oversimplification which assumes that the status and structure of a police organisation are the sole prerequisites for accountable and democratic policing. There is no authoritative study providing conclusive proof that gendarmeries are fundamentally incompatible with democracy, and cannot meet the demands and expectations of modern European policing (Megie and Scherrer, 2004).

The gendarmerie model has been extensively exported to other countries, adapted to suit each country's national requirements and expectations. So, Gobinet argues, too many different possible scenarios exist to permit a definitive conclusion about the future relevance and even existence of gendarmerie forces to be drawn. Emerging European countries or aspiring territorial entities may welcome the unique qualities of the gendarmerie model, either as a transitional measure or as a permanent alternative, for building or consolidating a modern democratic police apparatus (Osland, 2001; Anderson, 1995; Day & Freeman, 2003; Salti, 1999). Modern criminal justice studies may therefore gain useful insights by paying more attention to the specific nature of the gendarmerie model and the value added to the mandates issued to modern European policing. I could not agree more with this call to dedicate more research and studies to the gendarmerie model and all that it entails. I will therefore conclude with a few closing remarks.

7. In closing

In Western European democracies, gendarmeries are predominantly tasked with law-enforcement duties. However, their unique nature derives from their official, constitutionally established military status and their stalwart organisational culture. According to Gobinet (2006), this unique combination of military semantics and civilian police concepts places these hybrid policing institutions in an ideal position to tackle the new post-Cold War transnational security risks that challenge the traditional differentiation between security studies and criminology.

I tend to agree with Gobinet. As a police researcher who has been active for some 25 years, I am struck by the gendarmerie 'undercurrents' in national

and international policing, a development which has gone almost unnoticed in contemporary police studies and criminology. Also, I am fascinated with what I, for the purposes of this article, labelled the ‘reversal’ argument. Whereas the prevailing idea in police history is that, over the years, the ‘military’ element gradually made way for civil policing, in civil public-order enforcement and civil crowd control, we do indeed witness something of a ‘reversal’.

For my doctoral thesis, I studied the history of policing in Rotterdam in the period 1880-1940²². I used the ‘Fijnaut-model’ (1979) as a theoretical framework. During this period Rotterdam became one of the largest harbours in Europe. The economic upheaval caused by this was accompanied by large-scale social unrest, strikes and demonstrations. From 1880 until 1900, the military and the gendarmerie played an important role in crowd control, but following the subsequent police reorganisations since 1895, this task was gradually taken over by the police. No longer was the navy involved by having warships patrol the harbour, nor was the cavalry called upon to disperse large crowds of strikers. Crowd control was handled by special mounted units, and later also by motorcycle units of the Rotterdam police. The tasks of the navy were taken over by the River Police. This period as a whole is a striking example of the gradual ‘decline’ of military force in domestic law enforcement and dealing with public order incidents. But then again, gendarmeries never quite left the stage.

Gendarmeries today are increasingly involved in domestic public-order enforcement and crowd control, and in conflict and post-conflict areas and regions where civilian structures for law and order do not yet exist, gendarmeries are also filling this gap. In doing so, gendarmeries are taking over strategic, tactical and operational notions, concepts and mindsets from civilian policing, especially in case of peacekeeping operations. The distinction between “blue” and “green” is blurring to a degree. This implies that we have to rethink and redefine what exactly ‘policing’ means nowadays and what it entails. Gendarmeries must therefore be taken more account of in police studies and criminology.

²² Hoogenboom, A.B. *Het repressieve vermogen van de politie in Rotterdam 1880-1940* (not published).

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Europe's Internal Security and the Gendarmeries

In Memoriam Professor Yves Gaultier¹

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1. General introduction

In their daily work, gendarmeries face petty crime, which generates insecurity. Safety is also one of the major concerns of citizens in contemporary societies².

However, in the media, discussions revolving around the issue of security are often limited to local security. National and global issues are also analysed in these discussions, generating a feeling of insecurity and fear for crime, those visible and dramatic sources of concern for the citizen. Now, does that mean that the European Union (EU) should stay out of security concerns? Almost ten years ago, I raised this question in a paper entitled “Will European security ever be built?”³. Recent advances attest to a European policy in full development. Many measures have been taken and a comprehensive programme (European Internal Security Strategy) has been adopted (1). These developments reveal a “Europeanisation” of internal security. (2). It means that the theme of internal security being placed on the political agenda of European institutions affects the national policies. If we consider that security is all about perceptions and constructs, the EU has its own. Member States have cooperated on different subjects related to internal

¹ The author would like to dedicate this paper to Professor Gaultier, Lecturer at the University of Strasbourg, who died in August 2010. He would like to pay tribute to this man for his legal skills and his great human qualities.

² Chalom, M., Léonard, L., *Insécurité, police de proximité et gouvernance locale*, Paris 2001, coll. Sécurité et société, pp. 17-18 (translation).

³ Berthelet, P., “L'Europe de la sécurité va-t-elle se construire ?”, in Roché, S. (dir.), *En quête de sécurité. Causes de la délinquance et nouvelles réponses*, Paris 2003, coll. Sociétales, pp. 297-311.

security within the EU since 1993⁴, and within the areas of freedom, justice and security since 1999⁵. They collaborated at an intergovernmental level; consequently, European internal security was a collective construct based on national understandings and national concerns.

There have, however, been a number of advances in the Lisbon Treaty of December 2007. The action of the European Union has intensified in view of the communitisation (i.e. the extension of EU competences) of the “third pillar”⁶. In this respect, EU action is no longer an intergovernmental process led by the Member States alone. EU action tends to be autonomous, led by a number of institutions defending Member States’ interests and by others defending supranational interests. Although this process of communitisation

⁴ Date of the entry into force of the Maastricht Treaty, adopted in 1992.

⁵ Date of the entry into force of the Amsterdam Treaty, which set up this area, and the Programme of Tampere dedicated to the construction of this area (which was the first EU major political programme concerning the areas of freedom, justice and security).

⁶ Title VI of the EU Treaty was called the “third pillar” when the Maastricht Treaty was signed in 1992. This section (Title VI “Maastricht version”) was related to “Justice and Home affairs” (JHA) and it covered immigration, asylum, police cooperation and civilian and criminal justice cooperation matters for the period 1993-1998. As for Title VI under the Amsterdam Treaty, it related only to police cooperation and criminal justice cooperation. This Title VI “Amsterdam version” covered the period 1999-2009. The legal instruments used in the context of the third pillar derived from international law. Title VI (Maastricht and Amsterdam versions) differed from the rest of the EU Treaty in having been submitted to a mix of intergovernmental and supranational decision-making processes. It means that the EU Council (comprising the EU ministers) passed the law autonomously. The European Parliament was only consulted. The third pillar issues remained strongly national, because EU decision-making is based on unanimity (giving each nation a veto vote).

By comparison, the European Community law (called EC law), based on the principles laid down by the Rome Treaty signed in 1957 and entering into force in 1958, is an original law. It can be very loosely considered as a mix of international law and federal law. According to the Community method, the EU Council and the European Parliament pass the law (so-called “co-decision procedure”). Member States in the EU Council cannot veto the decision.

In this regard, the communitisation of Title VI under the Lisbon Treaty means the application of the Community method to matters covered by the Title VI “Amsterdam version” (police cooperation and criminal justice cooperation).

For more information, see Monar, J., *The Institutional Dimension of the European Union’s Area of Freedom, Security and Justice*, vol. 11, Brussels/New York 2010, Series Cahiers du Collège d’Europe/College of Europe Studies.

is progressive, it nevertheless reflects a paradigm shift (3). Security as a collective construct⁷ is not only the prerogative of the Member States but also that of EU supranational institutions. In other words, EU internal security is not simply an aggregate of elements derived from Member States' internal security. EU internal security is an autonomous construct, characterised by its own proper logic, distinct from Member States' internal security. But, at present, this kind of European internal security is just at the embryo stage as Member States' internal security largely influences the EU's understanding of internal security.

Formerly intergovernmental cooperation between law enforcement services is now under the Community method. This change is likely to lead to modifications in the organisation and functioning of national services that contribute to internal security within the Member States, in particular gendarmeries (4). In this regard, in France, the Gendarmerie is an institution whose forces are devoted to internal security. Indeed, its missions are primarily oriented towards internal security⁸.

Although it is too early to draw conclusions about the effects on gendarmeries of the implementation of an internal security policy across the EU, it is possible to speculate that it will have an impact by offering new perspectives, generating a redistribution of resources between gendarmeries and other national internal security services, and thereby changing the power relations.

2. A European policy in full development

Internal security is relatively new in the history of European integration. Closely linked to the fate of the "third pillar", it first appeared in the 2000s. The terrorist attacks of 11 September 2001, those in Madrid in 2004 and London in 2005 have driven dynamics that have put security issues at the top of the EU agenda. The The Hague Programme, which is the guiding document for the period 2004-2009 concerning the areas of freedom, security

⁷ On the social construction of security, see in particular, Wendt, A., *Social Theory of International Politics*, Cambridge 1999.

⁸ Garcin, P., *La sécurité publique au quotidien. Acteurs, territoires, technologies*, Paris 2007, pp. 24 and 26.

and justice, refers explicitly to internal security. This document, adopted by the Heads of State and Government of the EU at the European Council on 4 and 5 November 2004, stipulates that “Terrorism and organized crime, drug trafficking, corruption, trafficking in human beings, smuggling of persons and trafficking in arms, among other things, continue to challenge the internal security of the EU”⁹.

Although internal security has been discussed for several years now, we must await 2010 to make it a policy in itself, through the European Internal Security Strategy (ISS)¹⁰. The ISS was adopted by the EU Council on 25 and 26 February 2010. It is based on the Stockholm Programme for 2010-2014 which provides the roadmap for the areas of freedom, security and justice¹¹. The Stockholm Programme is a continuation of the The Hague Programme, which provided the roadmap for this area for 2004-2009¹².

In the paragraph entitled “A Europe that Protects,” the Stockholm programme provides a European strategy of internal security because “the enhancement of actions at European level, combined with better coordination with actions at regional and national levels, are essential to protection from transnational threats¹³.” The ISS is a policy document, approved by the EU Council, to mobilise the efforts of the Union and Member States against a set of threats, namely terrorism, organised crime, cybercrime, local cross-border crime, violence itself (i.e. youth violence and hooliganism), natural or man-made disasters and finally road violence. The ISS is a document of operational range. It does not aim to develop or strengthen the legislative framework, but to organise the work of EU agencies and national departments responsible for internal security. In this regard, the ISS evokes a European security model that aims to streamline and optimise the action. “The time has come to

⁹ First paragraph of point 4.1 of the programme.

¹⁰ EU Council document of 23 February 2010, no. 5842/2/10, JAI 90.

¹¹ The Stockholm Programme – An open and secure Europe, serving and protecting the citizens (EU Council document of 2 December 2009, no. 17024/09).

¹² For further information, see Berthelet, P., “Le programme de La Haye”, *Revue de la Gendarmerie nationale* (2005), no. 215 (June), pp. 37-45; “La coopération répressive et le traité de Lisbonne”, *Revue de la Gendarmerie nationale* (2008), no. 226 (March), pp. 13-19.

¹³ Point 4.1 of the Stockholm Programme.

harness and develop common tools and policies to tackle common threats and risks using a more integrated approach: that is the main aim of the Internal Security Strategy¹⁴.”

On the basis of this document, on 22 November 2010 the Commission presented a draft action plan setting out operational objectives on the basis of the guidelines drawn up in the strategy¹⁵. The five objectives are: to disrupt international criminal networks; to prevent terrorism and address radicalization and terrorist recruitment; to increase the security of citizens and businesses in cyberspace; to enhance safety through the management of borders; to strengthen the ability of Europe to face crises and disasters.

Some items in the catalogue of measures presented in order to achieve these objectives, summarised in the appendix, deserve to be highlighted, such as the creation of a European Information Sharing and Alert System (EISAS), a European capacity for emergency response to disasters, the Asset Recovery Offices, and EUROSUR.

It should be noted that measures such as the establishment of Asset Recovery Offices and EUROSUR had been initiated earlier. The EUROSUR project is a computer system designed to improve border protection, and was presented by the European Commission in 2008¹⁶. Focused mainly on strengthening border control and the fight against illegal immigration, it aims to give Member States a better understanding of the situation at their external borders, and improve the response of their competent services in this area. As for EU funding of the measures provided by ISS, it should take place on the basis of existing financial instruments in the context of the financial framework for 2011-2013. Subsequently, the financial commitment could be made on the basis of a European fund for internal security. The fund, which is provided by the Stockholm programme, should be implemented in a broader context of the discussion on EU funding for the period 2013-2020.

¹⁴ Point 2 of the ISS document.

¹⁵ COM(2010) 673.

¹⁶ Communication from the Commission - Examining the creation of a European border surveillance system (EUROSUR) (COM(2008) 68).

The EU Council at its meeting on 2 and 3 December 2010 welcomed the action plan of the Commission¹⁷. It remains to implement all the measures it contains. The ISS is a text intended to be a milestone in European integration since it is the first policy document of programmatic scope of the EU dedicated exclusively to internal security. “One of the notable advances is the fact that the strategy lists a series of threats against which Member States are encouraged to better coordinate their action. This strategy is a document of major political significance in the sense that Member States are required to take into account the threats identified in national priorities, based on the work of the EU on this issue¹⁸.”

3. The “Europeanisation” of internal security

In light of these preliminaries, can we speak of a ‘Europeanisation’ of internal security?

First, we should define terms and clarify the facts that this notion covers. “‘Europeanisation’ can be understood in two ways: firstly by showing that the internal security policy is influenced by Europe and secondly, that this internal policy is defined in part at the European level¹⁹”. The phenomenon of Europeanisation is not limited solely to the legal field, let alone to a transfer of powers from Member States to the Union. It refers to an effect of construction, diffusion and institutionalisation of procedures and norms, formal and informal rules, as well as representations of how to act. It involves both vertical and horizontal impact through emulation and stimulation²⁰.

Leaving aside the mutual influences of national policies, it is interesting to note the presence of interactions between national and European dimensions in terms of security.

¹⁷ EU Council conclusions of 2-3 December 2010, EU Council document no. 16918/10, Press 322, PR CO 41.

¹⁸ Berthelet, P., “La stratégie européenne de sécurité intérieure : un défi pour la Gendarmerie”, *Revue de la Gendarmerie nationale* (2010), no. 235 (June), pp. 32-33 (translation).

¹⁹ Chevalier-Govers, C., “L’eupéanisation de la politique de sécurité intérieure”, in Oberdorff, H. (dir.), *L’Européanisation des politiques publiques*, Grenoble, coll. Europa, 2008, p. 85 (translation).

²⁰ Radaelli, C. M., “Européanisation”, in Boussaguet, L., Jacquot, S., Ravinet, P. (dir.), *Dictionnaire des politiques publiques*, Paris, coll. Références, 2nd ed., 2006, pp. 193-194.

The Europeanisation of internal security takes the form of a bottom-up process by which practices and national standards are exported to European level. In this context, negotiation is a process by which participants from different EU Member States try to introduce into the European text that is being prepared, provisions which serve national interests, and in doing so, impose their standards and practices onto their partners. This bargaining process is similar to a phenomenon of “backwards” transposition. In this context, the European text is adapted to national requirements.

On a more operational level, Europeanisation takes the form of a downward (top-down) process, which occurs in particular through the European internal security agencies. It signifies “a shift in objectives and means, by an adaptation of institutions and modes of operation, for dissemination among the elites”²¹ national cultures. The services are in contact with each other in various forums, whether in the framework of European institutions (working in the EU Council, sending national experts seconded to the Commission, etc.) or professional networks²².

Thus, training agencies, such as the European Police College (CEPOL)²³, are in themselves, agents of dissemination of standards and best practices. The 2008 activity report of the College²⁴ says in this regard that 87 courses and seminars were organised during that year, with more than 2,000 participants from national organisations. 26 of the 27 Member States have organised training courses within the CEPOL and half of the States have sent participants²⁵.

²¹ Terpan, F., “L’eupéanisation de la politique de défense de la France”, in Oberdorff, H. (dir.), *L’Européanisation des politiques publiques*, Grenoble, coll. Europa, 2008, p. 112 (translation).

²² Such as the European Network for the Protection of Public Figures, the European Network on Fugitive Active Search Teams (ENFAST), European network of airport law enforcement services (AIRPOL) and their equivalents: railway police forces (RAILPOL), waterways police forces and inland navigation inspectorates (AQUAPOL) and traffic police forces (TISPOL).

²³ Located in Bramshill, near London, the European Police College organises courses, seminars and workshops in order to share experiences and to train senior police officers in the field of the fight against crime, maintenance of public security and law and order.

²⁴ Document available on CEPOL website: http://www.cepol.europa.eu/fileadmin/website/newsroom/publications/Annual_Report_2008.pdf

²⁵ The satisfaction rate was 93% (figure for the overall satisfaction rate mentioned in the evaluation report for 2009 (p. 7)). Document available on CEPOL website: http://www.cepol.europa.eu/fileadmin/website/newsroom/publications/CEPOL_Evaluation_Report_2009.pdf

In addition, Europeanisation is manifested by the growing influence of internal security agencies on national services. In my book *Le Paysage européen de la sécurité intérieure* (*The European landscape of internal security*), I argued that these agencies, although most are “service providers²⁶” designed to facilitate cooperation and help in the coordination of national services, are not just passive tools²⁷. They are full participants who have their own logic and are pursuing their own goals alongside those of national services. Above all, they influence national actors in their activities and practices (top-down effect).

Conversely, I noted the existence of a phenomenon of Europeanisation of internal security through the action of national security services. According to Didier Bigo, these services, seeking to enhance their interests and positions, forge special relationships and create networks. These “police in networks”²⁸, which cooperate beyond their national borders as part of the fight against growing transnational crime, forge links between one another. Based on competitive relationships and existing alliances, they are especially involved in specific informal networking outside the institutional sphere of the EU, or in any particular formal organisation belonging to the sphere of the EU. The bottom-up effect occurs when national internal security services modify the practices of the European institutions, guide the implementation of European standards and influence the activity of agencies. These services are free to join, get involved in European projects and cooperate with the European agencies. This bottom-up effect occurs therefore through the delivery of (or refusal to supply) information to a particular type of agency. It also leads to active participation in one or the other, according to corporate interests, domestic constraints, or strategies of the competing services.

Moreover, the “Europeanisation” of internal security is characterised by the development of shared values and an overall conceptual framework

²⁶ Genson, R. Zanders, P., “Le développement de la coopération policière européenne – Quel avenir pour Europol?”, *Revue du Marché commun et de l’Union européenne* (2007), no. 504, (p. 5-13) p. 9.

²⁷ Notably through our analysis of the three degrees of integration of agencies (Berthelet, P., *Le paysage européen de la sécurité intérieure*, Bruxelles-Zurich 2009, pp. 331 and further).

²⁸ According to the formula of Didier Bigo in his book: *Police en réseaux. L’expérience européenne*, Paris 1996.

relating to security. These values and this framework can be found in policy documents governing internal security²⁹. They illustrate to the existence of a consensus among Member States and European institutions on the underlying issues related to a policy on internal security. However, if there is a general consensus, it remains the product of negotiations and struggles between actors with diverging interests. The construction of the *référentiel* (referential) is the result of intense competition, as each actor tries to gain acceptance, by the others, of his own approach and vision of internal security.

The referential is a social image, that is to say an image of reality³⁰. Specifically, it is a construction of reality based on the vision of the world (*Weltanschauung*) of the actors³¹. The definition of internal security, as a referential of public action, is a conflict-ridden process. It is the product of coalition games and competition, these games taking place within an arena bringing together actors from different Member States³². It involves a struggle between different bodies (diplomatic, judicial, etc.), between internal security services (civil intelligence, police, customs, etc.), and now between European agencies.

The development of a structured action on internal security, as described earlier in this section, is organised around a referential of public action, itself based on a common vision. Such a vision is the result of sharing ideas between different actors on security and on the definition of the threat. This exchange of ideas, opinions and beliefs about the contours of internal security is a collective effort, based in particular on a common assessment of threats and therefore, by this means, common understandings of existing dangers. “The threats and challenges we face”³³ contained in the ISS and other guidance documents developed at European level, are the product of choices made by European and national actors, be they of political, diplomatic or operational origin. Representations of the threat are being forged in a series of evaluative

²⁹ For instance point 1.1 of Stockholm programme or point 1 of the ISS. See also the section of the Action Plan called ISS “Security policies based on common values”.

³⁰ Gaudin, J.-P., *L'action publique – Sociologie politique*, coll. Amphithéâtre, 2004, pp. 137 and 221.

³¹ Jobert, B., Muller, P., *L'Etat en action, politiques publiques et corporatismes*, Paris 1987.

³² Berthelet, P. *Le paysage européen de la sécurité intérieure*, op. cit., pp. 420 and further.

³³ Point 1 of the ISS.

documents, whether through the OCTA³⁴ or those entering the MADRID project³⁵.

At first glance, these documents provide evidence of the evaluative “objective dangers” and avoid falling into the “*paranoïa insécuritaire*”³⁶. However, they are not reflective of true threats to the Union and the Member States. European agencies and internal security services involved in the development of these texts, select the facts, create links between threatening groups and individuals, and highlight certain trends rather than others³⁷. In this way, they participate actively in the definition of threats.

Above all, the construction of the referential for internal security policy is not the only factor Member States and their national services have to deal with. If one puts aside the private sector, which significantly influences the European decision-making process, the European Parliament and the European Commission both play a significant role in designing responses to public problems. The European Commission is working on this subject, in order to play a role in the development of a European internal security. It is gaining more and more power in areas that fall within the competence of Member States. Its active stance also creates some tensions with the EU Council. The latter criticised the Commission in its conclusions of 3 and 4

³⁴ The Organised Crime Threat Assessment gives a general overview of the field of organised crime in Europe. The document, drafted by Europol, is designed for EU Internal Ministers, in order for them to set up their priorities related to this threat. The latest OCTA (OCTA 2011) can be found on Europol website: https://www.europol.europa.eu/sites/default/files/publications/octa_2011.pdf

³⁵ EU Council document of 26 May 2010, no. 10203/10, JAI 473, COSI 35. The report prepared under this project provides an overview of threats related to terrorism, organised crime and border control of the EU. Based on three documents related to the threat assessment (Europol's Organised Crime Threat Assessment (OCTA), Terrorism Situation and Trend Report (TE-SAT), and Frontex's Annual Risk Analysis (ARA), it described the situation as regards internal security, and proposes a set of actions on the priorities in the ISS.

³⁶ To paraphrase François Dieu (Dieu, F., *Politiques publiques de sécurité*, Paris, coll. Sécurité et société, 1999, p. 11).

³⁷ Bigo, D., “L'Europe de la sécurité intérieure. Penser autrement la sécurité”, in Le Gloannec, A.-M. (dir.), *Entre Union et Nations. L'Etat en Europe*, Paris 1998, (pp. 55-90) p. 84.

June 2010 for its going beyond the Stockholm programme, in light of its communication of 20 April 2010³⁸. The Council stated in this connection that “some of the actions proposed by the Commission are not in line with the Stockholm Programme and that others, being included in the Stockholm Programme, are not reflected in the Communication of the Commission³⁹”

4. Communitisation of the “third pillar” - a paradigm shift

The dynamism of the European Commission must be correlated with the transformation undergone by the legal field of internal security, especially regarding the sector related to police cooperation and criminal justice cooperation matters.

Previously, this area was traditionally the “third pillar”, which meant that decision-making was controlled by the Member States with, as a result, a limited role of the Commission and European Parliament in accordance with the provisions of the primary law. In these areas traditionally belonging to the Nation State (right to dispense justice, right to punish and law enforcement), the diplomatic players and the national security services occupied a prominent place. However, little space was left to those institutions defending a supranational interest, at least under the 1992 Maastricht Treaty, at the time of the creation of a Title VI of the Treaty on European Union dealing with the justice and home affairs.

It must be said that third-pillar matters affect the sovereign prerogatives of States. Dean Labayle once stated that “the right to punish, issues related to public order, cannot be addressed in the same way as are agricultural policy and the marketing of yoghurt pots⁴⁰.”

³⁸ Communication on delivering an area of freedom, security and justice for Europe’s citizens - Action Plan Implementing the Stockholm Programme (COM(171)2010).

³⁹ EU Council document of 19 May 2010 no. 9935/10, JAI 445 (Council conclusions).

⁴⁰ Labayle, H., “De nouveaux instruments pour un espace judiciaire européen : aspects normatifs”, *L’espace judiciaire européen*, actes du colloque d’Avignon, Paris, 1999, pp 130, quoted in Berthelet, P., “L’Europe de la sécurité va-t-elle se construire ?”, op. cit., p. 300 (translation).

Police cooperation and criminal justice cooperation was therefore subject to a *sui generis* legal regime, the third pillar, with specific decision procedures and instruments. Consequently, the adoption of normative instruments fell within the diplomatic approach, involving adoption by the EU Council, by a unanimous vote of Member States⁴¹.

With the entry into force of the Treaty of Lisbon on January 2010, the EU absorbs the European Community and the pillars disappear⁴². Co-decision becomes the normal legislative procedure and extends to matters under the third pillar, namely police cooperation and criminal justice cooperation matters. Normative instruments of common law are applicable in these matters. As for the system of decision-making at the EU Council, it is standard, i.e. qualified majority voting. The existence of a single legal regime is a breakthrough because it puts an end to the legal opacity which, however delightful it may be to third pillar experts, sent a bad signal to the citizen and the practitioner. Institutional law of the European Union was an obscure law and this complexity did not even guarantee efficiency. The removal of the pillars also puts an end to normative “schizophrenia”⁴³. EU institutions often had to choose between the first and third pillar for a legal basis, which implied almost insoluble interminable debates among jurists of European law. Just remember the duplication of texts devoted to the fight against smugglers⁴⁴ or institutional conflicts, the most famous of which was undoubtedly the protection of the environment through criminal law.

⁴¹ See footnote no. 7.

⁴² It means that Title VI of the EU Treaty was dropped when the Lisbon Treaty came into force. Police cooperation and criminal justice cooperation no longer exists as an institutional exception in the EU decision-making process (if we consider that the Community method is the rule). This matter is now integrated in Title V, third part of the Treaty of the functioning of the EU, next to other EU policies.

⁴³ De Kerchove d’Ousselghem, G., “La coopération policière et judiciaire pénale. De la coopération intergouvernementale à la méthode communautaire”, in De Schutter, O., Nihoul, P. (dir.), *Une Constitution pour l’Europe: Réflexions sur les transformations du droit de l’Union européenne*, Bruxelles, 2004, p. 223 (translation).

⁴⁴ Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence; Council framework Decision 2002/946/JHA of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence.

However, this approach to communitisation must be nuanced. It is a piecemeal process in the sense that it started before the Treaty of Lisbon⁴⁵, and it is not quite finished after the entry into force thereof. Therefore, this dualistic vision distinguishing between third-pillar issues and first-pillar issues subject to the rule of common law, should be nuanced. First, intergovernmental and Community approaches are more complementary than antagonistic⁴⁶. Second, the 1992 special procedure presiding over justice and home affairs (Title VI of the EU Treaty of Maastricht), and the 1997 procedure on police cooperation and criminal justice cooperation (Title VI of the EU Treaty of Amsterdam”), have progressively evolved into a Community procedure. This regime has been affected by the growing influence of Community law, to the point that the communitisation of the third pillar is a logical evolution, a gradual shift, rather than a sudden upheaval. The Manichean vision of developing a third pillar against the first pillar must be rejected in favour of a more nuanced approach⁴⁷.

The third pillar regime was already a hybrid one to begin with. As stated by Mary Gautier, the opposition between the Community model and the third pillar model was “assumed”⁴⁸ under the influence of the Maastricht Treaty. “The justice and home affairs’ institutional setup is indeed an original mode of relations between States, which is inspired both by internal and Community laws. This setup therefore calls into question the exclusive nature of the distinction between Community law and international law and allows instead to highlight the existence of intermediate categories”⁴⁹.

⁴⁵ Just to mention in this regard the transfer of materials related to asylum, immigration, borders and civil judicial cooperation in the field of the Treaty establishing the European Community when the Treaty of Amsterdam came into force on 1st May 1999.

⁴⁶ Jacqu  , J.-P., *Droit institutionnel de l'Union europ  enne*, Paris, 6th ed., coll. Cours, 2010, p. 34.

⁴⁷ We had already reported a mixed third pillar law and referred to the existence of a phenomenon of gradation between the first and the third pillar in our book *Le droit institutionnel de la s  curit   int  rieure europ  enne*, Bruxelles-Zurich 2003.

⁴⁸ Gautier, M., *L'influence du mod  le communautaire sur la coop  ration en mati  re de justice et d'affaires int  rieures*, Bruxelles 2003, p. 30 (translation).

⁴⁹ Gautier, M., *op. cit.*, p. 41 (translation).

It is especially interesting to note that, although the specific arrangements of the third pillar are dropped, there are some remnants of the third pillar in the Treaty of Lisbon. These remnants echo the intergovernmental method within the Community method as it existed in Title VI of the EU Treaty of Amsterdam⁵⁰.

5. Impact of EU Internal Security on the gendarmeries: some reflections

What does this imply for the gendarmerie? The first consequence consists of the impact of the Europeanisation on its work. One just needs to read the various paragraphs of the ISS on this. As a document on operational scope, this text is oriented towards anticipation and intelligence sharing. It is intended to stimulate a new momentum with such concepts as the global model for the exchange of information⁵¹.

The European Union is putting pressure on gendarmeries, but it would be somewhat premature to assume that the EU is more or less the main driver of change (whether desired or not). The EU certainly has an influence on redirecting the actions of internal security forces. But, this influence is fairly limited.

Gendarmeries are prone to various tensions deriving outside the EU. These tensions result from reforms of the supervisory authority, the constant redefinition of their mission with regard to changes in crime at the local or regional level, the repositioning of military forces status in relation to that of civil forces, or various internal rivalries between the services within them. They are subject to external constraints of various origins. Moreover, they are traversed by multiple forces and are “torn”⁵² between different projects, ambitions and requirements. Thus, “beyond the apparent institutional unity,

⁵⁰ We can currently find such traces of the intergovernmental method in the Community law in articles of the Treaty establishing the functioning of the European Union. Examples include art. 87.3, which establishes the voting principle of unanimity in the EU Council and consultation of the European Parliament on issues related to operational police cooperation.

⁵¹ Point IV of strategic guidelines for action of the ISS document.

⁵² Dieu, F., *La Gendarmerie, secrets d'un corps*, Paris 2002, p. 312 (translation of *écartelé* (quartered)).

tensions and contradictions that are the engine of social change [...]. Changes that necessarily affect gendarmeries result from conflicting demands of the social environment and of the institution itself. This change takes place, in fact, under the pressure of external factors - such as technical progress, changes in the regulatory framework, the evolution of crime and the organisation of national defence – as well as internal factors, such as the adoption of new employment doctrines and the taking into account of staff expectations regarding improved quality of life.”⁵³

The European Union generates constraints. It imposes new rules and new practices. However, analysing Union action simply in terms of reduced national competences would be too limited a view. The Europeanisation process, rather, represents an opportunity⁵⁴. It allows national services to export their know-how, to enrich their practices through contact with other services, to build alliances across borders, to legitimise their role in the national arena thanks to new expertise gained at European level, or to use the EU internal security agencies to better reposition themselves at domestic level.

The assertion that the Europeanisation of internal security is a source of opportunity is not only true for operational services, but also for national policy makers who tend to blame the EU for allegedly unwanted decisions, which were imposed upon them “from above”. “Thus, we are witnessing a process of passive/reluctant Europeanisation, or at least a process which national elites do not want to make visible. The public authorities shall apply the obligations stemming from their European commitments without openly recognising their European origin and by claiming for themselves potential benefits in terms of safety. This reveals a certain schizophrenia”⁵⁵ from the Ministers of Interior who negotiate and approve the texts of the EU Council (Council for Justice and Home Affairs) and then return to their capital cities, eager to forget their obligations and to reaffirm national priorities for public opinion – and, therefore, for their electorate.

⁵³ Dieu, F., *op.cit.*, Paris 2002, p. 312 (translation).

⁵⁴ Radaelli, C. M., *op. cit.*, p. 195.

⁵⁵ Chevalier-Govers, C., *op. cit.*, p. 91 (translation).

Finally, we may conclude these reflections by stating that Europe does not suppress States; neither does it dissolve their internal security policies. It does not dilute internal security forces, whether military or civilian. While it is undeniable that the EU brings these services to reconsider their organisation, to review the way they operate, to challenge the practices inherited from ancient traditions, to rethink their self-understanding, it is clear that European integration will not lead to a European police force that would supersede gendarmeries. This point, discussed at length in *Le Paysage européen de la sécurité intérieure*, refers to the existing obstacles in this regard⁵⁶. Exceeding these limits is a question of democratic and judicial control⁵⁷. Indications of a stronger integration increase, although for now, “the hammer and his master”⁵⁸ remain national.

To be concrete, the gendarmeries are subject to the national political authority. This authority allocates resources and sets goals and priorities of action through a security policy, and evaluates the work. Moreover, the gendarmeries are bureaucracies in the sense of Max Weber, i.e. an organisation which has a monopoly over legitimate violence. Despite the growing tendency of transnationalisation, the gendarmeries are primarily related to the national political authority. The European Union does not intervene on behalf of the principle of procedural autonomy, to change the internal organisation of security forces. It can, as part of its action, encourage Member States through recommendations and financial support, to reform or redirect the work of their services. In any case, States retain a large degree of freedom. As an illustration, they can mobilise their gendarmerie forces for European-wide operations. However, these operations remain exceptional and the gendarmeries can take part only if the political authority considers that there is neither imperative nor national emergency to keep them within the national territory to carry out daily security tasks. If one starts from the French concept of the “police of the Prince” (Prince in the sense of Niccolò Machiavelli), the gendarmeries are still at the service of a Westphalian Prince, not of a European Prince.

⁵⁶ Berthelet, P., *Le paysage européen de la sécurité intérieure*, op. cit., pp. 191 et s., pp. 231 et s., pp. 286 et s., pp. 493 et s., and pp. 500 et s.

⁵⁷ Berthelet, P., *Le paysage européen de la sécurité intérieure*, op. cit., pp. 527 et s.

⁵⁸ Montjardet, D., *Ce que fait la police. Sociologie de la force publique*, Paris, coll. Sociologie, 1996, p. 15 (translation).

The European landscape is already well advanced, but much remains to be done. The picture of internal security which is currently taking shape still needs to be clarified. It is up to the gendarmeries to meet the challenge and carve for themselves a centre-stage role in this broader picture.

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The European Gendarmerie Force

Bridging the Public Security Gap?

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“...even in Iraq it has become clear that winning the high intensity combat phase of an operation is not enough. The real challenge is addressing the stabilization phase and “winning” the subsequent peace.”

1. Introduction

On 18 October 2007 France, Italy, Spain, Portugal, and the Netherlands signed the treaty for the European Gendarmerie Force. The treaty meant a new step in the cooperation between the *French Gendarmerie*, the Italian *Carabinieri*, the Spanish *Guardia Civil*, the Portuguese *Guarda Nacional* and the Dutch *Koninklijke Marechaussee*. In the following years the membership increased. The Polish *Zandarmeria*, the Lithuanian *Viešjojo Saugumo Tarnyba* and the Romanian *Jandarmeria* joined the EGF in 2007, 2008 and 2009. The Turkish *Jandarma* was granted the observer status in 2009. In the same period the EGF got engaged in three operations: the EUFOR Althea-mission, the United Nations Stabilisation Mission in Haiti (MINUSTAH), and the (NATO-led) International Security Assistance Force in Afghanistan (ISAF).

The purpose of the EGF is to contribute to the maintenance of law and order in the aftermath of an armed intervention². While the maintenance of public order and crime control ask for police deployment, local police often

¹ Rollins, Doctrine # 04 (2004) pp. 28-30.

² Declaration of Intent (2004), publicised on www.eurogendfor.org/referencetexts/EGF%20declaration%20of%20intent.pdf.

is not present during the aftermath or insufficiently trained. Some authors have pointed out the benefit of having gendarmerie units, or constabulary forces in such a situation, especially during the so-called public security gap³. Others have been critical towards the deployment of military type police forces⁴. Although the EGF is mentioned in academic research, until now -strangely enough-, little attention has been paid to the EGF in the academic debate. Certainly the question whether or not the EGF can bridge the public security gap is a valid one. As these gendarmerie units of the EGF have a military statute, they can (temporarily) operate under military command. Unfortunately, military commanders are not very familiar with the EGF and its possibilities. It is for this reason that this contribution has both academic relevance and practical relevance for those who are working in the military or police.

The aim of this article is to determine whether the EGF can bridge the public security gap, in the aftermath of a military intervention. The answer to this question is based on a literature survey and personal observations of the author⁵. First of all the concept of the public security gap will be looked into, as well as the capabilities needed to bridge such a gap. In the second part the EGF organisation itself is the focal point; what kind of organisation is it, what are its aims, its capabilities, and what is, according to its founders, the added value? The final part examines the degree in which the capabilities of the EGF meet the required capabilities in the public security gap. To first put the establishment of the EGF in its historical perspective, the next section will sketch a number of ongoing peace support operations.

³ E.g. David T. Armitage and Anne M. Moisan, *Strategic Forum* (2005)(218); Derek Lutterbeck, *European Security* 14(2005), 2, pp. 231-253; and J.J.C. Voorhoeve, *From War to the Rule of Law; Peacebuilding after violent conflicts*, Amsterdam, 2007.

⁴ A.E. Hills, *International Peacekeeping*, (1996), 5.3., pp. 26-41; Kimberly C. Field, and Robert M. Perito, *Parameters*, 2002-03, pp. 77-87.

⁵ From autumn 2003 until early 2005 the author was part of the Dutch delegation in the technical working group that prepared the establishment of the EGF. Afterwards he kept involved with the EGF. In 2007 he chaired the international working group under the Dutch Presidency.

2. Increasing attention for internal security

In the immediate aftermath of a military intervention within the framework of peace support operations one will often find an environment in which criminal activities thrive, and public order can be endangered through actions driven by criminal and political motives.

In contemporary post-conflict situation, drugs trade, [trade in] illegal weapons, contract killings, smuggling, women- and child trafficking, theft, counterfeiting, fraud, money laundering and other organised crimes occur⁶. Literature shows that there is an increase of crime in the two or three years that follow an armed conflict⁷. At the same time, criminal or politically motivated violence has to be reduced to a minimum in order to achieve rule of law, or -to put it more at large- the creation of a safe and secure environment⁸. It is therefore no surprise that the present emphasis on stability and support operations, as well as the recognition of the nuances in criminality -and the related demands for enforcement- are of fundamental importance for contemporary operations.

Crime control (as well as maintaining public order) form an integrated part of the operational environment and should have repercussions in military doctrines. It is almost inevitable that armed forces will be confronted with a fragile public order in failed states during the aforementioned operations. This requires the military to directly confront this phenomenon, without using combat related skills and drills. The main reason for this need lies in the inability of civilian police bodies, both domestic and international, to respond to crimes in an early post conflict environment.

⁶ A.E. Hills – Military Review Vol. 79 (1999); Part 6, pp. 18-22.

⁷ Charles Call, (red) – *Constructing Justice and Security after War*, Washington, 2007; and Mary Kaldor, Security Structures in Bosnia and Herzegovina, in: Gavin Cawthra and Robin Luckham, *Governing insecurity. Democratic control of military and security establishments in transitional democracies*, London, 2003.

⁸ U.S. Institute of Peace and the US Army Peacekeeping and Stability Operations Institute, *Guiding Principles for Stabilization and Reconstruction*, Washington, D.C. (2009), pp. 38-39 and 73-81; and Colette Rausch, ed., *Combating Serious Crimes in Post-Conflict Societies: A Handbook for Policymakers and Practitioners*, Washington, D.C. (2006), pp. 19-20.

As Jones *et al* already observed, the very first months after the armed conflict are of the utmost importance. They call this period the ‘golden hour’. During this period of time the intervention force may enjoy popular support, and international legitimacy, while insurgents or criminals will be off-balance⁹.

Awareness that the restoration and maintenance of public order has to be dealt with immediately and adequately has grown in recent years. Yet, with this growing awareness surfaced the struggle of the international community in her role to guarantee internal security in the immediate aftermath of military interventions. While more recent operations have been able to benefit from the newly found insights, the international community still experienced difficulty in coping adequately with the problems of public order and criminality. With several initiatives -including the proposal to establish the EGF- countries tried to find a solution for what Michael Dziedzic calls the public security gap.

3. Public Security Gap

The first days of the post-conflict society often show the inability of the international community to establish law and order in peacekeeping and other post-conflict or post intervention situations. For a better understanding of this phenomenon, Dziedzic and others have developed a conceptual framework for the public security gap¹⁰.

Dziedzic’s framework enables analysing disorder problems in an early post-conflict society. He divides the public security gap into three gaps: the deployment gap, the enforcement gap, and the institutional gap. While the last one tends to be more long-term, the first two gaps, Dziedzic describes, tend to be more short-term.

⁹ Seth G. Jones, Jeremy M. Wilson, Andrew K. Rathmell en Jack Riley , (2005), *Establishing Law and Order After Conflict*, Santa Monica, 2005, p. 208.

¹⁰ E.g M.J. Dziedzic, Introduction, in: Robert B Oackley, M.J Dziedzic en E.M. Goldberg (red.): *Policing the New World Disorder: Peace Operations and Public Security*, Washington, DC, 1998, pp. 8-16; and Interkerkelijk Vredesberaad, *The Bosnian Public Security Gap, An Obstacle for Peace*, Report of the working group ‘Policing in Conflict Areas’, 1998.

Hills states that “the practical challenges associated with the military and policing components of a peace operation are those of timing and function”¹¹. She continues by stating that the problem of timing of the deployment of units is relatively simple compared to the challenges related to function, which are more complex, particularly because of the challenges policing tasks pose to the military. The timing of the deployment of units and the complexity of the policing tasks they are confronted with tend to lead to the deployment and enforcement gaps that Dziedzic distinguishes in the public security gap.

3.1. Deployment gap

In the direct aftermath of a conflict, the local police or local public security force may lack either the capacity or motivation to cope responsibly with civil disorder. As a result, the international military peacekeeping force -having a capacity to deploy rapidly in unit strength- will probably be faced with the need to perform certain police functions, at least until international civil police components have arrived and are able to operate effectively. The time between the (possible) retreat of armed forces and arrival of police units creates a deployment gap¹². Examples are the missions in Cambodia (UNTAC), Kosovo (UNMIK), East Timor (UNTAET) and Afghanistan (ISAF).

3.2. Enforcement gap

As soon as -the ‘inner shell’ of public security- fighting individual crimes and small scale disturbances is addressed by an international police component, the military component normally shifts to a “rapid reaction” mode, thus providing the “outer shell”, or area security. Whereas the deployment gap is about timing, the enforcement gap is about function¹³. An enforcement gap is likely to occur when a peace mission is confronted with the need to perform functions that fall between the inner layers (basic maintenance of law and order) and outer layers (area security and non compliance with the peace agreement) of public security. This may form a challenge to the mission because the capabilities of its military and police contingents to deal with

¹¹ A.E. Hills, *International Peacekeeping* 8 (2001), 3, pp. 87-98.

¹² Dziedzic, p. 9.

¹³ Dziedzic, pp. 9-11.

these situations often do not overlap¹⁴. In order to answer the central question in this contribution it is necessary to work out this challenge more in detail and explore why military and police components do not show this overlap.

First of all, looking to the basic maintenance of law and order, an international police force can hardly deal with serious lawlessness and violent domestic disorder. An important reason is that individually operating police officers are oftentimes unarmed. Furthermore, police powers are not always laid down in a mandate, even though they might be derived from it¹⁵. On top of this, it is not always clear what law should be applied¹⁶. At the same time, only specialised military units, such as military police, constabulary units or special forces, have the training and resources to be engaged in law enforcement activities. However, these specialised units are not always incorporated in an international force. An armed, robust police component, capable of performing executive law enforcement tasks in less benign circumstances is therefore needed.

The deployment of regular military units for the maintenance of public order may lead to tension. As mentioned before, the military component is generally speaking responsible for the maintenance of peace agreements. In case one or more of the former opponents is not willing to act in conformity with the peace arrangement, the military component of an international mission may be compelled to intervene or even enforce the accord. If done so, the international mission might run the risk of losing at least one of the parties. This may cause (civil) unrest and may eventually lead to violent opposition against the peace mission, which may clash with the fact that in most cases the

¹⁴ Dziedzic, 1998, p. 11; A.E. Hills, 2001, pp. 80-82; and A.T. Kaspers, E. Barth Eide and A.S. Hansen, NUPI, Working Papers, 2004, Paper No. 4, pp. 17-18.

¹⁵ In this respect, Ducheine -pointing at IFOR and SFOR in Bosnia Herzegovina and, more particular, ISAF in Afghanistan- argues that there is coherence between the mandate, the assigned tasks, the implicit tasks and the Rules of Engagement. He argues that phrases in the mandate (e.g. "to take all necessary means to...") leave space for the use of coercive measures. P.A.L. Ducheine, *Krijgsmacht, Geweldgebruik & Terreurbestrijding. Een onderzoek naar juridische aspecten van de rol van strijdkrachten bij de bestrijding van terrorisme*, Nijmegen, 2008, pp. 330-335.

¹⁶ This is either the case because some post-conflict (e.g. Kosovo) societies possess a multitude of contradictory bodies of applicable law, copies of the existing laws are simply very hard to find, or domestic laws conflict with international law (human rights law).

international community strives for a transition from a repressive regime police force to a democratic police service¹⁷. A gendarmerie force may be a viable solution to reduce the aforementioned tensions and enable the transition.

3.3. Institutional Gap

While the two gaps described before pertain to the relationship between the military and police components of a peace mission, the institutional gap refers to the incapacity of a local government to provide public order, especially when measured against international standards for policing and human rights¹⁸. The latter is closely related to the fact that law and order alone do not guarantee sustainable security. Sustainable security requires that law and order are combined with an adequate measure of justice for all.

Summarising, based on the conceptual framework of Dziedzic, the public security gap calls for a rapidly deployable, armed and robust police component. Besides this, the police component should be able to perform -in close coordination with the military units- all executive policing tasks in less benign situations.

4. The European Gendarmerie Force

Searching to bridge the deployment and enforcement gaps, as described above, several developments can be observed. In Bosnia-Herzegovina, NATO searched for an adequate answer to the challenges SFOR faced with regard to law and order. Under Italian leadership the first Multinational Specialised Unit (MSU) was established in 1998. In the following year MSUs were deployed in subsequently Albania and Kosovo. Both the UN and the EU worked out the establishment of rapidly deployable police units (the Formed Police Units with the UN and EU and the Integrated Police Units of the EU)¹⁹.

¹⁷ Dziedzic, p.11.

¹⁸ Dziedzic, p.14.

¹⁹ As these police units can be deployed within thirty day, they are an important contribution of rapid deployable units that can close the enforcement gap. Both Formed Police Units (FPU) and Integrated Police Units (IPU) are robust police units, ready to be deployed in more complex scenarios and to perform various executive policing tasks. While both units can operate under civil leadership, the IPU can be deployed under a military chain of command under certain circumstances.

A further development is that the deployments of military police (MP) in operations after the fall of the Berlin Wall had an impact on the different role and functions of MP forces. From a rather static, supportive and above all a force focused at the national units, its role and functions changed into a multinational support of combat forces, where an increasingly manoeuvrist approach became apparent. In fact, activities such as mobility support, security, detention, and police functions form the core of the tasks that have been put in the Allied Joint Publication (AJP) Military Police (AJP 3.2.3.3.).

The growing number of police missions, their growing importance, and the need for rapid deployable police units, suitable to execute both substitution and strengthening police missions, have led to the initiative to establish the EGF. On 8 October 2003 the French Defence Minister Michèle Alliot-Marie launched this initiative at the informal meeting of the European ministers of Defence, gathered at Rome²⁰. She suggested Spain, Italy, Portugal, the Netherlands, and France (all countries with a police force having a military status), should work together and create an EGF.

Instantly granted by her fellow ministers, a Technical Working Group was set up and tasked with drawing up a “Declaration of Intent” text enabling the establishment of an EGF, against the background of EUROFOR²¹.

4.1. *Start EGF*

During the Dutch Presidency of the EU, the responsible ministers signed the ‘Declaration of Intent’ in Noordwijk on 17 September 2004. The declaration states that -“contributing in this way to the development of

²⁰ The EGF initiative stemmed from French domestic politics but reflects internal EU dynamics and new 21st-century operational demands. In 2003, French Defense Minister Michèle Alliot-Marie proposed a multinational unit that could be deployed rapidly to assist in police duties. At the time, Alliot-Marie reportedly was in a bureaucratic battle with the French finance and interior ministries. By proposing the establishment of such a force, the French Minister of Defense might have hoped to gain additional budget resources, as well as maintain control over the use of the Gendarmerie (See also Armitage en Moisan, 2005, p. 4).

²¹ In 1995 France, Italy, Spain, and Portugal established the *European Operational Rapid Force* (EUROFOR). This force could be deployed under the umbrella of the Western European Union to perform Petersberg tasks (of humanitarian, peacekeeping and peacemaking nature).

the European Security and Defence Policy and the creation of an area of freedom, security and justice”, “the participating countries will provide Europe with a full capability in order to conduct all police missions in crisis management operations within the framework of the Petersberg Declaration, with particular regard to substitution missions” and offers “a multinational operational structure to those states which intend to join EU operations”, and that it will be able “to participate in initiatives of international organisations in the area of crisis management”²².

With this the participating countries contributed to the European Security and Defence Policy and the creation of a ‘Space of Freedom, Security and Justice’ in Europe. Further examination of the declaration of intent shows that the founders of the EGF wanted it to be an effective tool to carry out police missions during all phases of peace operations, either integrated in a military force or operating under civilian authority. The declaration furthermore mentions three phases: the initial phase, the transitional phase, and the phase of military disengagement. During the initial phase of an operation the EGF would enter an area of operations together with a military force in order to execute police tasks. In the period of transition, the EGF should continue its tasks together with a military force, or independently in order to boost the cooperation and coordination with the local police or international police units. During the military disengagement phase the EGF should facilitate the handover from military to civilian authorities, whether locally or internationally.

It should be noted that the EGF is not an initiative of the European Union (EU), but actually a multinational initiative of five EU members²³. Nevertheless, since it is mainly composed of the same forces as those included by the Member States in the Helsinki Headline Goal catalogue and the capacity of civilian crisis management, stemming from the conference held in Brussels on November 19, 2001, it will be, first and foremost, at the disposal of the EU. If deployed for the EU, the EU Political Security

²² Declaration of Intent, 2004.

²³ Today one might argue that the Lisbon Treaty, Protocol 10 enables the EGF members to put the force as a form of ‘permanent structured cooperation’ under the umbrella of the EU.

Committee (PSC) assumes the political and strategic control. Next to this, the EGF may also be put at the disposal of the UN, OSCE, NATO, other international organisations, or an ad hoc coalition.

4.2. Operational Concept

A few months after signing the declaration of intent, the EGF Permanent Headquarters (EGF PHQ) for the rapidly deployable and robust EGF in Vicenza, Italy, was manned. The Conceptual Framework for EGF operations -describing three scenarios- and the guidelines for the establishment and rapid deployment of standardised EGF units were described and first tested in 2005. In order to ensure an adequate level of interoperability and standardization among all the EGF forces (but also among EGF and other EU forces), the EGF IPU Concept -modelled after the EU IPU- was drafted. In this document two different structures for the EGF IPU are described. Depending whether a unit is tasked with or without an Area of Responsibility (AoR) the structure of the EGF IPU will differ.

When the EGF IPU gets policing responsibilities with an area of responsibility, it will include a staff element, a mobile element, a specialised element, and a logistic and support element. The core of EGF IPU is formed by the mobile element. Based on the assessment of reports and other written or verbal information by the operations room (staff element), the mobile element conducts area patrolling and public surveillance operations; executes civil order maintenance and crowd control; protects people and property, and prevents public disturbances; performs special police operations such as special escorts, VIP protection, vehicle check points etc; carries out information gathering activities; and provides, if required, the adequate level of security and force protection to the IPU facilities. The specialised element consists of a criminal investigation team, an intelligence team and other specialised teams (such as special operations, Explosive Ordnance Disposal (EOD), dogs, traffic control, border policing/illegal immigration and environmental policing).

If the EGF IPU is not assigned to an AoR, but is given a 'functional' responsibility -i.e. detailed tasks stemming from assigned specific functions (i.e. VIP escorting, patrolling, crowd and riot control, etc.), conducted within the AoRs of other IPU's-, the EGF IPU without AoR will not include a specialised element nor operations room in its structure.

4.3. *The EGF operational*

On 23 January 2006 the EGF PHQ attained full operational capability, and -based on the advice of the political-military direction board- the CIMIN²⁴ declared it operational in July of that same year. From that time on the EU has had a unit of eight hundred gendarmes, deployable within thirty days, at its disposal. Feeling the need to deploy its first units, and realising that a deployment under the umbrella of the EU would need the consent of the EU members in the PSC to deploy the EGF, the Dutch Presidency undertook an information campaign to the respective bodies of the EU, NATO and to the capitals of some of the EU Member States. The efforts were not in vain: at the end of 2007 the EGF was given full operational capability of the EGF-manned IPU Headquarters within the EUFOR Althea mission in Bosnia Herzegovina. Starting with an EGF IPU headquarters based in “Camp Butmir”, at its height the contribution of the EGF to the EUFOR IPU consisted of the headquarter element, one company, and the specialised element. In October 2010 the EGF contribution to the mission “Althea” was ended²⁵. From 8 December 2009 on the EGF is engaged with the training and mentoring of the Afghan National Police (ANP). While the training of ANP takes place under the umbrella of the NATO Training Mission Afghanistan (NTM-A), the mentoring of ANP is performed by Police Operational Mentoring and Liaison Teams (POMLTs) controlled by ISAF²⁶. Following the Haitian earthquake, and the subsequent UN request for urgent deployment of self-sustainable police units with crowd control capacities to fill the most urgent security gaps in Haiti, an EGF mission with two Formed Police Units (FPU), and one self-sustainable SWAT (Special Weapons and Tactics) platoon was launched²⁷. Being able to deploy a first substantial contingent within thirty days, the overall contribution within MINUSTAH reached a total of 300 EGF police officers in July. The EGF contribution in Haiti was stopped in December 2010.

²⁴ The CIMIN (High Level Interdepartmental Committee), is the decision making body and the political-military direction board for EGF.

²⁵ *European Gendarmerie Force - Lex paciferat*, publication of CIMIN/EGF PHQ, Vizenca, 2010, pp. 65-67.

²⁶ Ibid. pp. 68-71.

²⁷ Ibid. pp. 72-74.

4.4. Further development

In the years behind, the EGF PHQ (like organisations as the UN, NATO, and the EU) worked out legal, operational and administrative procedures as well as a set of doctrinal documents, to be used as a common basis for operational commitments²⁸. Besides drafting these documents, headquarters initiated a number of exercises in order to enhance the interoperability.

Initially, the EGF PHQ set itself the objective to develop common standards for training in order to reach the highest possible level of interoperability. The training standards would be measured by the distinct factors originating from the different scenarios for deployment. After becoming acquainted with the respective national training standards, the headquarters is in the process of finalising an EGF Training Concept.

Furthermore, headquarters wants the units to prepare before deployment in a combined exercise. These exercises should enforce the insights in each others standard operational procedures and will ultimately lead to unity of action. In order to allow the EGF to respond adequately to requests for a rapidly deployable police force, with sufficient numbers and necessary capabilities, the EGF PHQ developed a 'catalogue of capabilities'. Realising the dual commitments of some of the national contributions to the EGF (to the UN and the EU), headquarters keeps a regular overview of the deployable and deployed units or teams. The catalogue of 2010 shows a total strength of 1,266 police officers out of which 941 rapidly deployable²⁹. A substantial part of the strength can be deployed in units. France and The Netherlands have offered a mixed IPU.

5. Matching Capabilities?

As was described above, the enforcement gap refers to the tasks between military combat and regular policing by the local or international police. These functions range from crime investigation to reactions to civil disturbances

²⁸ I.e. EGF Force Generation Process, EGF Guidelines on a Model SoFA/SoMA, EGF IPU concept, EGF operational concept, Guidelines for EGF Fact Finding Missions, Standardized deployable HQ, Guidelines on reforming local police, EGF Guidelines on local Police training, and Guidelines on EGF force protection.

²⁹ EGF PHQ – EGF Catalogue of Capabilities, May 2010, Vicenza, Italy, p. 2.

and urban violence, and often have to be performed in an unstable, less benign environment with a large presence of military units in the absence of local police or international police.

The capabilities needed are police capabilities, but as -amongst others- Dziedzic and Stark observed, the individual officer of the local police or international police is not capable of handling either large-scale civil disorders or the illicit, criminalised power structures that instigate them³⁰.

Bridging the gap in law enforcement capability, Dziedzic and Stark feel, requires proficiency in the use of less-than-lethal force, as well as in criminal intelligence and investigations. It also needs the capabilities to fight or deter well-organised armed groups. Robust, armed units with good group cohesion seem to be necessary.

Looking at the military units in mission areas, one might ask whether these units have the necessary capabilities to adequately fill the enforcement gap. While some authors assume the inevitable employment of the military in the enforcement of law and order³¹, this is questioned by several others³². Wesley Clark points at its impracticability and puts forward what might be necessary in this situation:

“Most militaries are simply not capable of performing such functions effectively and should not be the primary element responsible for them. Nations will have to create a full range of deployable, robust police-type capabilities as well as provide a legal and judicial structure to support their responsibilities”³³.

³⁰ M.J. Dziedzic and C. Stark – *Bridging the Public Security Gap: The Role of the Center of Excellence for Stability Police Units (CoESPU) in Contemporary Peace Operations* – USIP, June 2006, downloaded on 10 October 2007 from http://www.usip.org/pubs/usipeace_briefings/2006/0616_coespu.html; and Field, and Perito, 2002.

³¹ C. Rausch (red) – *Combating Serious Crimes in Postconflict Societies, A Handbook for Policymakers and Practitioners*, Washington, DC, 2006; and C. Bildt – *Commencement Address 2006*, Pardee RAND Graduate School, Santa Monica, 2006 (downloaded on 9 November 2006 from <http://www.bildt.net/dbdocuments/cb000125.doc>.)

³² H. Geser – *International Policing: A new Evolutionary Stage of Military Organization? Peace-keeping missions in a sociological perspective*, publicised as <http://www.geser.net/inpo.htm>, 1996; Karl W. Haltiner – *Österreichische Militärische Zeitschrift*, (2001), pp. 291-298; Field and Perito, 2002; and W. Clark – *Waging Modern War: Bosnia, Kosovo, and the Future of Combat*, New York, 2001.

³³ W. Clark, 2001, p. 458.

Many authors underlined the usefulness or even need to deploy constabulary forces or gendarmerie forces in the immediate aftermath of the military intervention, and to deal with crime control and civil disturbances³⁴. They also point out the possibility to deploy para-military forces, third forces, police forces with a military status, or auxiliary forces.

In his study for the Scientific Council for Government Policy, Voorhoeve expresses it briefly and to the point: “The domestic security gap between a cease-fire and post war (re)construction of a stable state requires immediate application of international constabulary forces (well-armed police trained to work in a hostile environment)”³⁵.

Comparing EGF’s capabilities with the needs in the enforcement gap, the EGF offers a rapidly deployable, interoperable and expeditionary police force, capable of performing in more robust police missions, in more demanding circumstances, under military command or in close coordination with the military, and -at the same time- well equipped to coordinate with civilian police. This armed, information-gathering force is designed for and has experience in the response to criminal activities or issues related to public order and security, both in the respective countries and in peace missions. All member-forces have gained experience in all kinds of police missions, including more robust missions, over the last years.

So, the capabilities of the EGF seem to meet the demands of the public security gap, yet it may be a good idea to take a closer look at the operability, standardisation, and group cohesion of this multinational force and ask whether the force has reached the level to be effective in all phases its founders determined, in particular with regard to its qualitative and quantitative aspects. Before doing so, the question why there (initially) seemed to be

³⁴ Armitage and Moison, 2005; Field and Perito 2002, Hills, 2001; Lutterbeck, 2005; Karina, P Marczuk – Romanian Military Thinking (2007) nr 1, pp. 125-136; and Robert M. Perito – *Where is the Lone Ranger When We Need Him? America’s Search for a Postconflict Stability Force*, USIP, 2004. Marczuk introduced the term ‘auxiliary forces’ for the contemporary constabulary forces. She derived the term from the old Latin word *auxilia* forces, expeditionary forces deployed by the Roman Empire to maintain public order in its colonies.

³⁵ Voorhoeve, 2007, p. 100.

(some) hesitation to deploy the EGF will be addressed. The relevancy of this question is based on the facts that on one hand this hesitation hinders us to have a clear view on the real added value of the EGF, and on the other this hesitation originates most from reasons other than the qualitative aspects or the quantitative aspect of the capabilities.

5.1. (Initial) hesitation to deploy EGF

Although it seems to be an extremely useful mean, there is still a lot of hesitation to deploy the EGF. The explanation for the hesitation to deploy the EGF may be twofold. For one, the reason might be the decision-making procedures of the EGF Member States for deployment. A second explanation might be found in the decision-making of international organisations such as the EU.

The decision-making process for deployment of the EGF Member States for deployment of the EGF requires unanimity and may have a paralysing effect. Moreover, in cases in which an agreement on a possible mission was reached, attempts to deploy the EGF showed to be hardly successful in a ‘demand-driven’ environment: although EGF in general offered units to be deployed, the organisation hardly reacted on a concrete request for police units from one of the international organisations.

Attempts to review the decision-making process for the deployment of the EGF have failed so far. During the French Presidency in 2009 a start was made to make a difference in documents that need the approval of the CIMIN, and working documents that can be commented by the members of the working group, and finally processed by the commander EGF.

Examining the decision-making in the EU, two aspects stand out. Even though the Dutch Presidency in 2007 put a lot of effort in realising a first deployment of the EGF, the EU was initially incapable of making a call for contribution through the EGF Presidency, next to the standard procedure of calling individual Member States to contribute to missions. The role of the PHQ remained one of coordinator of the individual contributions of the respective EGF Member States. Since the Dutch Presidency of 2007, arrangements have been made between the EGF and the EU to ‘smooth’ the force generation process.

A second aspect that has to be considered concerns the unclarity surrounding the transition of tasks to civil authorities. As stated before, the EGF tries to bridge the gap between military operations and the actions of individual police officers. This intention of the EGF meets the agreements laid down in the Nice Treaty of 2000. The report on the European Security and Defence Policy of the French, who were president of the EU at the time, mirrors the ambition of the EU to deploy police units from the beginning of a peace operation to support the military.

In order to realise this ambition, it should be possible for these police units to first work under military command. Subsequently, the unit should be able to operate under civil authority whenever the situation allows this³⁶. Based on these ambitions the EU developed the IPU-concept, Guidelines for Police Command and Control Aspects of EU Crisis Management, as well as a concept for police substitution missions and a concept for rapid deployable police elements³⁷. Generally, there is no doubt about the quality of the cooperation with the military, but the military character of the IPU that makes this possible causes criticism with some authors³⁸. This criticism is shared by several EU countries. These countries are often not familiar with the gendarmerie-like police organisations. On top of this, and although agreement has been reached that the placement of a police component under military command and the transition of this component to the civilian chain of command has to be dealt with in the planning process, talks with representatives of the EU Council Secretariat show that there is still much unclear how the transition from military command to civil authority actually should take place³⁹. This lack of clarity might contribute to the EU's hesitation to deploy EGF.

³⁶ Vincenzo Coppola – The Birth of the European Gendarmerie, in: *European Common Defence and Criminal Judicial Area*, Stefano Manacorda (red.), Seminar proceedings, Rome, 26th-28th November 2004, p. 54.

³⁷ EU Council, *Guidelines for Command and Control Structure for EU Police Operations in Civilian aspects of Crisis Management*, 7854/02 (RESTREINT), 15 April 2002, Brussels; EU Council, *Comprehensive concept for Police Substitution Missions*, 8655/1/02 (RESTREINT); EU Council, *Concept for Rapid Deployment of Police Elements in an EU-led Substitution Mission*, 08508/2/05 (RESTREINT).

³⁸ E.g. Hills, 1998; and Field and Perito, 2002.

³⁹ Results of the panel discussion on the Transition of Police Elements from the Military to the Civilian Chain of Command; and interviews with representatives of the EU Council; Secretariat, *Civilian Planning and Conduct Capabilities* on 12 March 2008.

5.2. *Qualitative*

Available sources emphasise the added value of the EGF. In particular, they frequently refer to the many similarities the participating forces have. Meanwhile cooperation has intensified: the permanent headquarters in Vicenza is composed of the forces of the different countries, whereas the (key) functions rotate. The combined IPU that France and the Netherlands recently established is another example of further integration. Furthermore, the IPU-headquarters the EGF runned in EUFOR had a combined composition, as well as national (EGF) contribution shaped as IPUs.

Nonetheless, five years after reaching full operational capability of the EGF PHQ, it still seems that some differences between the participating forces need attention. If we look at the outcomes of a longitudinal research on the German-Dutch cooperation by Hagen, Moelker and Soeters, this is not surprising⁴⁰. Although the multinational cooperation as such does not fall within the scope of this article, the differences that need attention can roughly be divided into two categories. The first category encompasses the differences in techniques, tactics and procedures. Coppola pointed at these differences, specifically indicating the differences in the use of force: ‘When the police forces interact with the local population or with the local police forces, it will be necessary to understand what limitations are to be set to the use of force, because this is one of the main problems concerning interoperability’⁴¹. These observed differences in the use of force and firearms -both legally and in the style of conflict resolution- can be explained from the national contexts. The same applies to the degree in which the executive officers in the different organisation have a certain autonomy (often called police discretion). This difference in discretion can partly be explained by the different laws that apply, but partly also from the different styles of leadership.

All this leads to the second category of differences that need attention: the cultural differences. Most of the time, these differences have national origins. For example, differences in leadership styles may influence the perspectives

⁴⁰ Ulrich vom Hagen, René Moelker and Joseph Soeters, (red) – *Cultural Interoperability: Ten Years of Research into Co-operation in the First German-Netherland Corps*, Volume 27, Strausberg, 2006, pp.15-51.

⁴¹ Coppola, 2004, p. 55.

of the different servicemen and women. The first reactions of members of the permanent headquarters point in this direction, yet cannot be confirmed due to a lack of convincing research data.

5.3. *Quantitative*

Besides the qualitative aspects it can be asked whether the EGF is an effective force looking at its numbers. Depending on the extend of the request for police units by international organisations, the size of the EGF can vary between 800 to as many as 2,300 gendarmes. Comparising these numbers with the demand for police units should answer the question whether the volume of the EGF is adequate. This comparison can be executed in two ways: looking at the development of the volume of the demands for police officers for UN police missions or EU police missions in the last few years, or it can be based on indicators that are related to possible areas for deployment.

Starting with the requests for police officers by international organisations, the need for both individual police officers and police units (FPU) has grown significantly over the last ten years. Figures presented at a meeting during the Portuguese Presidency of the EGF on 2 May 2008, underpinned that the requested number of FPUs, forms the main component (95 percent) of the total demand for police. What is striking though is that the number of individual police officers requested almost matches with the number that is actually deployed, the number of police officers that is deployed in FPU's is only a bit more than 65 percent⁴².

The numbers of the EU also show an increase of police missions. At the moment roughly 500 police officers are deployed in several missions. With the transition from UNMIK to the European EULEX-mission in Kosovo, this number has increase significantly. Inquiry with the Civilian Planning and Conduct Capabilities learns that -as far as can be verified- about 75 percent of all authorised functions is actually occupied⁴³. So far, IPU's or FPU's are

⁴² Numbers worked out in attachment of the minutes of the meeting (MINUTES on the EGF presidency and UN (DPKO/PD) meeting in Lisbon (Portugal) on the 2nd May 2008).

⁴³ Referring to functions, authorised by the European Commission, interviews were held with representatives of the EU Council; Secretariat, *Civilian Planning and Conduct Capabilities* on 12 March 2008.

hardly deployed up until now. Police officers of the police mission in Congo-Kinshasa (April 2005-June 2007) were temporarily attached to the Congolese IPU in order to train and advice the members of this unit, which hardly qualifies as an operational deployment of an EU-IPU. The engagement of the two (EGF) FPUs in MINUSTAH in 2010 has been a further step in the deployment of IPU or FPU type police units.

At the Feira European Council in 2000, the EU Member States agreed to put 5,000 police officers at the disposal of the EU for civilian crisis management of which 1,000 should be deployable within 30 days. In the meanwhile, new states have signed the EU treaty, and with the call for more deployable police this number has increased to 1.400 officers. New views on police missions have developed, which may lead to a re-evaluation by the EU, and a further workout based on the (EU) *Civilian Headline Goal 2010*. This will be done by scenario analyses, on which an assessment of the necessary capabilities will be made. This is subsequently compared with the capabilities Member States have already offered, and will show surplus or shortages in different capabilities.

Another method of determining the optimal size of the EGF can be looking at the number of police officers per capita and differentiation by mission, to develop indicators. These indicators can be applied and put against the population of countries with a possible threat of (armed) conflict. By doing so, another picture of the size of call for police units can rise.

Based on a international comparison, Dobbins and others indicate a difference between the need for police officers for unarmed missions⁴⁴ (ratio 23:100,000) and missions with armed police officers with powers of arrest (ratio 161:100,000)⁴⁵. However, they also pointed at the number of police officers needed in cases in which local police do not exist or are hopelessly compromised, in which case they need to take responsibility for public security, as was the case in Kosovo. The military presence in the area left aside, the ratio in such cases (250:100,000) was substantially higher.

⁴⁴ Advisory missions, monitoring missions, training missions, and mentoring missions

⁴⁵ James Dobbins et al – *The beginner's guide to nation-building*, RAND, Santa Monica, 2007, p. 66 ff.

Looking at the inhabitants of the ‘top-ten’ of failed states, the average strength of a police mission will be between 529 and 3,705⁴⁶. In case the international police mission is responsible for public security, this average could mount to 5,750. Even without taking into account the sustainability of the EGF, the contribution of the EGF is just a drop in the ocean from this perspective. Starting from a scenario in which the EGF is deployed in a substitution mission, the Area of Responsibility could be no more than the size of the Dutch city of Utrecht⁴⁷.

In view of the foregoing, it seems entirely justifiable to speak of an imbalance between the possible call for this kind of forces and the volume that EGF can offer. The capitals of the EGF countries will find themselves overstretched in case the appeal for actual deployment is made, especially the Member States can deploy their national contributions to the EGF under the umbrella of other international organisations. Additional volume can only be found in larger contributions of the EGF Member States, the enlargement of the EGF (both members and partners), or a far-reaching cooperation with other gendarmerie-like organisations such as the *Gendarmería Nacional Argentina* from Argentina and the Chilean Carabineros. However, the political realities in the respective countries may cause -because decisions have to be taken unanimously- delay for the time being. If, especially in African countries, similar regional capabilities can be developed by the *Centre of Excellence for Stability Police Units* in Vicenza (sponsored by the G-8), the tensions between the call for these kinds of units and the availability of them should reduce.

A final observation that must be shared regards the availability of strategic transportation, and the providence of logistical support to the EGF and its units. Experiences⁴⁸ so far within the EGF have shown that, unless inserted in a wider logistic chain (under the umbrella of NATO, EU or UN), the

⁴⁶ Based on the Failed States Index 2007 from Foreign Policy http://www.foreignpolicy.com/story/cms.php?story_id=3865&page=7) and figures of respective population from Encyclopaedia Britannica.

⁴⁷ Equivalent in size are the German city of Mannheim, and the Romanian city of Constanta.

⁴⁸ See EGF PHQ, *EGF in ALTHEA Operation - Lessons Learned Report*, 2010, Vicenza; and EGF PHQ, *EGF in MINUSTAH Mission - Lessons Learned Report*, February 2011, Vicenza.

willingness (and possibilities) of one of the EGF Members to act as Logistic Lead Nation (LLN)⁴⁹, and the assignment of self sustaining EGF IPU, the readiness of the EGF and a timely deployment could be effected in a negative way. EGFs readiness can therefore also be affected by the (timely) availability of strategic transportation.

6. Conclusion

It seems the establishment of the EGF may fill the enforcement gap. It is not surprising that other countries -like the US- also point at the necessity to establish similar -often called constabulary- forces, which are suitable to restore and maintain law and order immediately after the formal ending of the armed intervention⁵⁰.

Clarke went further. In his analysis of the requirements following the actions of the military and other armed security forces in the 21st century, he points at the limited utility of heavy combat forces and continues that conventional (light) ground forces and special operations forces have the broadest range of utility for military forces. Clarke's assessment is that the versatile paramilitary forces appear to be most useful and are good candidates for additional investment. These forces are able to make an important contribution to stability operations and civil support. They are able to bridge the gap between military and law enforcement approaches to using force⁵¹.

Following NATO's Istanbul Summit in June 2004, Binnendijk and Kugler explored the need for better forces and capabilities for stabilisation and reconstruction (S&R) operations outside Europe⁵². In trying to define

⁴⁹ Only Italy and France have the capabilities to take the role of LLN. While Italy has stated that it will decide on such a possible role on a case by case criterion, France has made clear that it can only assume the LLN role in case of a civilian mission under the umbrella of an international organisation, and only with the use of existing local structures (EGF Catalogue of Capabilities, 2010).

⁵⁰ Perito, 2004; and Terrence K. Kelly – *Options for Transitional Security capabilities for America*, RAND Cooperation, 2006.

⁵¹ John L. Clarke – *What Roles and Missions for Europe's Military and Security Forces in the 21st Century?*, The Marshall Centre Papers (2005), no. 7.

⁵² Hans Binnendijk and Richard Kugler – *Defense Horizons*, National Defense University, September 2004.

a framework for appraising European forces for S&R they describe the composition of the military forces of NATO members. Describing the Netherlands military, they observe that it has relevant S&R capabilities in such areas as military police, intelligence, civil affairs, CIMIC, medical units, and transport. They continue: “Because the Netherlands military is designed to provide a joint combat force, it has long resisted schemes for it to specialise in any niche area. It probably will make some contributions to NATO S&R forces and capabilities, but not at the expense of altering its basic structure or orientation”⁵³.

Voorhoeve also points at the necessity to increase the size of constabulary forces in order to meet the lack of professional police with international peacekeeping experience. Within this framework he recommends to increase the size and training of ‘The Netherlands’ Marechaussee (constabulary forces) for international missions⁵⁴.

Although the Dutch Government underlined the importance of strengthening the rule of law, and the improvement of the security situation for the citizens involved, it unfortunately did not follow the recommendation to increase the strength of one of the member of the EGF, the Marechaussee.

While the EGF seems to bridge the public security gap, numerous points still need further attention. First of all, there is the question of a clear and transparent document clarifying of the transition from tasks performed under military command to a civil authority for an (EGF) IPU. Furthermore, it should be investigated what other reasons there may be which explain the hesitation to deploy the EGF.

Another area that requires research are the different forms of multinational cooperation between the different gendarmerie forces. Further insights in these cooperations could increase the effectiveness of the EGF. Research into the effects of prolonged cooperation with other forces for Marechaussee personnel deployed in the Netherlands could be worthwhile as well. In particular the use of force should be a point of attention for its small the size (in absolute numbers the smallest contribution within the EGF) this could

⁵³ Binnendijk and Kugler, 2004, p. 4.

⁵⁴ Voorhoeve, 2007, p. 186.

lead to a strategy of assimilation as a result. Dutch norms for the use of force and firearms could come under pressure and disappear in the long term.

Finally, EGFs limited own logistic capacity seems to be the Achilles' heel for a (rapid) deployment. Unless solutions can be found to fill the 'logistic gap', the final strength of an EGF contribution and its timely (rapid) deployment is endangered⁵⁵.

So, the EGF has shown its value and provides in a still growing need for units of the constabulary type. The special cooperation of the European gendarmerie forces in the EGF is still at the beginning and for many issues an appropriate answer has not yet been found. In this quest additional research can play an important role.

Besides this, the question can be raised whether or not the Dutch contribution should not be more substantial. Within this scope, it would be absolutely recommendable to put the capability of a Dutch EGF IPU (self sustainable) on the agenda when exploring the future composition of the Dutch forces within the Ministry of Defence.

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⁵⁵ Like was the case in MINUSTAH mission, where the logistic gap prevented the deployment of an EGF multinational FPU (EGF PHQ, *EGF in MINUSTAH Mission - Lessons Learned Report*).

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Acronyms

ANP	- Afghan National Police
AoR	- Area of Responsibility
CIMIN	- Comité interministériel de haut niveau (High Level Interdepartmental Committee)
EGF	- European Gendarmerie Force
EGF PHQ	- Permanent Headquarters European Gendarmerie Force (Vicenza, Italy)
EOD	- Explosive Ordnance Disposal
EU	- European Union
EUFOR (Althea)	- European Union Force Althea (Bosnia Herzegovina)
EUROGENDFOR	- European Gendarmerie Force
FPU	- Formed Police Unit
IFOR	- (NATO) Implementation Force (Bosnia Herzegovina)
IPU	- Integrated Police Unit
ISAF	- (NATO) International Security Assistance Force (Afghanistan)
LLN	- Logistic Lead Nation (concept)
MINUSTAH	- Mission des Nations Unies pour la stabilisation en Haïti, also known as United Nations Stabilisation Mission In Haiti
MP	- Military Police
MSU	- Multinational Specialised Unit
NATO	- North Atlantic Treaty Organisation
NTM-A	- NATO Training Mission Afghanistan
OSCE	- Organisation for Security and Cooperation in Europe

POMLT	- Police Operational Mentoring and Liaison Team
(EU) PSC	- (EU) Political Security Committee
SFOR	- (NATO) Stabilisation Force (Bosnia Herzegovina)
S&R	- Stabilisation and Reconstruction
SWAT	- Special Weapons and Tactics
UN	- United Nations
UNMIK	- United Nations Interim Administration Mission in Kosovo
UNTAC	- United Nations Transitional Authority in Cambodia
UNTAET	- United Nations Transitional Administration in East Timor
VIP	- Very Important Person

The Romanian Gendarmerie in the 21st Century

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1. Introduction

Following the participation of the Romanian Gendarmerie in the peacekeeping and Common Security and Defence Policy (CSDP) missions performed under the auspices of the United Nations (UN) and the European Union (EU), we can currently affirm that the institutional and professional model of the Romanian Gendarmerie is compatible with similar institutions from other European Union (EU) countries as a relevant factor in international cooperation.

The involvement of the Romanian Gendarmerie in multinational peacekeeping operations, humanitarian aid and monitoring delivered proof that Romania is able to assume the role associated with North Atlantic Treaty Organisation (NATO) and EU membership in actively contributing to the common efforts which envisage the provision of the regional and global stability.

The development of EU security capabilities through the creation of permanent military structures and the increase of crisis-management capabilities demands that Romania be included among the states which provide police forces with military status, capable of successfully carrying out crisis management missions.

2. Considerations regarding the term “European Security”

Starting from the idea that the current international environment is an open-border environment in which the aspects of internal and external security are closely linked, the European Security Strategy¹ identifies the main threats to the security of the European Union. It considers that large-scale aggression

¹ The European Union Institute for Security Studie, *A Secure Europe In A Better World- European Security Strategy*, Brussels 2003.

against EU Member States is very unlikely and that the new threats are much more diverse, less visible and harder to anticipate.

According to the European Security Strategy, these new threats are the following:

- Terrorism, which is seen as a phenomenon closely linked to violent religious extremism;
- Proliferation of weapons of mass destruction, considered as potentially the greatest security threat, especially in combination with the phenomenon of terrorism;
- Regional conflicts, whether frozen or in action, can lead to extremism, terrorism and state failure and provide possibilities for organised crime;
- State failure, which leads to the corrosion of states from within and causes regional instability, ensuring freedom of movement to the other threats;
- Organised crime, with significant threats to the internal security of the European Union. It is specified that Europe is the most important target of organised crime; for example, 90% of the heroin on the European market comes from the opium poppy crops of Afghanistan and the majority of the heroin is distributed by organised crime networks operating in the Balkans.

A correlation of all these threats -terrorism committed with extreme violence, with access to weapons of mass destruction and in collaboration with organised crime networks, in conditions of eroding state authority in a number of states- represents the highest risk possible, which must be taken into account. In view of the possibility of these conditions, the necessity of modifying substantially the classical concepts concerning the implementation of the strategy was the subject of several studies and documents, which propose the establishment of a “Reaction force in the human security domain”, based on civilian and military capabilities existing in the EU.

The main document that proposes new directions of action in the field of human security is the report entitled *A human security doctrine for Europe*², presented in Barcelona on 15 September 2004 by the Study Group on Europe’s Security Capabilities.

² *A Human Security Doctrine for Europe. The Barcelona Report of the Study Group on Europe’s Security Capabilities*, [www.lse.ac.uk/Depts/global/Publications/HumanSecurity Doctrine.pdf](http://www.lse.ac.uk/Depts/global/Publications/HumanSecurity%20Doctrine.pdf)

Published less than a year after the enactment of the European Union Security Strategy by the European Council, the content of the report analyses one of the EU's directions of action that must be implemented in order to become more active and more capable, with the aim of increasing the security of human beings in different parts of the world.

It is considered³ that the content of the report represents a doctrine that helps implement the European Union Security Strategy.

Approaching the domain of human security starts by analysing the identified threats in the EU's Security Strategy, which underline the impact of globalisation in defining the new security environment and identifies the five key threats to European security, mentioned above. However, some specialists⁴ consider that the strategy overestimates some threats, such as terrorism or the proliferation of weapons of mass destruction, in relation to direct threats against human beings.

Following the idea that the European Union Security Strategy does not include the security of individuals among its assumed objectives, as it focuses more on states' security and European security, *A human security doctrine for Europe* report points out the gap between the capabilities to manage security matters and the real security needs. It states that the use of advanced military technologies could have efficient results against governments, but that these technologies are not entirely usable in the case of a public order operation or civilian population protection.

The report also states that, in order to implement a security policy based on the abovementioned principles, the EU must develop two key features. First of all, a legal framework, fully adapted for implementing the "human security" concept, should be adopted. Secondly, the Union needs a structure formed by integrated civilian and military components, able to perform operations based on the principles of human security. In this regard, it is considered that this reaction force in the human security domain could be developed from among the existing CSDP capabilities.

³ Ibidem

⁴ Mark Duffield, *Human security: linking development and security in an age of terror*, 11th General Conference of the European Association of Development Research and Training Institution, 2005.

The personnel of this reaction force in the human security domain could be drawn from different sources, the most important of them being, in my opinion, the police forces with military status, such as gendarmeries, carabinieri or civilian guards. It is important to underline that police forces with military status could serve as models for integration of military and civilian components of any multinational force.

Closely linked with the threats to EU's security, the perpetrators causing the main risks and threats with which Europe is confronted today (terrorism, severe criminality, organised crime, drug trafficking, cyber crime, human trafficking, sexual exploitation of minors and juvenile pornography, economic crime and corruption, arms trafficking and trans-border crime) are quick to adapt to technological and scientific changes in their attempts to illegally exploit the societies of Member States and to also disrupt their values and prosperity.

Identified as a common threat and as the main challenge for the internal security of the EU, the violence itself increases the damage already caused by other crimes and may harm societies in a very serious way, with particular consideration here for hooligans' behaviour during sports events.

The legal instruments of the EU facilitate operational cooperation among Member States, concretised in creating common investigation teams, organising common operations or close cooperation in order to ensure the security of international events, including major football matches. However, progress must still be achieved, especially in the area of a framework of cooperation, aimed at improving security and safety during large sport events or international mass demonstrations.

3. Internal and external security of the European Union

Within the course of action dedicated to guarantee the internal security of the European Union for the next few years, special attention will now be given to the broad and global approach of internal security. We must consider that internal security includes a broad range of horizontal and vertical measures:

- horizontal dimension: in order to reach a proper level of internal security in a complex global environment, the law enforcement and border management authorities should be involved, supported through judicial cooperation, civilian protection services and public sectors of

activity (political, economic, financial, social and private, including Non-Governmental Organisations (NGOs);

- also, we must consider the vertical dimension of security, seen at different levels: international cooperation, security policies and initiatives undertaken at EU level, regional cooperation between Member States and own national, regional and local policies of the Member States;
- at the same time, we underline the external dimension of internal security-cooperation with third countries. We cannot speak about internal security without taking into account the external dimension, because internal security depends more and more on external security. International cooperation undertaken by the EU and between its Member States, both bilateral and multilateral, is essential for guaranteeing the rights of our citizens and promoting the security and respect of human rights overseas. Within the EU's policies towards third countries, I think that security should be considered a key factor and also that a number of mechanisms intended to coordinate security and other interfacing policies (among which the external policy, where security issues should play an important role through an integrated and proactive approach) must be elaborated on.

As far as external security is concerned, the EU should not limit cooperation between the law enforcement agencies of Member States with those of third countries, especially with neighbouring countries. The relations with other countries should be established by means of a global approach to security, by closely collaborating with them and, depending on the situation, by sustaining their institutional, economic and social development. This working system implies setting up new dialogue possibilities, depending on the common domains of preoccupation and interest, which could be identified as possibilities for cooperation on a case-by-case scenario. Cooperation and coordination with international organisations in the field of law enforcement have to be consolidated. In Member States, bilateral, multilateral and regional approaches must be initiated, in order to fight a number of specific threats. The efforts to combat trans-border crime outside the EU, as well as developing the idea of respecting the legal framework, become extremely important. In conclusion, compliance with Common Security and Defence Policy (CSDP) must be consolidated, especially among the EU's agencies and those participating in missions. Also, it is very important to include law enforcement services and the responsible bodies within the justice and security domains in all the stages of a civilian crisis management operation,

so that they have the possibility of playing a role in solving conflicts through collaboration with the other services present in the field (military, diplomatic or emergency services etc.). Special attention should be given to “fragile and failed states” in preventing them becoming breeding grounds for organised crime and terrorism. In this regard, the internal security strategy indisputably ties in with the 2003 European Security Strategy on the CSDP pillar by approaching the risks and threats at a worldwide level and by promoting the fact that social, political and economic development of the global society represents the best way to gain an effective and durable security⁵.

4. The role and place of the Romanian Gendarmerie within the public order forces

The various transformations which determine the evolution of the security environment impose, at national level, a complex process of modernisation and alignment of all institutions to European standards. For Romania, a unanimously accepted strategic objective is to meet the EU’s post-accession conditions.

The Romanian national security strategy states that the risks and threats to the national security of Romania are mainly perceived from the status of the country as full member of the EU and NATO.

A brief comparative study between the most relevant risks and threats to Romanian national security, as envisioned in the National Security Strategy, and the ones identified in the European Security Strategy is extremely interesting:

Main risks, threats and dangers to security	
<i>Romanian National Security Strategy</i>	<i>European Security Strategy</i>
International terrorism	Terrorism
Proliferation of weapons of mass destruction	Proliferation of weapons of mass destruction
Regional conflicts	Regional conflicts
Inefficient government	States’ failure
Transnational organised crime	Organised crime

⁵ *The internal European Security Strategy*, <http://search.sweetim.com/search.asp?q=strategia+de+securitate+a+uniunii+europene&ln=ro&start=10&src=1010&lcr=1>

From the same perspective, a re-evaluation of the thoroughness of the reform at the level of public order and safety institutions was carried out and elaborated in the National Public Order Strategy for 2010-2013⁶, a programmatic document that is correlated in visions and values with the provisions of the European Union Internal Security Strategy.

Main challenges for internal security	
<i>National Public Order Strategy for 2010-2013</i>	<i>European Union Internal Security Strategy</i>
-	Terrorism, in all its forms
Organised crime	Serious crime and organised crime
Economic and financial criminality	Cyber crime
Crimes committed abroad by Romanian citizens	Trans-border crime
Rise of hooliganism, sometimes even street fights between rival groups of fans	Violence for its own sake, especially violence of hooligans during sports events
Disasters and calamities	Natural and man-made disasters
Road safety	Traffic accidents
Migration	-

Civilian crisis management performed by the EU requires operational structures with proper training and organisation, keeping in mind the conclusions drawn after the stabilisation operation conducted in the Balkans at the beginning of the '90s. Thus, in June 2000, during the Summit of Feira, the 15 members of the EU established the development of civilian capacities for crisis management as a priority. Also, they convened to form a police force, based on voluntary cooperation until 2003, whose components could be deployed in 30 days in order to perform such crisis management operations.

In order to ensure the operability of this structure, Integrated Police Units are employed. These units, formed by flexible and interoperable police forces, are ready to fulfil their missions in the field of public order during the

⁶ *Government Decision 1040/2010 for approving the National Public Order Strategy 2010-2013*

transition phase from the military management of the crisis to the exertion of the civilian authority that follows.

The European Union's Nice Summit, held in December 2000, established the European Police Force concept of operations, based on two options:

- strengthening the capacity of local police forces, through training, assisting, controlling and mentoring;
- substitution of deficient local police forces, by means of performing specific operations for restoring public order, protection of goods and persons, judicial police operations, fighting organised crime and terrorism.

With the creation of the European Gendarmerie Force in 2004, an instrument comprising exclusively police forces with military status was put at the EU's disposal.

Gendarmerie-type organisations, through their capacity to cover the whole spectrum of police missions and their military status, could be deployed in full complementarity with the military component of crisis management operations. They can act at the beginning of the military commitment, answering to the imperative principle of command unit, and may provide logistic support and projection capacity similar to the armed forces. Integrated in a strategic planning process, they insert an elastic element in the management of crisis situations, possessing capabilities in the two major domains previously presented: substitution and consolidation of local police forces.

Due to those characteristics, gendarmerie-type forces represent the binding element between the military component and the other civilian crisis management components.

From an operational point of view, in the initial phase of the mission, police forces with military status could enter into the theatre together with the military component, in order to carry out specific police tasks. In the transitional phase, the forces could continue their mission independently or in cooperation with local or international civilian police units. Finally, in the exit phase, they could facilitate the handover of responsibilities process to the civilian authorities and the agencies involved in the stabilisation efforts⁷.

⁷ *EGF Mission*, <http://www.eurogendfor.org>

Romania, like a number of other EU Member States, has two types of police forces: the Romanian Police – civilian status and the Romanian Gendarmerie – military status. The law on the organisation and function of the Romanian Gendarmerie states the participation in international missions as one of the organisation's tasks. Those missions focus on training activities, forming international forces dedicated to fulfil specific tasks for preventing conflicts and management of crisis situations, and strengthening -mentoring, assisting, training and controlling- local police forces or replacing them in every domain of activity⁸.

The operational capacity of the Romanian Gendarmerie comprises the following components: organisational structure (as a military system divided according to the administrative organisation of the country), specific armament and equipment, its capacity to regenerate and to re-organise, cohesion of forces, discipline, training in professional intervention, and interoperability of its procedures of action.

The capability of responding flexibly and rapidly represents an essential element of the military units that are involved in police missions during civilian crisis management operations. With regard to gendarmerie-type organisations, this potential is incorporated into the training of the units and sub-units that operate in theatres in intervention skills, a training which is based on the adequate selection of personnel and specific high-performance materials and equipment used during the missions.

The quick reaction capability is intended to provide the possibility of successfully completing missions, in accordance with the mandate of the Force, in the shortest possible time from receipt of the mission's request, issued or transmitted by the National Command Authority or by the authorised commander under the military hierarchy. In many crisis management operations, the capability of reaction and rapid action is paramount, much more than other operational concepts, in order for the operation to be successfully carried out and the mandate accomplished. The reaction must be rapid, as the hostile action that needs to be counterbalanced is a quick progression of sequences which could cause unexpectedly large damage, if not stopped in the shortest possible time.

⁸ Law no. 550 of 29.11.2004, on the organisation and function of the Romanian Gendarmerie, art. 19, paragraph „o”

Flexible action is defined as the capability of rapid interchange from one mission to another, for example from restoring public order to maintaining public order, and also the capability of quickly changing tactics, from defensive actions to offensive actions and vice versa.

The Romanian Gendarmerie, as a police force with military status, has made an important contribution to the overall effort of ensuring peace and stability in Europe, both by participating in the UN Mission to Kosovo (UNMIK) between 2002 and 2008 with 6 contingents, as well as ensuring the continuity of the efforts to ensure regional stability within the new EU Mission EULEX, currently in progress. In accordance with the international mandate, the Romanian Gendarmerie Unit (a Stability Police Unit [SPU]), based in Kosovo, carried out a wide range of permanent and temporary operations, such as anti-terrorist protection of a number of objects and persons, anti-terrorist intervention, and involvement in the dismantling of organised crime networks.

Anti-terrorist protection was performed through:

- guarding and defence of the SPU's own base camp;
- guarding and defence of several administrative buildings;
- guarding of the residences of people involved in the judicial process;
- ensuring security measures for airports, railway stations or bus stations during special shipments;
- guarding and protection of special convoys;
- escort and protection of VIPs, official delegations or persons nominated by UNMIK or by EULEX;
- escort of "A" category detainees (war criminals) to the courts located all over Kosovo;
- Anti-terrorist intervention was carried out through missions for rescuing hostages.

Involvement in dismantling of organised crime networks consisted of:

- conducting police operations independently or in cooperation with local police forces, such as high-profile arrests and crackdowns performed in different locations;
- seizure of weapons and drugs.

At the same time, several missions for maintaining, ensuring or restoring public order were performed as follows:

- public order maintenance in urban environments, independently or in cooperation with civilian police officers;
- ensuring and restoring public order during meetings or protest marches (authorised or spontaneous);
- ensuring and restoring public order during official visits;
- maintaining and ensuring public order in crowded commercial areas;
- ensuring public order during cultural or sports events.

In conditions involving the risk of attacks from hostile forces, the mission of escorting prisoners, war criminals, Serbian ethnical groups and special convoys, other than the special shipments, represented a special challenge. During its participation in international missions, Romanian Gendarmerie units acted in accordance with their previously acquired skills, mainly during their specific missions performed on national territory.

In conformity with the Public Order and Security Strategy and with its own legal organisation, the Romanian Gendarmerie has the means available to help implement the objectives established in the most relevant fields in the internal security domain.

In the field of counteracting terrorism, the Romanian Gendarmerie ensures anti-terrorist protection of the facilities under permanent responsibility of the organisation, as well as of other buildings and objects, depending on the operational situation.

Prevention of terrorist behaviour is a priority within the Romanian Gendarmerie's concept of operations. Based on the operational situation, the prevention and discouragement segment focuses on uncovering and seizing all factors that could intermediate and facilitate terrorist actions. The activities of antiterrorism protection and intervention are performed in accordance with legal provisions and represent the entire system of defensive measures taken by specialised units to reduce the vulnerability of the objects under the Romanian Gendarmerie's responsibilities, which could in themselves become targets for terrorist acts.

In this regard, the main operations performed by the Gendarmerie's units are:

- anti-terrorist protection (and anti-terrorist intervention) of the buildings and objects under the responsibility of the Romanian Gendarmerie, with priority for diplomatic facilities, foreign economic agencies and representatives and premises of international organisations and bodies;
- protection and intervention of buildings and objects of high importance;
- involvement in operations for preventing and neutralising terrorist acts on national territory, independently or in cooperation with the other state's authorised enforcement organisations;
- participation in counterterrorist operations upon request of the Antiterrorist Operative Coordination Centre or the National Antiterrorist Action Centre;
- in cooperation with other state's authorised enforcement organisations, performing operations for prevention and neutralisation of terrorist acts during official visits or other activities that high-ranking Romanian or foreign officials attend on Romanian territory; operations may be carried out in the area of the buildings, objects and locations where the activities take place;
- participation, upon magistrates' requests and in cooperation with magistrates, in performing a number of procedures regarding investigations;
- ensuring the protection of shipments of weapons, munitions, explosive materials, toxic and radioactive substances and other dangerous substances;
- upon request, providing protection to persons, objects, goods, valuables and special shipments, other than those established through Government Decision;
- intervention to capture or neutralise persons who use fire arms or other devices that may endanger the safety of persons, goods, valuables and special shipments;
- according to the law's provisions and upon the request of competent authorities, participation in pursuing and retaining fugitives or prison escapees.

In the field of countering the proliferation of weapons of mass destruction, the Romanian Gendarmerie possesses competences in ensuring the physical protection of nuclear materials and radioactive substances, mainly through ensuring the surveillance and protection of the shipments of these materials

or other dangerous substances as defined in the legal framework. The Romanian Gendarmerie also has capabilities for the guarding and protection of strategic nuclear facilities.

During these operations, specialised units of the Gendarmerie cooperate with units of other forces from the public order and security system or other bodies with tasks in the field, such as the Nuclear Protection Unit within the General Directorate of the Fight Against Drugs and Organised Crime, and the National Centre for Intervention Coordination within the General Inspectorate of Emergency Situations.

In the field of preventing and combating organised crime, the Romanian Gendarmerie performs the following operations:

- upon the request of the Public Ministry (Directorate for Investigating Organised Crime and Terrorism Crimes), combats the specific crimes associated with organised crime, especially through house searches and high-profile arrests;
- ensuring the protection of magistrates during the progress of penal investigations, the protection and escort of witnesses with protected identities, the protection of public persons (magistrates and public servants);
- enforcing the arrest warrants issued by the competent authorities according to the law's provisions;
- together with the structures for combating organised crime and drug trafficking, acts to solve cases in which persons or groups of persons are involved in illegal actions;
- upon the request of the National Prisons Authority, supports the specific actions of searching and uncovering forbidden objects possessed by persons in detention;
- supports the Romanian Police in its specific operations;
- cooperates with the Romanian Border Police in combating trans-border crime, uncovering and retaining groups of persons that enter the country illegally or persons trying to cross state borders illegally, after committing serious crimes on Romanian territory.

5. Conclusions

After the presentation of the points set out above, we can conclude that as the war on terror progresses, the ability of state authorities to establish sustainable (“human”) security in post-conflict societies will become more and more important.

Lessons learned from previous operations carried out within the international environment by gendarmerie forces, showed that a better understanding of so-called “constabulary” forces (MSU, SPU, IPU) is paramount⁹.

The Romanian Gendarmerie and all the other gendarmerie forces demonstrate that they are highly capable, versatile and effective, if properly utilised – all they need are clear mandates, common doctrine and a joint training programme (meanwhile a number of forward steps have been taken).

All of these added values were incorporated in the concept of Stability Police Units, meaning gendarme-type peacekeepers specialised in managing the transition from a post-crisis situation to a more stable context for reconstruction. They are the only military structures able to deal with a wide range of tasks found in the “grey” area of operations performed by the military and police, and also, in the neighbourhood of “policing” and “peacekeeping” concepts.

The Romanian Gendarmerie, like all gendarmerie forces, is capable of taking on law enforcement functions, as well as the threats to public order – they can respond to severe situations, such as large-scale civil disturbances, and also assist the civilian police by performing law enforcement operations such as high-profile and dangerous arrests in cases involving terrorism and organised crime.

Their value in creating post-conflict stability within CSDP missions fully justifies the efforts made for the establishment and training of Integrated Police Units – as establishing the rule of law is one of the most recommended tasks for all gendarmerie forces.

⁹ Robert M. Perito in *“Where Is The Lone Ranger When We Need Him ?”*, Washington DC 2004.

The evolution of the international security environment, the advantages and, equally, the obligations implied by Romania's membership of NATO and EU, set the national security organisations a double challenge.

First of all, externally, they will have to focus their efforts in a unified concept, according to the directions and evolution implied by Euro-Atlantic integration, in order to develop components that could be integrated both conceptually and operationally within the NATO and EU systems for preventing conflicts and carrying out crisis management.

Second, the most efficient solutions to internal vulnerabilities must be found. These vulnerabilities are amplified by the risk factors of the international arena.

The synergic effect of the internal and external risk factors is determined by the interaction and inter-conditionality of global threats with the internal evolution processes of the public order and security domain. In these conditions, the public order and security forces have to intensify their cooperation, including common use of the capacities determined by the statutes and competencies of each organisation.

Taking into consideration the main threats to the internal security environment, determined by the external risk factors, cooperation between public order forces takes place in preventing and combating economic and financial crime, trans-border crime and organised crime, and in combating violent behaviour and restoring public order.

In this context, the place and role of the Romanian Gendarmerie within the public order and security system should be approached from two directions: as the main public order force, focused on accomplishing the internal security objectives, and as a police force with military status, with capabilities available for crisis management operations performed under the aegis of international organisations or within ad-hoc coalitions.

The contribution of the Romanian Gendarmerie to the development of the EU's crisis management capacity, characterised by flexibility and interoperability, is a part of Romania's efforts to consolidate its potential as a pillar of stability in Europe, together with active national involvement in all NATO initiatives in the same area.

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The need for gendarmeries in the years ahead

By Mehmet Bingöl
Major of the Turkish Jandarma

Prologue

Public order and security, at both the national and international levels, are currently facing challenges that were not common in the past. In the dynamic environment created by globalisation, the challenges to security, involving public order and legal organisations, have diversified. Threats such as terrorism, cyber terrorism, rebel and dissident movements, ethnic-religious conflicts, proliferation of weapons of mass destruction (WMD), and international criminal organisations have increased and substantially changed security perceptions.

Within the scope of changing security perceptions, providing internal security receives priority in the face of challenges that are gaining in strength and may pose a threat to the integrity of states. Public order and security in this transformed security domain require that dynamic and flexible law-enforcement capabilities are in place that can function in both a civil and military manner. In that context, gendarmeries with military status can be considered ideal law-enforcement bodies, capable of performing a wide range of duties and tasks wherever they are needed.

Compared to other law-enforcement bodies, gendarmeries are generally better capable of responding to complex or asymmetric challenges. For example, civil disorder, riot control, the suppression of uprisings and combating terrorism are typical fields where gendarmerie forces can be more efficient than their civilian counterparts. This may be the reflection of the intermediate status of gendarmeries between that of a civil police force and that of a conventional military force.

The challenges mentioned above require a robust and determined response. Regular law-enforcement bodies are unable to provide the solution, while if regular armed forces fulfil these duties, there is an increased risk that excessive or disproportional amounts of force are used.

Gendarmeries are arguably the best instrument to manage and prevent crises because they are home-based forces and carry out law-enforcement duties on a daily basis. The military capabilities of a gendarmerie force offer unparalleled possibilities for decision-makers, being one of the many law-enforcement bodies at their disposal.

The increasingly important roles of gendarmeries in peacekeeping missions are the result of their professionalism in both civilian and military affairs. The conventional military can be used in the earliest stages of peace-enforcement operations, but in the later phases of peacekeeping, from conflict prevention to peace building, gendarmeries are the preferable instrument to help ensure public order and peace.

The excessive force used by marines offers a possible explanation for the high number of casualties suffered by the United States in Iraq and Afghanistan. This article will discuss the gendarmerie organisations in a number of European countries and look at the typical duties of the gendarmeries of a few EU members. Finally, it will illustrate the need for gendarmeries in the future.

1. Introduction

In today's world, public order and security are exposed to a variety of threats that is unparalleled in the past. Due to the dynamic environment created by globalisation, threats against national security as well as public order and legal institutions have diversified. Asymmetrical threats such as terrorism, separatist movements, ethnical and religious conflict, proliferation of weapons of mass destruction, international organised crime and cyber terrorism have emerged as new parameters, substantially changing our perception of security¹.

When threats aimed at destroying a country's integrity tend to intensify both inside and outside a country's borders, it becomes essential to provide and protect internal security on the basis of a different perception of security. Assuming that asymmetrical crime and threats will surpass conventional warfare in this century, one cannot escape the conclusion that the most appropriate entity to counter such crime and threats are gendarmerie forces, being law-enforcement institutions with a military status.

¹ Kari Laitinen, *The Conception of National Security in Contemporary Power Politics - A Critical Analysis*, Conference Papers-International Studies Association; 2005 Annual Meeting, Istanbul.

In a newly-shaped security environment, public security systems are forced to establish law enforcement institutions with a dynamic and flexible structure, organised to cover the entire country. A gendarmerie with a military status, which maintains general public order and security and is capable of performing a wide variety of duties assigned to it, in addition to its regular sphere of responsibility, will prove to be an ideal law-enforcement institution².

This article aims to analyse the gendarmerie organisations in a number of European countries. In addition, it looks at certain components of the area of responsibility of gendarmeries in certain European countries whose democratic systems are an example to the world. Finally, it offers an explanation of why Turkey's gendarmerie organisation is functioning effectively.

2. The gendarmerie organisations of a number of European countries

The first gendarmerie organisation was set up in France during the French Revolution. Other European states also began to establish gendarmerie organisations during the nineteenth century. In general, gendarmeries were organised as law-enforcement institutions with military status and their mission was to provide public order and security within a state.

When analysed separately, it becomes clear that although there are differences between the gendarmerie organisations in European countries, they also have characteristics in common. Each of them is subordinated to two government bodies in their respective countries, namely the Ministry of Defence and Ministry of the Interior. In addition, they are organised along military principles, and therefore more centrally and hierarchically administered in comparison to other institutions³.

Since gendarmerie organisations are equipped with armoured vehicles, small aircraft, helicopters and light weapons, which other law-enforcement institutions do not have, they are able to counter asymmetrical threats more

² Derek Lutterbeck, 'Blurring the Dividing Line: The Convergence of Internal and External Security in Western Europe', *European Security*, Vol. 14 (Summer 2005) Issue 2.

³ Pierre Gobinet, 'The Gendarmerie Alternative: Is There A Case for The Existence of Police Organisations with Military Status in The Twenty-First Century European Security Apparatus?', *International Journal of Police Science & Management* Volume 10 Number 4.

effectively. Their military defence capabilities can also be used in wartime situations, adding substantially to their functionality besides their law-enforcement duties.

In that sense, the most prominent example of a military law-enforcement institution in Western Europe today is the French Gendarmerie, the *Gendarmerie Nationale*. It is subordinate to both the French Ministry of Defence and Ministry of the Interior. Although it falls under the Ministry of the Interior in the operational sense, it remains an official component of the French Armed Forces. It is responsible for ensuring public order and security in the countryside and small towns⁴.

In keeping with its partly military status, the French Gendarmerie has heavy-calibre ammunition, armoured vehicles, helicopters, and tanks at its disposal. In addition, it assumes critical responsibilities in wartime, such as the protection of vulnerable locations and the gathering of intelligence⁵.

An organisation with a more dominant military character than the French Gendarmerie is the Italian Corps of Carabineers (*Carabinieri*). Just like the French Gendarmerie, the Corps of Carabineers forms part of the Italian Armed Forces. It comes fourth in the hierarchy after the Army, Navy, and Air Force and it takes part in all military operations in the country. Its military aspect is more dominant than that of the French Gendarmerie. The Carabineers fall under the authority of the Ministry of Defence for most of their duties⁶. Among the organisation's main tasks are the fight against organised crime and responding to public-order incidents. The Corps of Carabineers has a wide range of military equipment at its disposal, including aircraft, helicopters, armoured vehicles, patrol vehicles, and light-calibre weapons⁷.

In addition, there is a second national law-enforcement institution with military status in place in Italy. That institution is the financial or customs organisation known as the *Guardia di Finanza*. Partly military in structure, the

⁴ National Gendarmerie, http://en.wikipedia.org/wiki/National_Gendarmerie, 16 November 2009.

⁵ Ibid

⁶ Carabinieri informs the Ministry of the Interior

⁷ Carabinieri, <http://www.carabinieri.it/Internet/Multilingua/EN/default.htm>, 16 November 2009.

Guardia di Finanza is responsible for combating cross-border economic crime and tax evasion. In a similar fashion as the Carabinieri Corps, the *Guardia di Finanza* is subordinate to the Ministry of Defence and to the Ministry of Finance. It combines law-enforcement duties with military-defence duties.

Another organisation with a number of similarities to the French Gendarmerie is the Spanish *Guardia Civil*. Like the French Gendarmerie, the *Guardia Civil* has enjoyed substantial support from the Spanish people in its fight against insurgents, especially ETA, and for providing relief to the civilian population during the country's nation-building process in the 19th century. It has always played an important role in Spanish history. Nowadays, the *Guardia Civil* is actively involved in fighting terrorism and separatist factions such as ETA.

The *Guardia Civil* is subordinate to the Ministry of Defence and the Ministry of the Interior, just as other gendarmerie organisations. Although the *Guardia Civil* is not officially part of the Spanish armed forces and is managed by a civilian General Director, it has preserved its military character. It is powerful in terms of equipment, and it also has a military defence role. During wartime, it is automatically placed under the authority of the Ministry of Defence and performs conventional defence duties⁸.

In countries with dual law enforcement systems at the national level, such as France, Spain and Italy, gendarmeries are mainly responsible for ensuring public order outside city borders, while the civilian police perform their duties in cities.

When comparing the duties assigned to gendarmeries to those of other law-enforcement agencies, it appears that the gendarmeries' duties tend towards countering threats or situations that are more complex, difficult and asymmetrical. Typical tasks of police forces with military status are, for instance, responding to major public-order incidents, controlling insurgencies, and anti-terrorist efforts. In a sense, this could be interpreted as reflecting their in-between status. That is to say that the abovementioned challenges are often felt to require a more forceful and tougher response than could be given by ordinary law-enforcement agencies. Yet, at the same time, it is generally not deemed appropriate to have regular armed forces take part in such duties, due to the risk that they might use disproportional force.

⁸ J.Gn.K.İği, *Dünya Jandarmaları*, J.Gn.K.İği Basımevi, Ankara, 2009.

Law-enforcement agencies with military status, such as gendarmeries, are increasingly being used in border control, counter-drugs operations and combating human trafficking, both in the EU⁹ and the USA.

The basic drive behind that development is the increasing concern about a number of transnational challenges, ranging from illegal migration and drugs trafficking to international terrorism, and the recognised need to keep undesirable events outside the borders of states.

Furthermore, given the growing threat and professionalism of transnational criminal organisations operating in the European neighbourhood, the usefulness of institutions with military discipline, completely organised per nation, and well-equipped and experienced, is widely accepted in fighting these threats.

The duties and effectiveness of law-enforcement agencies such as gendarmeries are not limited to border security. In relatively peaceful conditions, law-enforcement agencies such as gendarmeries can play an important role in responding to problems between communities, providing humanitarian aid, and building and protecting peace. It is not considered appropriate to use conventional army units for such activities, which have a predominantly humanitarian aspect¹⁰.

European countries that have given their gendarmeries a substantial role in their own internal security systems have commissioned them in such a way that they are able to act in all areas of public and social life.

3. Parts from Responsibility Areas of European Gendarmeries

As a result of the changed perception of security, the priority in threat assessment of the European Union (EU) has shifted from a military threat to Europe to international terrorism, financial and economic crime, human trafficking, drug smuggling, and transnational organised crime¹¹.

A logical consequence of this threat assessment is that the newly-developed security concept and force organisation are now focused chiefly on internal security. However, law-enforcement agencies with military status constitute

⁹ France, Italy, Portugal and Spain

¹⁰ Alice Hills, 'International Peace Support Operations and CIVPOL: Should There Be A Permanent Global Gendarmerie', *International Peacekeeping* 5 (1998).

¹¹ Gobinet, *ibid.*

the cornerstones of crisis management in the aftermath of military operations performed by the EU in various countries. The military component of law-enforcement agencies increases their effectiveness in controlling incidents, particularly in the management of public-order incidents.

It is significant that developed European states such as France, Italy and Spain, which have a higher degree of industrialisation and urbanisation than Turkey, have maintained their dual law-enforcement structures. In those countries, gendarmerie units have been tasked with a wide range of duties, from traffic control to investigation of financial and economic crime.

In EU countries which have them, gendarmerie organisations have been retained within the existing system. What is more, they have been reinforced in terms of both quality and quantity.

In these countries, traffic law enforcement on main roads and motorways is conducted mostly by gendarmerie units, which are organised and equipped according to the gendarmerie's concept.

In France, in addition to traffic law enforcement units, even the people assigned to ticket offices are gendarmerie personnel. In Portugal, interurban traffic services are also the responsibility of the gendarmerie and include a Highway Brigade. The situation in the Spanish *Guardia Civil* is similar.

In several countries, including France, Italy, Spain, and Portugal, the primary organisation tasked with responding to public-order incidents is the gendarmerie. Management of public-order incidents in national capitals and other major cities is also included.

In Italy and France, important foreign agencies and diplomatic representations are protected by the gendarmerie. Over 300 French Gendarmerie personnel are posted in almost 70 different countries for that purpose.

The Corps of Carabineers in Italy protects the security of critical institutions and persons (VIPs) such as the prime minister, parliament and the presidency as well as Italian embassies abroad. Furthermore, the Carabineers have coastguard tasks, are involved in various international activities, and maintain direct and effective contact with Interpol, Europol and the European Gendarmerie Force (EGF). It is held in high esteem and considered the most prestigious institution of the country by the population and the media. Studies have shown that Italy's Carabineers are the most popular law-enforcement agency and preferred to their counterparts.

The Turkish Gendarmerie, which is similar to some gendarmerie organisations in a number of European countries, performs judicial, administrative, military and other services assigned to it under various laws, and performs public order and security duties under the authority of the Ministry of the Interior, while at the same time forming part of the Turkish Armed Forces (TAF)¹².

Analysis of the Turkish Gendarmerie's similarities to other authorities shows that its practices and organisation resemble those of the Italian, French, and Spanish gendarmerie organisations in numerous aspects, such as subordination, appointments, promotion, efficiency reporting, punitive measures, remuneration, leave regulations, controlling systems, suspension from office, withdrawal from office, and public scrutiny and that it is not regarded an obstacle to democracy in its own country.

4. The Need for the Gendarmerie in Security Services in Turkey

Considering the area of responsibility of the Turkish Gendarmerie, and the fact that Turkey has many mountainous regions with high mobility, it is essential to have a military organisation with strong movement capabilities. In view of the contemporary conditions concerning terrorism, the gendarmerie is the only law-enforcement agency capable of fighting terrorist units under harsh weather and terrain conditions.

The current characteristics of asymmetrical crime and threats in Turkey lead one to expect that such crime and threats will intensify particularly in rural areas. The Turkish Gendarmerie would in that case become indispensable, owing to the experience it has gathered in the past years, its involvement in human rights, fundamental rights and freedoms, and its unique ability to be prepared for every type of situation, no matter how dangerous or complex. Turkey's historical heritage, its long-standing experience in security and its economic, geopolitical, strategic, historical, social and cultural qualities demonstrate that it is crucial to maintain the unitary structure of the state. In parallel with this, it is necessary to maintain and develop the dual law-enforcement system, based on a division of areas of responsibility between police and gendarmerie.

¹² 2803 Sayılı Jandarma Teşkilat, Görev ve Yetkileri Kanunu, Jandarma Genel Komutanlığının Görevi, <http://www.jandarma.gov.tr>, 15 November 2009.

A dual law-enforcement system is an important safeguard for mitigating the risk of power accumulation, which, according to administrative sciences, can be a major problem in democracies. Assigning the entire responsibility for internal security to a single institution could put democracy itself at risk, apart from the technical challenges such a move might cause at administrative and functional levels¹³. It may therefore be necessary to form new law-enforcement agencies in addition to the current organisations, and also to retain at least two internal security organisations and keep them independent from one another.

Not only does the existence of at least two law-enforcement agencies ensure that they keep one another in balance, it also increases the degree of professional competence of the agencies in question in their respective areas of expertise. Having two distinct law-enforcement agencies providing public order and security ensures that internal control mechanisms function more effectively. The quality of law-enforcement services may even increase thanks to a certain degree of competition between the agencies in question. Furthermore, the fact that the Turkish Gendarmerie accompanies the TAF in wartime and performs duties related to rear-area defence in the event of war is proof of its multi-functional structure.

The gendarmerie's military character predominates; its personnel wear military uniforms and receive their training and education at military schools. It maintains a military discipline and this feature ensures that the gendarmerie has gained the credit and sympathy of the people.

Taking into account the geographical and demographical situation and socio-cultural structure of Turkey, in combination with its internal and external security interests, the reasons for the existence of the gendarmerie could be identified as follows:

- a. Its military character constitutes a good example of army-nation/serviceman-community unions and its military character and discipline provide additional force multipliers and reliability.
- b. It performs law enforcement services in an impartial way without being exposed to any kind of pressure and influence.

¹³ A.Faruk Güneş, *Homeland Security Shall be Civil* (İç Güvenlik Sivil Olmalı), www.jandarmavepolisbirlesmeli.blogcu.com, 16 November 2009.

- c. It possesses the quality of allowing a smooth transition between military and civilian components.
- d. It provides security services suitable for the vast territory, and consequently large rural areas of Turkey.
- e. It provides an effective law-enforcement service with limited resources and huge responsibilities.
- f. It performs its duties through units specially trained for fighting global crime, including extremist ideologies (such as terrorism), human trafficking, drugs and arms smuggling, due to its geographical position and the characteristics and diversity of the neighbouring countries.
- g. Participation and representation of the public is ensured in the composition of its personnel.
- h. It provides diversity and competence to security units.

5. Conclusion

Since the Turkish Gendarmerie is mainly a home-based force which performs law enforcement functions on a daily basis, it is the most suitable medium for preventing and controlling crises. As a law-enforcement agency with military capabilities, it offers unparalleled possibilities to decision makers¹⁴.

The fact that the need for law-enforcement agencies with military status in peacekeeping missions increases by the day is related to their dual subordination and co-functionality. As for its dual subordination, gendarmerie forces are deployed both under civilian and military command and at the same time they provide an ideal interface between the law-enforcement agencies and military forces taking part in peacekeeping operations¹⁵.

As is inferred from the fact that EU states attempt to maintain their nation-state qualities while forming a political unity, the unitary state structure constitutes an antithesis to the ethnical disintegration gaining prominence in parallel with globalisation¹⁶. This assumption is also valid for Turkey.

¹⁴ Guy le Borgne, 'La Gendarmerie Face Aux Nouvelles Exigences De La Securite'-Yeni Güvenlik Gereksinimleri Karşısında Jandarma, Naionale Defence, Mayıs 2004.

¹⁵ Borgne, *ibid*.

¹⁶ Lutterbeck, *ibid*.

Analysis of the Turkish Gendarmerie's similarities to other authorities shows that its practices and organisation resemble those of the Italian, French, and Spanish gendarmerie organisations in numerous aspects, such as subordination, appointments, promotion, efficiency reporting, punitive measures, remuneration, leave regulations, controlling systems, suspension from office, withdrawal from office, and public scrutiny and that it is not regarded an obstacle to democracy in its own country.

As the most prominent practitioner of the Community-Aided Policing Concept, the Turkish Gendarmerie, which everybody in society can identify with, keeps the risk of power accumulation, which could constitute a threat to Turkish democracy, to a minimum through its presence. Its services and achievements in the area of internal security so far have laid the foundations for a more powerful role to be played in the future.

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Profile of a police organisation in an Advanced Society: A Police for the 21st Century

(A discussion document)

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1. Introduction

The present work, prepared by the strategic branch of the Carabineros de Chile's Strategic and Criminology Study Centre, comprises a prospective analysis focusing on the social basis by which Carabineros (policemen) will perform their duties in the future. In order to develop this work, we have concentrated on the so-called advanced or post-industrial society¹, which offers us a future scenario, a mirror by which to reflect our development and

¹ The advanced or post-industrial society was defined by Daniel Bell around 1960 in his work *The Coming of Post-Industrial Society* as a society which had already passed through the phase of full industrialisation and had begun to give way to one based on the production of services, technology and useful knowledge.

generate data. We have taken this as the social model towards which we are advancing. We consequently developed an analytical proposal based on this, which in turn allows us to envisage potential scenarios for Chile.

2. Methodology

As stated above, the prospective approach is a structural analysis. This is a synthetic approach that simulates, stage by stage and in a consistent manner, a sequence of events that lead to a system in a future situation. The application of this technique requires both a thorough study of the state of a system at a given time and linked events, with the emphasis on causation and the relationships which bind them. For the purposes of the present study, seven domains were defined: social, demographical, economical, political, technological, security and international. In addition, forty-two variables were distributed among these domains.

The MICMAC tool² generated feasible scenarios by establishing how related events would impact one another. The direct/indirect potential displacement plans were then taken into account to further develop the prospective

This resulted in a deep transformation in social relationships, in forms of production and in the value of associative work as a social platform for the process of recognising rights. On the other hand, in the seventies, a weakness in state welfare started to become evident in the United States and Western European countries, which brought about the development of public policies aimed at correcting the effects of state intervention and promoting individual enterprise. Many institutions, that had provided security to their citizens in the past, stopped providing these services, which impelled the logical advance of the market at all socio-political levels. Social security, labour, the environment and the police; it becomes a question of efficiency, productivity and mixed transactions between a state which has become exhausted in satisfying those demands and a private sector able to invest in them. The various technologies transformed the rhythm of production; major industries were transferred from Europe to South-East Asia. As a result, the expectations of workers/employees changed drastically.

² Developed by Professor Michel Godet and his collaborators of the LIPSOR (Laboratoire d'Investigation en Prospective, Stratégie et Organisation), the MIC-MAC (cross impact matrix - multiplication applied to classification) software is designed to analyse any system by identifying the cardinal concepts of influence and dependency. The influence corresponds to the importance of one variable (or factor) on another with which it interacts. The dependency designates the degree of subordination of one factor with regard to another factor included in the analysis. For an overview of prospective methods, see online <http://www.lapro prospective.fr/methodes-de-prospective.html>.

analysis. This was done with special emphasis on those aspects that reflect the conditions in an advanced society of relevance for the objectives of this study.

3. Reference Framework

3.1. Human Security

The great contribution that prospection can make is to envisage and analyse the future rigorously and take the opportunities offered to finally escape from classic reactive behaviour and create future scenarios that characterise every society, institution and human being. Furthermore, we can now create the policies, strategies and actions required to immediately generate suitable scenarios that cater for the needs to be satisfied in the near future, as well as creating the strategies and actions needed to avoid unwanted or inconvenient scenarios.

Traditional mechanisms for state security generally include public order, national security and defence of sovereignty. Nowadays, however, several of these social-control methods are proving inadequate to confront the new dimensions of human security. This is because society is changing more rapidly than public institutions, i.e. institutionality is reactive to changes in society.

The subject of this study is security, which includes many phenomena present in current society. In addition to aspects related to public order control, the fight against crime and the use of the State's legitimate monopoly of the use of force, it also includes the environment, prevention, and industrial security. This produces a perception of insecurity among people. It is the fear of the unknown, of change, the transformation of the known by new trends and the development of a society that authors (Giddens, Beck) call "Risk Society".

Countries aim to establish national and international stability and security in relation to those internal and external threats that jeopardise the physical, heritage, economic, social and cultural security of people living within the national territory.

Since the 1990s, there has been a rapid evolution in how people think about security and the various types of threats. In addition to the normal aspects of security, we are now confronted with threats to the environment, the increase in contagious diseases, the destabilisation caused by massive population movements, international terrorism, as well as the proliferation of weapons of mass destruction.

Individual security threats are emerging at an equally rapid rate as the vertiginous pace of globalisation and are overwhelming the capacity of governments to develop public policy responses. Such policy responses should be as rapid as possible, since some governments are not prepared for current threats. Such threats include global crime, a rising crime rate, international terrorism, trafficking of all kinds of substances and objects, and the introduction of new diseases.

We are witnessing new threats to people's security, which result in intolerance and violence in many societies. Among these emerging threats we can mention social isolation, ethnic and religious conflicts, child abuse, the rise of pandemic diseases, hunger, pollution and environmental destruction, as well as other kinds of crimes, such as drug abuse and trafficking, human trafficking, and terrorism.

Within the global social context, we have seen the sudden emergence of the "Human Security" concept, which calls for a change in the old security paradigm that some states are still fond of. The emergence of this concept is related to human development whenever it tries to reach two main goals: to reduce or eliminate the insecurity perception of some people in critical situations, and to meet the main needs arising from them.

Security is a subjective concept, since it does not affect all individuals, nor does it have the same meaning for them. It depends on the situation, as well as the means and resources available to solve the problems arising from insecurity. This is the way in which the problem should be understood and defined when talking about security. This also applies to the role played by the various threats and risks that jeopardise the integrity and development of individuals. Security is an emotion, a feeling, an intangible quantity. It can be understood as an goal which people yearn for and strive after as a primary

need. It can be seen as the absence of risk or as a feeling of confidence in someone or something.

The concept of human security places a huge challenge on societies. Positioning individuals at the centre of national public policies means making many changes. These changes range from the method of providing individual security to the role to be adopted by the state and political system in these matters. The field of action that public policies should demonstrate is associated with meeting the basic needs of every individual, as well providing integral protection for the development of each individual.

Potential threats to the security of individuals are continuously growing. To counter this, a number of measures and actions are being adopted to solve the problems of insecurity, ranging from degradation of the environment to organised criminal gangs, public disorders and all kinds of violence and natural disasters.

The actors in state security are still confronting these problems from unitary and individual positions, without the cooperation that is needed to face the organised crime mafia that operates like a transnational organisation. The legislation of many countries is still inadequate for the fight against contemporary global crime. In the meantime, national police forces must undertake cooperative actions with a speed to match that of criminal organisations.

In this respect, it is necessary to strengthen participation, liaison and channels of cooperation with the police institutions of other countries in order to achieve an effective response to crime. The fight against crime and criminality is considered as a whole and all actors must have clear objectives and pursue the same vision, since security is too complex for any actor to solve individually.

Combating crime effectively not only requires a global approach, but also the coordination of multiple instruments. These include police instruments as well as various institutions and public agencies. Another key element in fighting crime is community participation.

Coordination has a dual meaning: On the one hand, it refers to inter-sector coordination, covering topics such as police security, infrastructure, education, health and others that should be incorporated into a common objective. On the other hand, it refers to inter-agency coordination, i.e. it should provide a more appropriate organisation of the work common to institutions and agencies that, although all having security-related competences, nevertheless have a quite different working methods.

By improving human resources, we can obtain a participative and active society, eager for timely and accurate knowledge and information, the consequence of which are the voicing of new needs and specific demands to be fulfilled by the socio-political system.

A multidimensional understanding of security focuses on people and communities more than states and is based on human rights and the capacity to lead a fully satisfying life³. This concept goes beyond armed conflicts and law enforcement or public order control in a country and refers to people's most basic sense of living and welfare. Security is understood as the creation of conditions to avert the greatest and most urgent threats that unnecessarily limit the improvement of the potential and abilities of human beings.

The prevention of insecurity factors is a new vision and should be implemented not only by means of police duties, but also by public administration, that is built up around the idea that the main objective of a state is to preserve human life. It is therefore important to realise that a great many people feel themselves to be victims, not only of traditional criminal acts, but also of negligence, administrative failures or involuntary actions that result from public system mechanisms aimed at supervising and improving human life.

Security in general refers to: national security (against terrorism, organised crime, money laundering, drug-traffic, out-of-control illegal migration, wars, invasions, etc.); public security (against crimes, assaults, violations, violent robbery and theft, domestic violence, authority abuse, labour, commercial, racial, socio-economic violence, natural disasters, social conflicts, etc.); social security (healthcare, housing, environment, services, welfare, availability

³ UNDP (United Nations Development Programme), 1994. Report on human development 1994: New dimensions of human security. www.pnud.cl

of food, freedom of movement, settlement, freedom of speech, freedom of work, income from work, etc.). All these aspects are incorporated and integrated in the future and form part of human security.

This method enables us to view the set of essential elements needed to interpret the transition to be undertaken by the various police forces in the world from a security paradigm angle in relation to public order and highlight the importance of being a citizen. It emphasises the notion of insecurity and examines the rigour of police competences. Before relying on technology, human and material resources should, more than ever, be complemented by lessons related to the contribution made by police institutions in creating a safer environment as currently demanded by the community, which could not be achieved merely by traditional management of a modified and complex problem.

Types of human security and their possible threats, according to the safety indicators developed by the UNDP in 1994.

Types of human security	Characteristics	Threats
Economic security	Availability of basic income from work, the State or the mechanisms of traditional aid (in the field of family or community)	Rising unemployment, declining real wages, increasing inflation, loss of productive assets, increase in income disparity between rich and poor
Food Security	Availability of food and the resources with which to access them	Increase in food prices, exhaustion of food reserves and a decline in per capita food production and increased reliance on imports
Health security	Physical health, sanitary conditions, coverage by the health system	Increase in unhealthy conditions, spread of epidemics, deterioration of the health system, deterioration in access to safe drinking water

Types of human security	Characteristics	Threats
Environmental Safety	Ecological Balance, sustainability of development	Decline of the local ecosystems and global resource depletion
Personal Safety	Absence of physical violence	Increase of different types of physical violence (political repression, foreign aggression, civil conflict, ethnic or religious, crime, abuse of women and children), drug trafficking, etc.
Security provided by the community	Protection given to the individual by the community, family or ethnic group (physical protection, material aid, feeling of group and cultural identity, etc.)	Oppressive practices on the part of traditional communities (forced labour, cruelty to women, ethnic discrimination), deterioration of the social fabric.
Political safety	Respect for the fundamental rights of the individual, democratic guarantees	Increased political repression (imprisonment, torture, disappearances, censorship), human rights violations and authoritarianism, disintegration of the nation-State by ethnic rivalries, religious and political

3.2. Modification of Public Perceptions on Security in the Framework of Social-Cultural Environment Crisis

The interpretation we could refer to as “Traditional” is the one dominated by the logic of public order, in which the safeguarded public assets were those related to the security of the state and the maintenance of peace and order that enable the development of normal national activities. This is therefore the historical and traditional duty of police forces. However, the decades of the 1980s and 1990s witnessed the breakthrough of the phenomenon of crime as a social and political event at a national and international level, the

control of which required the implementation of integral proactive public policies, as an expression of social change, and also presented the challenge of restoring confidence in a “risk society”⁴.

In this context, the reactive dimension characterised by the solution of isolated cases is no longer enough. Ensuring the security of citizens emerges as a public asset. The concept of citizens’ security conveys the idea of citizens having a capacity as active agents, rather than as a passive mass. In this new logic, the police forces started to be considered as a public force which became a public service, subject to the principles under which the State exercises internal security (public security). This service focused on a wider concept of security, the difference being based on the agents involved: the people who have citizens’ rights and citizens’ duties.

A slow reading of the analysis of the modernisation process, understood as a special social change that occurs in societies that have dramatically changed their social and productive characteristics, enables us to understand the emergence of these new concepts of security as a reinforced right, as well as to understand the increasing complexity caused by the notion of uncertainty in an advanced society. These are transformations that can also be seen in our own society, where signs of modernisation are captured in the consolidation of a well-defined economic matrix, of neo-classical nature driven by competition and consumerism, as the evident conditions proper to private life, in the social interaction between membership groups and in the political life of citizens within the state.

Firstly, it is vital to conceive a vision of security built up by the collaboration of citizens, as a consequence of the modern phenomenon of the “subjectivity of freedom”, expressed in the perception that the individual is secure “for

⁴ This concept, as expressed by Beck, makes passing reference to a phase of the development of modern society in which social, political, ecological and individual risks generated by the same change dynamic are taken away from the institution control and industrial society. Loosening control leads to an exclusion system in which it is not possible to create either affection or effective links. Societies of this kind -or risk societies- result from the conceptual model view that proposes an origin that is situated where the system of social rules fails in respect of “promised security”, at facing dangers unleashed by taking decisions.

himself/herself”, as an existence focused on his/her own conscience, as a subject of rights⁵. The “vital project”⁶ is the source of primary identity, by means of which the individual designs a “map” of society and conceives his/her life as a lifetime of himself/herself. In this map, he/she practices a multi-relation synchronisation that allows organising in his/her mind a diversity of social relationships and activities related to his/her life. The vigour achieved by this life planning has several vectors, either in the family (“vital planning workshop”), at work, or to a lesser degree, in public life.

Such projection constitutes a special relationship with space. The ample faculties to elaborate a long lifetime accelerate the expectations of social mobility that affect even the geographical basis of the project. This has the effect of configuring a temporary and spatial map that generates a sensation of freedom and expansion, but can also lead to anomy and uprootedness, when assuming limitations to its design.

Individuals consider their own biography as a project designed for planning what they are going “to do” or going “to be”. As a result, future plans will influence the relevant aspects of life more than past events. It means a temporary period that implies efforts of synchronisation and frustration associated with “postponed satisfaction”.

Accordingly, “identity” and “project” are interchangeable concepts. As the project is a source of identity (a way of self-definition according to Berger), it also engages modern identity as a “project”, which will combine the following characteristics⁷:

- a) It is extremely open. The modern human being perceives his/her life as a migration of different social worlds and as a potential development of these identities⁸. This attaches a sensitive condition to the psychological

⁵ As we will see later, this does not mean that the modern individual always takes advantage of participating in the process of creating power and institutions.

⁶ See Peter Berger, *Un mundo sin hogar. Modernización y conciencia*, 1979, p. 71

⁷ Peter Berger, ob. cit. pp. 75-77

⁸ Similar to the hetero-rigid character of David Riesman. See David Riesman, *La muchedumbre Solitaria (The isolated crowd)*, Buenos Aires 1968.

tension and a substantial postponement in cases in which it is not possible to carry out such a versatile project in accordance with its socio-economic condition.

- b) It is extremely diverse. The diversity of social worlds tends to make confidence relative in the structures and experiences being proposed (in contrast with the coherent and avoidable sense of life, characteristic of a pre-modern society). “The reality accent” or *ens realissimum* (remembering William James) passes from institutions to the subjectivity of human beings.
- c) It is extremely individualised. Human beings have a distinct place in the hierarchy of values: freedom and individual autonomy (designing a vital plan), as well as individual rights, are considered moral imperatives, authenticated in different judicial precepts⁹.

Here, the British sociologist and close advisor to a former British Prime Minister, Anthony Giddens, defines society as based on a risk society, that is, he considers a person who focuses on his personal relations, on his “reflexivity”, and on his wish to be protected from the insecurities of everyday life. This self-centredness does not arise from a principle of unity with society, in which case the individual would withdraw from any social relationship that represented a threat to his/her life¹⁰.

The preceding theses have been advanced to explain the manifestations of abandonment and the redefinition of the urban scenario. They give a particular sense to the idea of security, giving a different connotation to protection from just a physical or material vulnerability, transforming it into a public factor. A factor that, as a direct consequence, implies the restriction and virtual abolition of the public. If the individual and isolated life project creation has a direct political meaning, then it is evident that the public media are controversial and weak.

⁹ About the critics of the underlying criteria in the exaltation of subjective rights. See Gilles Lipovetsky, *El crepúsculo del deber. La ética indolora de los nuevos tiempos democráticos*, 2005.

¹⁰ Anthony Giddens, *Modernity and Self-identity*, Stanford 1991. Self-identity is the individual understood in a reflective way, considering his own biography (Cfr. p. 294).

Nevertheless, we are talking about the position adopted by some sociologists¹¹ who consider that the process of modernisation and the trend to reduce the world to a single competitive market should accept and promote the distribution of insecurity, which is the avoidable consequence of risk, especially business risk, and understand it as being an aspect of civilisation and the sole source of development and freedom. In relation to the social and state institution models inspired by authoritarian socialism in concomitance with the crisis of the welfare state, the risk of insecurity comes out as a positive phenomenon that contributes to a reborn society that is more modern and dynamic.

So, the notion of insecurity must be assumed to be polysemic, i.e. to have multiple meanings in its social dimension. Zygmunt Bauman points out that the German term “Sicherheit” has a broader meaning than its English equivalent for security. It designates not only existential security (the perception of stability and confidence in the world), but also certainty -understood as the instant knowledge of the difference between useful and useless, advantageous and damaging- the feeling of safety or personal security. In other words, the idea that if we behave correctly, no danger -or at least no fatal danger- could seriously threaten us.

Consequently, it is important to emphasise that the expectations of the role traditionally attributed to police corps or institutions assign top priority to security – in all three senses indicated by Bauman. They fulfil the role of a security guarantor, understood in the most complex sense: as the embodiment of individual confidence in the social order, the basic human character of civilisation, that founded politics and enables social life. The confidence of “peace at night” or “the calm of my neighbourhood” structure (confidence as food) the fundament of collective life. As the philosopher Robert Radecker said: “eating and sleeping as a human being means having confidence in the security that creates civilisation”¹².

¹¹ Ulrich Beck, *Risk society: Towards a new modernity*, London 1992.

¹² Zygmunt Bauman, *Search of Politics*, Cambridge 1999, and *Postmodernity and its discontents*, Cambridge 1997.

4. Development of variables and domain analysis

It is necessary to establish a set of variables with direct relevance to the central problems in the study, which will be employed in its analysis and from which will be carried out the construction of the Cross-Impact Matrix (MIC). Based on the identified variables, a double-entry table is developed, indicating the values that represent the influence of each variable on the other.

Nº	Variable	Variable abrev.	Description	Domain
1	Migratory population increase	migra- tion	Increase in migratory population in Latin American countries relative to their economic condition. Migration policies must be reinforced to regulate the situation.	Demography
2	Changes in demographic society matrix	demo- graphy	According to the demographic matrix, there will be an old population, similar to that in European countries, that produces changes in security factors as well as needs and types of benefits according to requirements.	Demography
3	Increase in energy needs	energy	Economic growth in a country, together with increased energy consumption, will create a problem, in view of the dependence on this factor. New sources of energy must be found.	Economy
4	Increase in PIB	PIB	An increase in PIB is related to the capacity for investment as well as improved production. This means procuring more resources to finance public planning, resulting in a better response to satisfying the needs of individuals. This should reduce the economic gap.	Economy

N°	Variable	Variable abbrev.	Description	Domain
5	Increase in investment in industrial technology	techno indu	The investment in technology is aimed at improving production time in order to reduce costs and increase competitive advantage for production.	Economy
6	Demand for security and social welfare	pension	In Latin America the 60-plus age group is increasing the fastest. It will probably increase even more in 20 years. Measures must therefore be taken to address this situation. The government method of distribution must be stopped and a public or private method must be adopted.	Economy
7	Stability in the unemployment rate	unemployment rate	Elaborate and implement economic policies to promote and improve employment conditions with wages at international levels. It is important to attract external resources for productive investments and search for alternative means of finance, public sector as well as private, for social planning that assure an efficient use of resources to achieve an unemployment rate that does not limit economic growth.	Economy
8	Instability in energy resources	Energy Supply	To increase industrial investment, it is envisaged to increase the use of energy resources in Chile. Chile should develop a policy to ensure that the energy supply meets expected future needs. For this reason it is vital to increase the energy matrix to	Economy

Nº	Variable	Variable abbrev.	Description	Domain
			overcome problems like resource shortages that could limit economic growth.	
9	Management of sustainable development model with the environment.	environment	To establish methods of maintaining biodiversity in parallel with the economy. This is understood as sustainable economic development that maintains the ecosystem while improving people's economic situation.	Economy
10	Improvement in human resources	Human Resources.	This improvement relates to improving training and the tools that individuals should have. This resource is linked with technology, with reducing educational gaps, improving knowledge and managing scientific research.	Economy
11	Improvement in income distribution	Income distr.	Improving income distribution reduces the gap between those who have more resources and those who have less.	Economy
12	Increase of free trade markets with other countries	Free-trade	Globalisation means creating strong ties with other countries to protect economic growth and safeguard import and export markets, as well as trying to get agreements which reduce the costs of products and improve economic development.	International
13	Increase of interventionism of international agencies (peace-keeping missions)	Peace missions	It is necessary to review this kind of operation. It is important to remain active in the process of cooperation and integration at a regional and world level.	International

N°	Variable	Variable abbrev.	Description	Domain
14	International Cooperation aimed at dismantling organised crime	Int. Cooperation	New threats to security have emerged very rapidly and have overwhelmed government capacity. Consequently, cooperation between states is needed to solve international problems as well as to fight organised crime. Agreements have been signed to achieve this purpose.	International
15	Tensions with neighbouring countries due to migration.	Neighbouring country	Increasing immigrant populations can affect relations between countries. Frontiers must therefore be strengthened and agreements must be reached between countries to reduce tension that could affect international relations.	International
16	Increase of individual freedom and improvement of the political system	Individual freedom	In progressive modern times, people have a special place in the value hierarchy. Freedom and individual autonomy (life planning - Berger, Giddens), as well as individual rights, are considered as having moral importance, legitimised in various legal rules and not institutionalised social sanctions (Lasch, Lipovetsky). Fundamental information of this cosmovision is found in judicial-political changes and in the consolidated economic matrix of the SXVIII.	Policy
17	Training in ethics and public decision-making process	Ethics to make decisions	Since the establishment of public institutionalism, ethics could be considered as based on a consensus. In the pursuit	Policy

Nº	Variable	Variable abbrev.	Description	Domain
			of basic goods it is important to protect moral criteria. Ronald Dworkin observes that diversity of principles in a modern society can be adopted by some people without being imposed.	
18	Keeping and protecting sovereignty	Sovereignty	The extension of national sovereignty is a key element of international law.	Policy
19	Improvements in access to justice and penal reform	Justice	Some citizens' demands are a suitable way to solve problems. The Chilean Penal Procedural Reform includes some agreements that search for a solution, although some problems of access to justice are found to be caused by the refusal to accept complaints by virtue of the provisional file and to investigate the matter.	Policy
20	Improvements in the management of public institutions	Public management	The current demands to improve public institutions management and to increase their competitiveness, e.g. against private companies, oblige those responsible to concentrate their efforts on their core activities and call on external specialists (outsourcing) when needed.	Policy
21	Threat of new diseases from abroad	Diseases	Hygiene monitoring systems must be strengthened to resist the advance of diseases. Firm determination by governments is needed to stop their proliferation. Being prepared implies not	Security

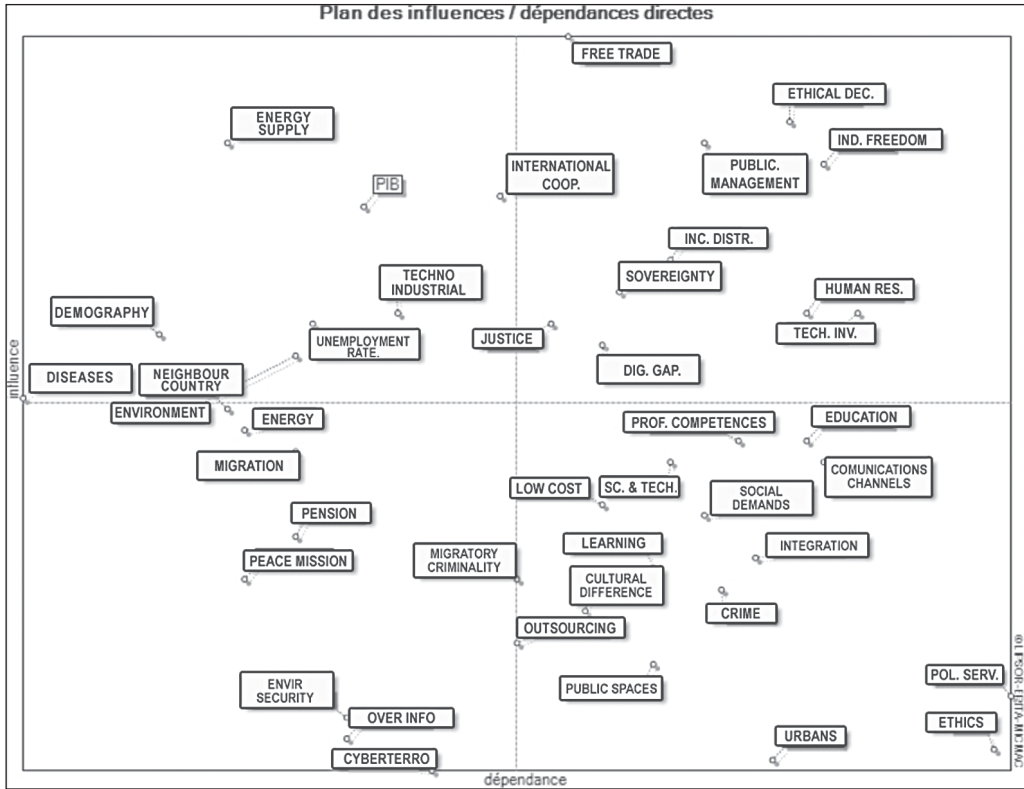
N°	Variable	Variable abbrev.	Description	Domain
			only preventing hygiene-related problems but also accepting that economic concern about these matters is related to the new vision of sanitary security and nutrition as “public defence assets”.	
22	Increase of crimes committed by immigrants	Immigrants Crimes	The dimensions of migration, the possible relationship between immigration and crime, the effects of living in a multifaceted society and the most effective policies to be pursued in these matters are of great international interest. The “Criminological Analysis of Immigration” tries to understand these matters in terms of the marginality of immigrants, the 'modi operandi' of the illegal traffickers of people and their penal regulation.	Security
23	Changes in funding of the police services	Pol. Services	In the eighties and nineties, the public order system was established in which the safeguarded goods belonged to the state. Internal peacekeeping was based on the concept of crime as a political fact that had to be controlled by the implementation of integrated public policies.	Security
24	Cyber terrorism and technological virus attacks	Cyber-terror	Cyber terrorists can cause a great deal of damage. International security offices have identified a great deal of computer or internet use by terrorists.	Security

Nº	Variable	Variable abbrev.	Description	Domain
			Some hackers steal classified documents, while others spread viruses that infect government communication networks.	
25	Development of professional competences	Professional Competences	The complexity of organisations and technological change impact the majority of institutions.	Security
26	Increase in social demands	Social demands	Aspects that influence security include a lack of political democracy, social discrimination, etc.	Social
27	Changes in crime	Crime	The perception of criminality can be seen as an “Ideology in Social Defence”.	Social
28	Development of urban models that make better use of space	Urban	There is a trend to create urban public spaces to make cities more civilised and comfortable.	Social
29	The sense of public space	Public spaces	There is an increasing awareness of “public space” by individuals who recognise aspects of public need. Here, private citizens take decisions and reach agreements related to political activity.	Social
30	Evolution in the values scale, which modifies the rules of global ethics	Ethics	As globalisation developed, some ethical matters attracted particular attention, such as human cloning. This causes an evolution in the scale of values, after which new topics emerge.	Social
31	Evolution of education mechanisms	Education	The support of continuing education is necessary for people to develop all their abilities, leading to good health and dignity.	Social

N°	Variable	Variable abbrev.	Description	Domain
32	Reinforcing social integration	Integration	Human security is only possible if it is based on sustainable development. The next step: security at all levels for all people.	Social
33	Improvement in education	Education	Education is vital with a view to the future: better technology and increased human resources. That is why coherent plans must be developed, related to changes are occurring at an international level. Only then can future-proof tools be created.	Social
34	Environmental security policies	Environ. sec.	If we look at some examples of threats to the environment, such as the ozone hole, global warming and toxic waste, we see they have a global dimension. That is why environmental security policies are necessary.	Social
35	Recognition of cultural differences in the country.	Cult. Difference	The existence of several cultures in society must be recognised at a national level in order to reduce tension in the country.	Social
36	Information overload making the decision-making-process difficult	Info overload	Today's networks enable mass communication with a view to increasing the availability of information. This means we must depend on filters to determine which information is useful for making decisions.	Social
37	Cultural change aimed at improving science and technology	Science and Technology	Globalisation allows a comparative analysis of the degree of scientific and technological development of modern societies. Both technology and scien-	Technology

Nº	Variable	Variable abbrev.	Description	Domain
			tific research have led to major advances.	
38	Reduction of technology costs	Low Costs	By reducing the costs of technology, it is possible to transform society into a knowledge society.	Technology
39	Reducing the digital divide	Digital Gap	It is important to use existing knowledge effectively as well as introducing new technologies. After all, it makes no sense to have the economic resources to acquire new technology if we do not have the human resources to take advantage of this situation.	Technology
40	Availability of useful knowledge in the market	Out-sourcing	Specialised education is tailored to train professionals in specific fields, at a cost accessible for organisations requiring advisory services in analytical and meaningful matters (legal, economical, political, etc.)	Technology
41	Diversification of communication channels	Com. Channels	Communication theory studies the capacity of individuals to relate to other human beings in the exchange of information. Communication has changed greatly in the course of history.	Technology
42	Increase in the development of technological research	invest. tech.	Technology is a resource available to all individuals. Improving its processes enables a range of objectives and aims to be achieved.	Technology

4.1. Diagram of Influences and Direct Dependencies



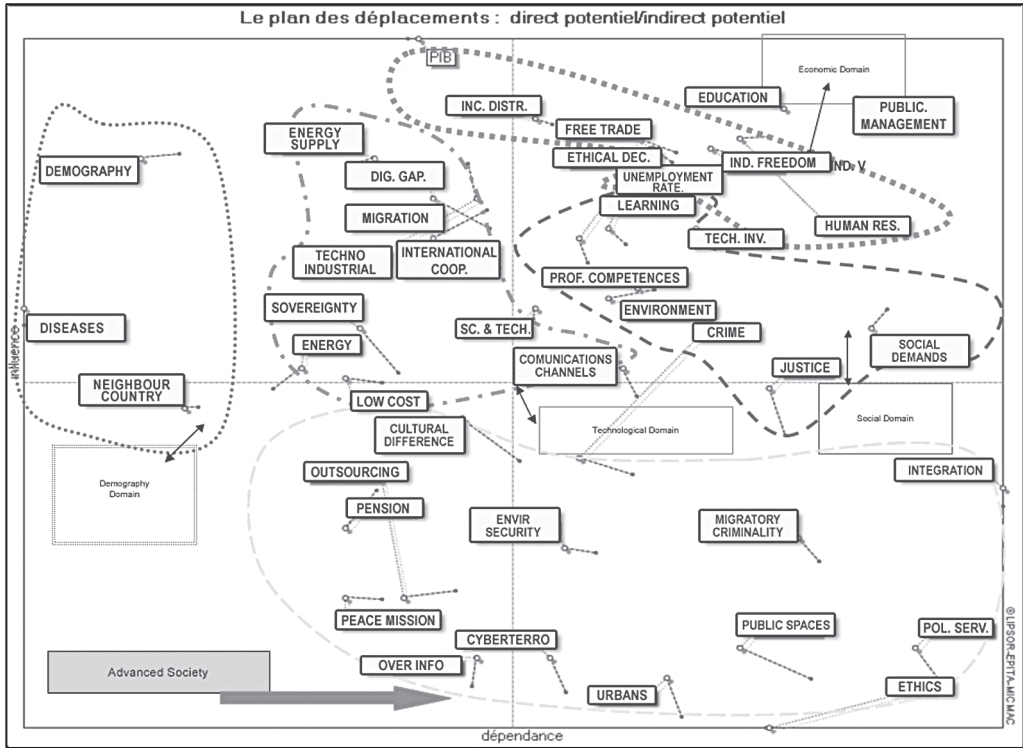
Analysis:

- Observing the position of the variables, in the box of influences and direct dependencies, it can be deduced that the variables in the economic domain are those which have more influence on the other variables. They exert more action, since they can bring about changes; they make the more dependent variables move. For example, the variable: “instability of energy supplies”, so if we are on the threshold of becoming a developed country, it is necessary to diversify the energy matrix in order to avoid the current problems. This variable interrelates and is tied to other variables such as PIB improvement, increase of investment in industrial technology and unemployment rate.
- Other variables which are present in the power domain are related to changes in the demographic matrix, which impact directly on the variables. Considering the changes produced, it is possible to envisage new requirements in the economic, social and political sector up to the

kind of security required, since the increasing age in the demographic matrix means that people will be affected by other types of problems.

- The conflict area includes variables that have a high level of dependency, as well as influencing the other variables. Here we find the variable of political domain and others of economic domain. This may be understood, since these variables are of political order, interconnected with other domains. It is necessary to arrive at a consensus, since these variables play a dynamic role, generating solutions to the requirements of the population.
- The variables in the conflict area are those that have a high degree of mobility, because of the direction of the variables located in the subordinate area.
- The variables that are the most dependent on its influence are located in the subordinate area. This is where most of the variables belong to the social, technological and security domain. This phenomenon is explained by the variables of such domains that require stronger variables to act on and guide its behaviour. This includes demands with a social aspect, which are developed according to the political system as solutions for the demands emerging in the society.
- Technological development is a tool that helps and improves the quality of life, as well as being the means to achieve the objectives that institutions and individuals have set themselves.
- The security domain is subordinated to the needs and demands of public institutions, as well as to rules and regulations. Criminality factors depend on the mobility of other variables that are directly interrelated, such as economic growth, unemployment, migration, etc.
- In the autonomy area are variables that have less influence on others. They are dependent on those with greater influence. The variables located in the autonomy area are target problems, which have an isolated impact in certain fields and not on all variables.
- An example is the problem of cyber-terrorism and technological virus attacks, which are not a priority in terms of security for society, but which nevertheless constitute a risk.
- The case of migration is different, because this is closer to the power area, since its influence is greater in comparison with other variables and because in recent years it has become an important concern of the population.

4.2. Potential Direct/Indirect Displacement Plan (DDPIP)



Analysis:

1. The DDPIP matrix allows us to envisage, by means of direct/indirect potential impact cross variables, the displacement indicated by future scenarios related to the correlation calculated from the base matrix.
2. Here, four domains have been taken as analysis criteria: the economic, social, technological and demographic domains. In each one of them, the variable defined for each field has been acknowledged.
3. The first observation is to note the location of the variables in the upper righthand part of the chart, which -according to the methodology- represents the area of conflict. In this chart we can identify very clearly the economic and social domains. On the other side, technology and energy are located in the high-impact chart above the construction of social scenario, understood as being the interaction of all variables in the created system. This provision indicates that the economy forms the most relevant field in the design of future scenarios. Equally, the demographic domain will threaten the whole design of public policies.

4. The diagnosis of the situation in advanced societies shows us that the demographic factor will be menacing, either as a drain on capital resources for productive processes, or as demands made on the sociopolitical system with regard to quality of life, in the form of pensions, medical care and work systems, the environment, public spaces, etc., and so it is imperative to act. An OCDE report states that the population of the OCDE countries has been ageing since the 1970s. There has been a seven point increase in pension funds between 1970 and 2030 for workers aged 45 - 59 years, and a nine point increase for workers above 70 years (OCDE 1998:314). In the 1980s and 1990s, the OCDE countries benefitted from an active young population resulting from the demographic boom in the sixties. The progressive ageing of the general population and -consequently- of the active population, requires a fundamental shift in the labour market, that must accept an older workforce and consider raising the retirement age as a consequence. This shift will entail efforts to adapt the labour market to the new circumstances, to avoid the risk of increasing the dependency rate (the ratio of non-working people to working people)
5. Just as in advanced societies, the substantial reduction in the birth rate has upset the structure of employment and social security and means that Chilean society is now at the same development stage in terms of birth rate, which has stabilised at 1.8 %, positioning us below 2%, which is the minimum for population renewal.
6. According to demographic trends, the population pyramid for Latin America in 2050 will be totally inverted; there will be 154 million more older people than children. Moreover, life expectancy will be reflected in very high averages, from 72 years at the beginning of the century to 85 years by 2015 and between 100 and 150 years by 2050.
7. The impact of the demographic structure on demands for security will cause a transformation in the pension system, extension of the productive life of employees, a change in the labour market, resulting in less work in industrial sectors and a growth of technological and scientific research. Equally, there will be high expectations in respect of public security and order and demands for a good service.
8. Public Security will be established in conditions of a better-informed population, thanks to better availability of the media. That is why this variable is present in the highest conflict area of the chart (common channels) where it will have an impact on others. The joint development

of technologies available in the market constitutes a complex scenario, which will be implemented in the framework of critical social demands.

9. From this point of view, the logic of enlarging police forces does not prevent criminality, since this is not sufficiently visible to maintain control. Moreover, some sceptics like David Bayley have pointed out that a greater number of police officers does not necessarily lead to a reduction in crime.
10. The technological domain describes the variables using social space, i.e. that will promote development. It is no less valuable that these are present in the power chart than in those variables of high influence and low dependency. High influence, because they will determine not only the access to information, but also the transformation of the productive structure. An advanced society based on expertise and technology changes the logistics of labour, free time, technological obsolescence and professional training. The latter requires adaptability to ensure a continuous working life, so having a “tool box” with competences to cope with social changes, technology and the management of information resources in order to take the right decisions is more important than possessing expertise in “cutting-edge” technology.
11. The new technologies have enabled a great many “traditional” services to be traded at an international level, thanks to the capacity of transmitting great volumes of information at low cost. Currently, it is possible to offer services at an international level. A few decades ago, this was not possible because of the costs arising from the limited technology of that time.
12. When observing the social domain, we can see social demands, the development of professional competences, the development of new learning tools, together with concern for natural spaces, which translate into environmental protection policies and restrictions to mineral extraction activities. All of these are present in the conflict chart, which is the same as a correlation of high influence with low dependency. In this way, the development of the educational system and -therefore- of the cultural capital of our society should make possible the inclusion of social protection and the opportunities for access to it. At the same time, science and technology are designated as a variable which will have a displacement impact in the configuration of a social knowledge-based scenario, taking the education variable for granted, which has a very motivating effect. This demonstrates the impact this will have on the entire network of factors involved in becoming a post-industrial society.

13. The characterisation of this advanced society is supported by a high cultural differentiation or a multicultural co-existence within the framework of universal human rights. Furthermore, the creation of urban spaces is based on communication subject to market forces and the achievement of individual aims. This means that the interrelation is generated by the individual and the state. This interrelation gains legitimacy when creating participation, which are seen neither from the pre-modern communitarian perspective nor the virtuous republican system, but from the streams that favour the development of human freedom, as well as cultural and human capital, all aimed at satisfying individual achievement.
14. In addition to industry (as an organising and productive model), it includes exchange system services (with multiple markets) created with the aid of networks.
15. Likewise, the progressive reduction in the importance of the community, which has been a characteristic of modernity in the form of human orientation i.e. state citizenship, to which we can add the search for new forms of community and an appreciation of new social forms (the so-called private, social and third sector) intermediate between individual and political enterprises.
16. In addition to fragmentation of the family, the reduction of the essentially nuclear family model, there is a search for new family patterns in a framework of the revitalisation of informal relations.
17. The design proposed to fit these new scenarios is composed of an organisation based on relations. Society considered as made up of four large, separate, relatively integrated sub-systems: culture, communication and technology processes, politics, and economy. These systems are intersectioned and interact among themselves as an internal dimension of particular and general social relationships.
18. The modern perspective on social relationship emerges from a new consciousness relating to the following fact: every differentiation relationship is not only a separation of categories, but creates the problem of relationships between widely differing terms. Knowledge is therefore based on definition – a continuous differentiation. It could be said that knowledge (social reality) is an endless creation of relationships. Once this perspective, that was long considered to be abstract and far removed from social practice, brought about a realisation that differentiation is always produced, in other words, they are assessed socially (by people

who determine culture and lifestyle), we can then say they are born out of the concept of a social relationship.

19. Modern society is, *par excellence*, one that privileges “associative relationships” rather than “communitarian relationships”. This is, undoubtedly, true. However, it is necessary to focus not only on the pure or prevailing economic character of that transformation. Even with a character based on relationships, it distinguishes, connects and interacts between and among the various internal components of social relationships, but only those that are motivating, adaptable and/or workable and culturally representative are useful.
20. The problem of society, understood in an associative way “made up of social relations”, is a problem with two aspects: on the one hand to create and manage social relations (updated, potential and virtual), so as to reduce pathology and undesired effects, and on the other hand to retain the most important connections in human and social behaviour.
21. One of the basic forms assumed by social networks in advanced societies is composed of friendship groups, which are extended as a basis for socialisation and are a very important primary network. In terms of youth values, friendship experience can even transcend the role of the family. It could be explained by the trend to differentiate among anonymous relationships based on the impersonal rules and roles of a known neighbourhood or familiar world, based on personal relationships.
22. Just as in social relations among young people, friendship constitutes an equally strong tie in work-based relationships. While in the modern societies of Latin America, the identity with one’s working life was established by means of trade unions, in the advanced society this no longer forms the basis from which work acquires value, sense or recognition. Since the 1980s, it has been combined with the implementation of policies of individual capitalisation, the end of the bipolar relationship, the start of the liberalisation of markets. It is even an objective of industrialised Europe to leave more scope to South East Asia to play the role of a major industrial facility for electronic products: all these elements taken together mean that industrial methods are losing the basis that has been sustaining them since Fordism and Taylorism. The change was due to the loss of classic corporate methods and the inclusion of a new kind of social participation, such as the voluntary system and the participation of private, social organisations (the Pan-American Health Organization PAHO), which are the new political

methods of socialism. The legitimacy of these types of organisation has been developed by private actors that transform themselves into values, promoters and trainers to create civic consciousness, sometimes far removed from the places of power. The instrumentalisation of PAHO has achieved much of value, from campaigns against pandemic diseases, to transformations in mechanisms of power.

23. The social changes that occurred in the 1960s and 1970s, up to those of the “selfish” kind, are new expressions replacing movements based on industrialised society. If the evolution of advanced societies towards a society that devotes itself to developing knowledge, this implies research and information, whereas the transition to less social ties is based on subjectivity. This means that the systems of resource assignments in terms of police security, the environment and social aspects will be aimed at satisfying demand. Therefore, the logic of a satisfied client, based on surveys as a method of evaluating the service provided, is deep and affects the public.
24. The previous statement is also supported if we note that the necessary conditions for the development of an advanced society include the human capital factor, individual freedom and education, which are located very significantly in the high influence and dependency box. This is not by chance, since the global trend aims at extending the personal freedom of civil, political and social rights, and now, in a third generation, as environmentalists and humanists. Then, in this new social stage, individuals - under the assumption of a “selfish” and functional relationship, demand an extension of their rights to establish their own life plan. The function of the administrative political structure therefore leads to proceedings, rules, statutes, resources and personnel assignments which have a high capacity for solving crises and conflicts, enough expertise in the field of technology and decision-making gained in instances of self-responsibility. From these arguments it is logical that employees develop a high degree of technical resources to resolve conflicts and devise and implement public policies (policy-making). This also implies that the technological impact will affect organisations. This is aimed at a possible subutilisation of cultural and human capital. Likewise, the organisations’ capacity for continuously adapting technological resources to advances in tools implies a continuous resource flow that enables the optimal, final answers to be provided to users/citizens.

25. For ECLAC (the Economic Commission for Latin America), the interactive information systems provided by ICT provide the opportunity for the region to overcome its subordinated position in relation to the industrialised world. “Cyberspace” permits the integration of less favoured groups. From this point of view, closing the digital divide is a *sine qua non* for development and integration. Advanced societies have bet on the sustained development of ICT. Access to the information networks have produced a social connection in industrialised societies, even in those undergoing sustained development.
26. It is important to remember, in relation to the MDDIP matrix, that the police service variable in an advanced society does not come high up on the agenda. It is rather a factor of resource dependency, located at the same level as the demand for public spaces. Therefore, it does not constitute a determining factor in the political discussion, being relegated to management issues, results and human resources, as well as technological and financing issues. It also includes processes like empowerment of the civil society and control by means of public accountability, differentiation and specialisation of roles, basic elements in a modern society, that enable the police to be made a less political topic and located at the management level of public services.

5. Conclusions

Today, the work of police institutions is in the hands of societies which are characterised by growing complexity, so that these institutions are faced with a permanent challenge of adaptation and institutional learning. New expectations and demands by the community go far beyond the need to protect against imminent threats to personal security and are linked to more demanding requirements to strengthen an already excellent police service in order to safeguard the overall defence of the population's security.

The concern to provide a response to these challenges is incorporated in the planning of the work of the police in Chile, right up to the Corporate Strategic Plan of Carabineros. In this sense, some innovations appear to be adequate, such as the widening of the scope of special strategies for the operational deployment of the ear-marked preventive approach to be implemented by the Carabineros (viz. the “Quadrant Plan of Preventive Security”), or the

timely identification of matters of high-priority public interest (effective adaptation to high standards of transparency and the development of Public Accounting).

However, the dynamic socio-cultural scenario demands that new challenges associated with emerging social expectations be faced. It is clearly of strategic relevance to have an appropriate modelling of the police profile, reinforced with a new set of tools for diagnosis, negotiation and joint planning of police work in the community. Incidentally, this approach requires other changes, such as an accurate assessment of the new changes required by the organisation and the hierarchical grades associated with them, in accordance with the new needs and services structured to respond to them.

The present analysis arrives at the conclusion that a more integrated model exists to understand the problem of security, not only as the absence of the risk of becoming a victim of crime and as a concern for the public order, but also as the integration of the needs of individuals in a security context.

State security, referring in general to public order, national security, the defence of sovereignty and the various forms of social control, has been shown to be inadequate to cope with the new dimensions of human security.

Human security is defined as the set of conditions (rights and duties) that deliver the minimum basis, as regards social, political, economic and cultural aspects, as well as sustainable natural resources, in which all individuals can develop, grow, enjoy a quality of life, pursue and achieve their goals in balance with the goals and objectives of the whole of society.

In the future, it will be necessary to strengthen and deepen the participation, links and channels of cooperation with other police institutions in other countries in order to fight crime more effectively. This fight against crime and delinquency is being comprehensively addressed, which requires all actors to possess clear objectives and maintain the same vision, since the issue of security is too complex for each player to try and solve the problems individually.

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The Italian Carabinieri Corps: Old traditions for a modern vision

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1. Introduction

When dealing with policing structures, it is worth mentioning that there is not one “good” solution which can be applied to all countries. Policing systems are strictly linked to the peculiarities of each country and stem from their political, social, economic and historical backgrounds.

Nowadays, police forces are facing evermore new challenges as the threats from the criminal world are continuously increasing both in quantity and in quality. Law enforcement systems are therefore called upon to have a greater capacity to quickly adapt themselves in order to cope with the new scenarios which are characterised by transnational phenomena capable of easily crossing national and continental borders.

That being said, it is useful to shed light on some preliminary issues which are often discussed across Europe and worldwide: what are the differences between military police forces and gendarmeries? Why should we have more than one police force in a country? What is the added value of having “paramilitary” police forces?

The aim of this contribution is to assess the security challenges of the coming decades, and the role that the gendarmerie forces will be called on to play. Specifically, we will focus our attention on the Italian situation.

2. Terminology

Before approaching the issue regarding the pros and cons of having one national police force rather than more law enforcement agencies, it is worth understanding what the real meaning of the word “paramilitary” is.

Paramilitary is more a colloquial expression rather than a technical term related to a well-defined category. The term paramilitary is subjective, depending

on what is considered similar to a military force, and what status a force is considered to have. The nature of paramilitary forces therefore varies greatly according to the speaker and the context.

Be that as it may, “paramilitary” very often refers to illegally armed and politically-oriented groups which are sometimes also referred to as guerrillas. Depending on the context, paramilitary forces can also include auxiliary services of regular armed forces, or national intelligence services units that comprise civilian agents tasked with covert action in areas that are difficult or sometimes illegal for military forces to operate in.

One can employ the term “paramilitary” while referring to a number of internal security, border protection and law enforcement organisations that normally have a civilian status but are similar to the military in training, equipment and/or organisation.

In view of the potential danger of using such a broad and generic term like “paramilitary”, it is therefore useful to make a clear distinction among different expressions that relate to similar concepts:

1. military police;
2. military police performing police duties;
3. police forces with a military status.

A “*military police force*” is a component of the Armed Forces specifically dedicated to guarantee (basically) the respect of law and regulations within the military “family”.

Sometimes, especially when deployed in peacekeeping operations overseas, some military police forces may carry out a certain range of police duties which can also “affect” the civilian environment of the country where the forces are deployed. This is the case when the local law enforcement agencies have collapsed or are seriously corrupted/inefficient.

Finally, a police force with a military status is a law enforcement agency which performs -alone or in coordination with other law enforcement bodies with civilian status- the full range or a limited number of police tasks.

Carabinieri/gendarmerie-like forces, which normally have a broad historical background, are present worldwide. Existing examples of these police forces are the *Carabineros* in Chile, the Argentinean *Gendarmerie*, the *Policias Militares* in Brazil, as well as almost all the Gendarmeries existing in the former French

colonies in Africa, the Jordanian *Darak Forces* and, last but not least, the European “*cases*”, namely the French, Romanian and Turkish Gendarmeries, the Spanish *Guardia Civil*, the Italian *Carabinieri*, the Portuguese *Guarda Nacional Republicana*, the Dutch *Marechaussee*. These forces -even though with a basic military background- perform “ordinary” police duties and tasks in accordance with their own legislative national frameworks which normally set up specific criteria to coordinate the activities among the different law enforcement agencies operating in the Country.

3. The Italian experience: the Carabinieri Corps

Historical references

The ancient Corps of the Royal Carabinieri was established in Turin by the King of Sardinia, Vittorio Emanuele I, by Royal Warrant on 13 July 1814. The personnel of the new Corps, even though drawn from the Army, were charged with policing tasks and deployed all over the countryside and in suburban areas. At that point in time, when Italy was not yet a unified country, the governmental authorities were requested to cope not only with the threats coming from foreign countries, in other words from the “conventional enemy”, but also with serious internal disturbances from a sort of paramilitary organisation with widespread control of the territory. In other words, there was the need to “conquer” a part of the country itself, to defeat the “internal enemy” who was not so different -in terms of threat posed and *modus operandi*- to the regular foreign armed forces. The Carabinieri Corps was therefore established for coping with a specific security need. It was given the dual function of national defence and policing with special powers and prerogatives.

The Carabinieri Corps witnessed the birth of Italy in 1861. Carabinieri personnel took part in the so-called Italian independence wars which led to the unification of Italy. Afterwards, the Corps, while continuing to perform its original duties, had to adapt its organisation to the new administrative structure of the country. Nevertheless, the widespread territorial presence, which was the bulk of the institution since its establishment, continued to be the key element of the Carabinieri philosophy. This approach resulted in the establishment of “Carabinieri stations” whose personnel struck up strong relationships with the local populations. Considering the Carabinieri no longer

the sole guardians of law and order, all members of the community became active allies in the effort to enhance the safety and quality of neighbourhoods.

Today, the duties, mission and organisation of the Carabinieri Corps are defined in the Law 78 of 31 March 2000 and Laws 297 and 298 of 5 October 2000. The Carabinieri Corps is an Armed Force with Military Status with general competence and is responsible for public order and security. As an Armed Force, the Corps reports directly to the Ministry of Defence, through the Chief of Staff, for its military tasks (military police, security for the other Armed Forces, military operations abroad, security of Italian diplomatic representatives). The Corps reports directly to the Ministry of the Interior for all that concerns public order and security.

As far as the judiciary policing responsibilities are concerned, the Carabinieri report to the Judiciary Authority according to the penal procedure.

Organisation

For operating purposes, the force is divided into different components.

1. Central Component.

The Carabinieri General Headquarters represents the central organisation from where the Commander General of the Carabinieri Corps, availing himself of his staff, manages, coordinates and controls the overall activities of the force.

2. Training Component.

The force provides the necessary training facilities for individual and collective preparation, ranging from basic military training to more specialised police training.

3. Territorial Component.

The territorial organisation is the core of the institution's activities and contains:

- Inter-Regional Commands;
- Legion Commands;
- Provincial Commands;
- Group Commands, which were created to divide the territory of the major Provincial Commands (Milan, Rome, Naples and Palermo);
- Territorial Department and Company Commands;

- Lieutenancies, responsible for a single, densely populated town. They are able to intervene 24 hours a day and have an autonomous judiciary policing role being directly responsible for the territory and related institutional activities;
 - Carabinieri Stations, spread all over Italy, even in small towns and villages.
4. Mobile and Special Component. This component includes specialist units devoted to specific domains (such as Healthcare, Environmental protection, Safeguarding of Cultural Heritage, Food and Agriculture Policies) as well as Mobile Battalions whose primary tasks are related to the maintenance of public order within the national boundaries and participation in peacekeeping missions overseas. Within this component there is also the Carabinieri Special Operations Group (R.O.S.), with responsibility for dealing with organised crime, consisting of subversive activities, terrorism and the more complex types of crime.

The Italian public security system

The Italian public security system is based on two police forces with a general competence: the Carabinieri Corps and the State Police. The Carabinieri, as already emphasised, is a widespread territorial organisation; the State Police, with a civil status, is present in the 103 Italian provincial cities and in the major towns. The other three Police Forces have specific tasks: the Penitentiaries' Police¹, the State Forestry Corps² and *Guardia di Finanza*³. The presence of different law enforcement agencies represents a democratic guarantee for correct and fair behaviour in the exercise of police duties, but, at the same time, requires coordination and planning activity to minimise the risks of possible overlapping and/or conflicting interests.

An ad hoc law ensures the smooth coordination amongst all the Italian Police Forces. Italy is the sole nation in Europe that avails itself of such legislation. This system constitutes a comprehensive framework made up of several bodies, both individual and collective, at the national, regional and provincial levels.

¹ The Penitentiaries' Police supervises the entire Italian jails system.

² The State Forestry Corps is tasked with overseeing agricultural policies, counter-environment pollution and ensuring compliance with the regulations on forests, fauna and cattle.

³ The *Guardia di Finanza* is a police force with military status, focused on the full spectrum of economic-related crimes, custom controls, and fights against tax evasion.

The Minister of the Interior is the National Public Security Authority and is responsible for public order and security maintenance.

In carrying out his function of senior direction and coordination of police forces' tasks and activities, the Minister is supported by the National Committee for Public Order and Security, the Strategic Analysis Committee on Terrorism (C.A.S.A.) and the General Committee for the fight against Organised Crime.

The function of Public Security Administration is carried out at central level by the Public Security Department, which is the link between the Minister's political guidance and the police forces' operational assessment.

The National Committee for Public Order and Security is an advisory body presided over by the Minister and consisting of an Undersecretary of the Interior, the Chiefs of State Police, the Director-General of Public Security, the Commanding General of the Carabinieri, the Commanding General of *Guardia di Finanza*, the Director-General of Penitentiaries' Police and the Director General of State Forestry Corps. The Minister can call on other representatives of State bodies and the judicial branch in committee meetings. The National Committee for Public Order and Security examines general matters related to public order and security and the organisation of the Police Forces.

At the provincial level⁴ the Prefect, in charge of the Territorial Government Office, has general responsibility for public order and security.

The Prefect, as well as the Minister, is supported by the Provincial Committee for Public Order and Security. The Committee is composed by the *Questore*, responsible at provincial level for the State Police, and comprises the Provincial Commanders of Carabinieri and *Guardia di Finanza*, the Mayors of the provincial capital cities and other relevant provincial authorities. The Provincial Committee for Public Order and Security examines general matters related to public order and security in the Province. This Committee identifies the most appropriate strategies and tactics to counter criminal elements.

Apart from this articulated coordinating system, it is worth mentioning that coordination is an issue only for those locations where both police forces

⁴ Italy is divided from an administrative point of view into 20 regions, 103 provinces and about 8,000 municipalities.

(Carabinieri and State Police) are present; this is the case for about 45% of the Italian territory, while in the remaining part the Carabinieri are the sole law enforcement body in charge of all tasks relating to public order and security and therefore there is not a problem of coordination.

4. The 21st Century challenges

There are clear indications that the future will be strongly affected by emerging factors such as new actors and powers related to the globalisation process; broad social changes linked to migration flows, energy policies as well as new technologies.

The so-called globalisation process has increased tremendously over the last decades, and there is no doubt that it has profoundly changed the status quo almost everywhere, generating evident economic, cultural, and political changes.

Although globalisation is raising world living standards, and substantially deepening global interdependence, the consequences of globalisation will also facilitate the escalation of new actors in the global scenario, both at state and non-state levels. In particular, at state level China, India, Indonesia and Brazil are emerging countries which will play a crucial role as far as the establishment of new and maybe less stable alliances are concerned⁵. Some features of globalisation, first and foremost the global interconnectedness stemming from the information technology revolution, are likely to be irreversible.

Moreover, as regards the non-state level, a growing importance of multinational companies, NGOs, and virtual communities (such as the social networks) is foreseen. Even though nation states will continue to be the main characters within the international scenario, they will have to cope with the new “non-state actors” such as the ethnic-religious-oriented communities. It is likely that pressure on governance will come from new forms of identities, where religions could provide followers with a ready-made community that serves as a social safety net in times of need.

Countries around the world will be more and more multi-ethnic and will face the challenge of integrating immigrants into their societies, while respecting their ethnic and religious identities.

⁵ “*Mapping the global future*” - Report of the National Intelligence Council’s 2020 Project, p. 9.

Accordingly, the influx of immigrants and the corresponding changes in the racial composition of societies will place significant demands on the infrastructure of the national public service sectors, particularly the criminal justice system and the law enforcement agencies. Shifting population patterns will dictate how policing initiatives will be implemented. As a matter of fact, this situation will result in a more pervasive sense of insecurity, which may be based on psychological perception rather than on real statistic data.

Fear of crime will become a significant problem in itself since it could potentially limit activities, keep residents in their homes and contribute to empty streets. This climate of decline could result in even greater numbers of crime and a sense of general insecurity.

In this context, international organised crime will also continue to globalise its activities. Just as multinational corporations establish branches around the world to take advantage of profitable labour or raw material markets, so do illicit businesses. Illicit enterprises are able to expand geographically to take advantage of these new economic circumstances, thanks to the communications and international transportation revolution. Terrorists have also globalised, taking advantage of the ability to recruit internationally, to be close to diaspora communities that can support them logistically and financially, and to have access to more affluent communities. In other words, organised crime and terrorism have radically and dramatically changed the typology of threats to security, resulting *de facto* in the collapse of the classical concept of national boundaries. The end of the Cold War had an enormous impact on the rise of transnational crime. With the end of the confrontation of superpowers, the potential for large-scale conflict has diminished, but since the late 1980s there has been a phenomenal rise in the number of regional struggles. The growth in illicit transnational activities has been aided enormously by the great technological advances of globalisation. The rise in commercial airline traffic, improvements in telecommunications (including telephone, fax, and rapid communications through the internet), and the growth of international trade have facilitated the ready movement of goods and people. Criminals and terrorists exploit the anonymity of chat rooms on the internet and other forms of computer-based communications to plan and execute their activities. Globalisation is coupled with an ideology of free markets and free trade and a decline in state intervention. Criminal

groups and terrorists have exploited the enormous decline in regulations, the reduced border controls, and the resultant greater freedom, to expand their activities across borders and to new regions of the world. These contacts have become more frequent, and the speed at which they occur has accelerated.

Against this background, there must be a major paradigm shift in the way we approach international security. By adhering to the artificial and obsolete distinctions that criminals are motivated only by profit and terrorists only by political or religious impulses, policy-makers, law enforcement agencies, and military strategists will fail to deal effectively with the new phenomenon of transnational crime networks generally. Policing approaches will have to be improved in order to increase police effectiveness by identifying and prioritising problems and working with the communities to solve the problems. Aiming to improve interaction with all institutional and non-institutional actors and guaranteeing efficient information flows, law enforcement agencies will have to adapt their organisational structures. Law enforcement agencies will have to identify appropriate solutions to adapt their decision-making process as well as to improve their training capacities. In fact, the new foreseen scenarios will need a more effective and timely planning capacity and decision-making processes capable of facing, in a proactive way, the new multi-faceted challenges affecting public order and security. Therefore, it would be necessary to clearly define the managerial tasks in order to identify the range and the level of the different responsibilities related to the planning capacity and to the operational conduct. At the same time, possible changes in the decision-making structure and procedures are also advisable to better direct both the preventive and the judiciary police activities towards real and identified objectives selected also on the basis of the informative process. Another key point which needs to be emphasised is the strengthening and the continuous improvement of training activities. The curricula should be more oriented to the achievement of operational efficiency. The forthcoming scenario, characterised by rapid and changeable relationships, requires, more than in the past, that the training be complementary to operational needs. Furthermore, particular attention should be paid to the development of specific operational doctrine which could also facilitate and promote the establishment of centres of excellence, focused and oriented on relevant domains relating to operational needs. In this context, it would be also advisable to strengthen the cooperation and the links among the different centres of excellence, creating a sort of net which

could easily facilitate the continuous exchange of experts, trainees and, of course, knowledge.

A critical aspect to be taken into consideration is the assessment of policing efforts, both in terms of achieving necessary changes within the organisation itself, and in accomplishing external goals. Ongoing assessment helps give the organisation a clear sense of direction and allows management to focus efforts on the most productive and efficient practices. Therefore, assessment is indispensable in determining which elements of policing should be maintained, altered or eliminated. Assessment also offers key decision-makers in jurisdiction a way to gauge the impact and cost-effectiveness of policing efforts. Assessment will help determine whether necessary changes in the support systems are taking place and whether appropriate efforts are being made to accomplish the stated goals. Assessment can also help communicate agency expectations to employees. In the past, police efforts have usually been evaluated by a traditional and narrow set of criteria (for example, crime statistics, the number of emergency calls, the speed of police response, the number of arrests, etc.). Many of the traditional methods of assessment remain valid, but can measure only the effectiveness of crime-fighting tactics and cannot gauge the effect of crime prevention efforts. Changes in the scope of policing necessitate a revised system for evaluating the performance of individuals, as well as agencies. Traditional crime-control activities should become only one of the ways in which the policing strategy and individual officers are assessed. Many indications of the success of policing efforts are intangible (e.g., absence of fear, quality of interaction with community members, etc.); therefore, assessing a policing strategy is a qualitative as well as a quantitative process. Three major criteria -effectiveness, efficiency and equity- can be used to provide the quantitative and qualitative measures needed to assess the success of a community policing strategy. An effective policing strategy will reduce neighbourhood crime, decrease citizens' fear of crime and enhance the quality of life in the community. An important goal of modern policing is to provide higher-quality service to neighbourhoods; therefore, customer satisfaction will be always a more important measure of effectiveness. The perception of progress among community members and ongoing feedback from all elements of the community are essential parts of the assessment process. Randomly and routinely conducted surveys will inform the agency of the public view of police performance, the level of

fear and concern, and will make the agency aware of the extent to which community members feel safe.

International engagement

Since 1855, the Carabinieri Force has had a long tradition of participating in humanitarian and peacekeeping operations abroad.

One of the most important and well known experiences is the so-called Multinational Specialised Unit (MSU). The first MSU was deployed in Bosnia-Herzegovina within the NATO Stabilisation Force (SFOR) in order to fill what was defined as the “security gap” between the military instrument and the collapsed local police force. The “security gap”, as defined by Oakely, Dziedzic, and others, refers to the critical time period in a mission when the need for the use of blunt military force to combat overt violence, including revenge killings and major civil unrest, has ended but the environment is still too unstable for the military to turn over responsibility for public security to regular civilian police.

Following the Bosnia experience, the use of Stability Police Units (SPUs) in missions overseas has increased significantly. The demand for this heavy-duty policing capability has expanded to the point that the SPUs now constitute almost half of international police personnel. This growth has been the most dramatic in United Nations missions. Stability police have become an indispensable partner alongside traditional military contingents and individual police because they are vital for overcoming the public security gap that invariably confronts, and frequently confounds, peace and stability operations. Thus the success of current and future missions undertaken by the UN, NATO, European Union, other international organisations, and ad hoc coalitions of the willing has become increasingly dependent on generating the required quality and quantity of SPUs⁶.

Over the past twenty years, the Carabinieri Corps has participated, under the aegis of the main International Organisations or ad hoc coalitions, in several missions overseas (Guatemala, El Salvador, Cambodia, Bosnia-Herzegovina, Kosovo, Former Yugoslavian Republic of Macedonia, Hebron, Gaza Strip,

⁶ Dziedzic, “*Bridging the Public Security Gap: The Role of the Center of Excellence for Stability Police Units (CoESPU) in Contemporary Peace*”, 2006.

Cyprus, Mozambique, Somalia, Eritrea, Eastern Timor, Sudan, Democratic Republic of Congo, Chad and Central African Republic, Georgia, Afghanistan, Iraq, Albania).

Continuous evolution

Due to modern crime becoming increasingly transnational and cross-jurisdictional, and taking into account the evolution, and revolution, of modern communication technologies, the Carabinieri Corps has been evolving and updating its management structure as well as its operational procedures to evolve internal cultures to embrace cooperation and collaboration. The Carabinieri has also been investing in quality resources and in high-level quality training.

The Corps is constantly trying to be more flexible and dynamic and focused on high standards of performance. Internal strategies relating to budgets, culture, practices, leadership, and accountabilities need to align with the goals of the organisation while meeting the expectations of the community. Contemporary professionalism cannot exist without strong leadership, clear vision, clear values, outcome-focused strategies and a culture of achievement and performance.

5. Conclusion

The carabinieri/gendarmerie-like forces count on strong historical backgrounds that, even though they differ from country to country, can be considered a common denominator. The military status, in particular, which is part of these historical backgrounds, has remained one typical characteristic of the gendarmerie “family”. The military hierarchy and structure were essential prerequisites in the past, due to the peculiarity of the territories which fell under the responsibility of these forces. Today, the military status, which has evolved following the growth of the democratisation process, is a centre of gravity for a set of ideals and values which allows a continuous high level of efficiency for officers who are not only State employees, but the guardians of legality and the reference point for the communities they serve.

The capacity to fight against different typologies of threats and enemies (internal and external), the vicinity to population, the broad control of the

territory (thanks to the capillarity of the territorial organisations), and the experience gained in peacekeeping missions over the last decades are added values which could facilitate the comprehensive efforts aimed at facing the forthcoming security challenges.

Last, but not least, the advantage of having more than only one police force resides also in the need to guarantee a “balanced” law enforcement system which can potentially minimise the drawbacks of a monopoly approach.

The Turkish Gendarmerie: “A Source of Honour”

By Alper Bilgic

Captain at the General Command of Jandarma

Prologue

As defined by the founding father of the Turkish Republic, Mustafa Kemal Atatürk, the Turkish Gendarmerie “is an army of law enforcement which is at all times committed to the motherland, the nation and the Republic with passion and devotion, constituting a model of modesty, self-sacrifice and self-abnegation.” However, the Gendarmerie organisation’s competence in terms of organisational structure, equipment, training and commitment should be assessed against the criterion of whether it meets the security challenges of the 21st century and fulfils the operational requirements to deal with them. The Turkish Gendarmerie has been subjected to several remedy and reform actions throughout its history in order to enable it to perform the various duties assigned to it effectively. The Gendarmerie personnel perform diverse tasks, including anti-terrorism and peacekeeping, in various geographically diverse areas. The Gendarmerie organisation is a law-enforcement entity in military uniform.

In order to deal proactively with the new security challenges of the 21st century, the Gendarmerie organisation is increasing the range of activities for developing and maintaining mutual cooperation with other law-enforcement entities throughout the world. The Gendarmerie organisation strives to address threats posed by security risks and challenges of the 21st century, such as asymmetric conflicts, organised crime, computer-related crime, natural disasters, and acts of terrorism which may come in the form of chemical, biological, radiological or nuclear attacks.

In conclusion, the Turkish Gendarmerie has the required expertise and capability to restore and maintain public order under all circumstances as an effective instrument for emergency management. More importantly, the Turkish Gendarmerie has always been and will always be willing and prepared to undertake any duty to enforce, maintain and oversee security and public order.

The Turkish Gendarmerie: “A Source of Honour”

As defined by the founding father of the Turkish Republic, Mustafa Kemal Atatürk, the Turkish Gendarmerie “is an army of law enforcement which is at all times committed to the motherland, the nation and the republic with passion and devotion, constituting a model of modesty, self-sacrifice and self-abnegation.” The Turkish Gendarmerie has always been, and will always be, in the service of the Turkish nation to enforce, maintain and oversee security and public order within the motherland and anywhere in the world. However, while performing its highly demanding duty, how should we assess the Gendarmerie organisation’s competence in terms of organisational structure, equipment, training and commitment, against the criterion of meeting the security challenges of the 21st century and fulfilling the operational requirements to deal with them? What is being done to enhance capabilities and capacities in order to perform effectively?

In order to get a clear understanding of the status of the Turkish Gendarmerie, it is useful to outline how the organisation evolved. Throughout their history, the Turks have used military organisations to provide security services and maintain public order on lands under their sovereignty. These services were supported by laws such as the Oguz Rules of the Oguz Khan. The Ottomans maintained security and public order in a similar fashion to their ancestors. Throughout the empire, there were several different forces in place tasked with maintaining security and public order. However, the abolishment of the Janissary Corps in 1826, and the *Tanzimat Fermanı*¹ declaration of 1839 led to important developments in law enforcement. With the proclamation of this reform, the *Zaptiye Teşkilatı*² was established (Tarihçe, 2010). *Tanzimat Fermanı* was an edict calling for general administrative reforms, among which was the adoption of a centralised approach to security. However, it did not establish regulations concerning principles of operation (Sönmez, 2006).

In 1846, the administration of the *Zaptiye Teşkilatı* was assigned to the newly established *Zaptiye Müşirliği*. The first regulation in the Ottoman era concerning gendarmerie units, which had been serving in Anatolia and

¹ The Imperial Edict of Reorganisation

² Gendarmerie Organisation

Rumelia³ since 1840, was the *Zaptiye Askerine Dair Nizamaf*⁴. It laid down the rules concerning the establishment and supervision of Gendarmerie units (Sönmez, 2006).

During that period, one of the main duties of Gendarmerie units was to ensure the security of rural areas. In addition, the Gendarmerie was employed for the protection of important passages and roads, the collection of duties and provision of security for employees of the postal service (Sönmez, 2006).

On 24 April 1861, a new regulation was put into effect as a result of meetings by a commission within the *Seraskerlik*⁵. Under this regulation, Gendarmerie units were organised as regiments and battalions (Sönmez, 2006). This was intended to solve problems caused by the widely scattered distribution of gendarmerie units, by trying to meet the local needs of each region and bringing more order to the operations of the units. The regulation set policies regarding the recruitment, selection, assignment, training and remuneration of gendarmerie personnel. Around 1864, the code of *Kuvve-i Zabtiyenin Vazîfe-i Mülkiye ve Askeriyesî*⁶ was put into effect. This code regulated the duties of gendarmerie regiments in detail, classifying them as either administrative or military tasks (Sönmez, 2006). The regulations and codes published between 1869 and 1870 allowed Gendarmerie units to carry out their duties according to the provisions of the aforementioned regulations and codes, reforming the Gendarmerie organisations throughout the countryside (Anatolia-Rumelia) and in Istanbul (Sönmez, 2006).

In 1879, the *Zaptiye Müşirliği* was replaced by the *Zaptiye Nezareti* and the *Jandarma Dairesi*. The *Jandarma Dairesi* was subordinate to the *Seraskerlik* and held the authority of today's General Command of Gendarmerie (Tarihçe, 2010). In 1904, the *Jandarma Tensik Daireleri*⁷ was established in Rumelia to reorganise the gendarmerie organisation. In 1909, the *Jandarma Dairesi* was replaced by the *Umum Jandarma Kumandanlığı*⁸ in order to extend the success

³ Rumelia was a term widely used for the Ottoman territories located on the Balkan Peninsula.

⁴ The Regulation Pertaining to the Gendarmerie Conscripts

⁵ The Office of Commander-in-Chief

⁶ Administrative and Military Duties of The Gendarmerie Force

⁷ Gendarmerie Reorganisation Departments

⁸ General Gendarmerie Command

of the reorganisation in Rumelia throughout the entire country (Tarihçe, 2010). On 15 March 1919, the Gendarmerie was brought under the *Dâhiliye Nezâreti* (Ministry of the Interior) (Tarihçe, 2010).

After the foundation of the Turkish Grand National Assembly and the establishment of the Turkish National Government on 23 April 1920, the *Umum Jandarma Kumandanlığı* was brought under the authority of the Ministry of National Defence (Tarihçe, 2010).

The Gendarmerie organisation, which was involved in all efforts to defend the homeland during the First World War and the Turkish War of Independence, was reformed following the foundation of the Republic on 29 October 1923. Between 1923 and 1938, the Turkish Gendarmerie implemented the principles and reforms set by the founding father of modern Turkey, Mustafa Kemal Atatürk, and lawfully suppressed riots to maintain peace and security (Tarihçe, 2010).

The principles, tasks, subordination, characteristics and jurisdiction of the Gendarmerie, as well as the tasks and responsibilities of commanders at every level were determined by Law No. 1706, which was put into force on 22 June 1930. At that time, the organisation was renamed *Jandarma Umum Kumandanlığı*⁹ and command of the organisation was placed in the hands of a lieutenant general. In 1935, it was decided that Gendarmerie officers would be trained and educated in the Turkish Military Academy, and the name of the organisation was changed to *Jandarma Genel Komutanlığı*¹⁰ (Tarihçe, 2010). In 1937, *Jandarma Teşkilât ve Vazîfe Nizâmnamesi*¹¹ entered into force, intended to clarify the application of Law No. 1706 (Tarihçe, 2010). In 1953, the name of the organisation was changed to *Umum Jandarma Kumandanlığı* and the status of the commander of the organisation was raised to full general's rank (Tarihçe, 2010).

Law No. 6815, which was put into force in 1956, assigned to the *Umum Jandarma Kumandanlığı* responsibilities for guaranteeing the security of borders, coasts and territorial waters, and for preventing, detecting and investigating

⁹ Gendarmerie General Command

¹⁰ General Command of Gendarmerie

¹¹ The Regulation on Organisation and Duty of the Gendarmerie

illegal trafficking at customs areas (Tarihçe, 2010). In 1961, the name of the organisation was changed again to *Jandarma Genel Komutanlığı* (Tarihçe, 2010). Law No. 2632, which was put into force in 1982, transferred responsibility for maintaining security of coasts and territorial waters to Coast Guard Command (Tarihçe, 2010).

Law No. 2803 on Gendarmerie Organisation, Duty and Jurisdiction, which was put into force in 1983 and is still in effect, determines the definition, general duties, responsibilities, subordination, characteristics and jurisdiction of the organisation (Jandarma Genel Komutanlığı, 2010).

Law No. 3497, which was put into force in 1988, transferred responsibility for the security of borders to the Land Forces Command (Tarihçe, 2010). However, some sections of the Iranian and Syrian borders and the entire Iraqi border are still under the responsibility of the General Command of the Gendarmerie (Jandarma Genel Komutanlığı, 2010).

According to Article 3 of Law no. 2803 on the Gendarmerie Organisation, Duty and Jurisdiction, “the Gendarmerie of the Turkish Republic is an armed, military-based security and law-enforcement force which preserves security and public order and carries out other duties assigned by laws and regulations.” Article 4 of this Law states that, “the General Command of the Gendarmerie is a part of the Turkish Armed Forces and is subordinate to the General Staff in respect to duties pertaining to the Armed Forces, training, and education, while it is subordinate to the Ministry of the Interior with regard to the exercise of tasks related to security and public order and other duties and services. However, the General Commander of Gendarmerie is accountable to the Ministry of the Interior” (Jandarma Teşkilat, Görev ve Yetkileri Kanunu, 1983).

Article 7 of Law No. 2803 classifies the duties within the jurisdiction of the Gendarmerie into four categories, namely administrative, judicial, military and other duties. Administrative duties are “enforcing, maintaining and overseeing security and public order; preventing, detecting and investigating illegal trafficking; implementing and exercising the necessary measures to prevent the committal of crimes; and providing external protection to correctional facilities.” Judicial duties are defined as “performing the procedures laid down

by law with regard to committed crimes and providing the judicial services involved in those procedures.” Military duties are “executing tasks required by military legislation and regulations and assigned by the General Staff.” The other duties are defined as “performing the other tasks besides those stated above and implementing the decrees of other laws and regulations, and assignments given to the Gendarmerie by orders and verdicts based on those laws and regulations” (Jandarma Teşkilat, Görev ve Yetkileri Kanunu, 1983).

Article 10 of Law No. 2803 states that, “in general, jurisdiction of the Gendarmerie is over areas which remain outside the jurisdiction of the Police and are outside the provincial and district municipal boundaries, or which are lacking police organisation” (Jandarma Teşkilat, Görev ve Yetkileri Kanunu, 1983). The Turkish Gendarmerie’s jurisdiction involves approximately 90% of the territory of the country and 50% of the population (Jandarma Genel Komutanlığı, 2010 & Turkey: Gendarmerie 1995).

There is a “need to develop capabilities to cope with demanding, high-intensity, yet still localised threats to public order” (Armitage & Moisan, 2005). Within such an environment, “a mix of capabilities that allow for a seamless shift from ground combat to operations of a law enforcement character” should be acquired to deal adequately with the challenges of the 21st century (Armitage & Moisan, 2005). Throughout the country, there are several independently operating establishments of the Gendarmerie organisation with the responsibility and authority to lawfully intervene in all public affairs within their jurisdiction. The military structure of the organisation ensures it functions well in terms of discipline, mobility and combat training while performing the duties assigned under the framework of laws. However, the organisation’s military structure also makes it very authoritarian and hierarchical, with minute rules in place to enable it to perform its highly demanding duties. Strict authority and rules may prevent it from responding to changes in the environment. An organisation not responding to changes stands the risk of losing its relevance and being replaced by another organisation that is able to keep pace with changes. However, the Gendarmerie organisation counters this risk through its research and development activities and its high standards of education (Rosenbloom & Kravchuk, 2005).

Gendarmerie officers are selected mainly from cadets from the Turkish Military Academy. Following their undergraduate education at the Turkish Military Academy, gendarmerie officers attend the Gendarmerie Schools Command where all gendarmerie personnel receive their basic gendarmerie training. In addition to NCOs, specialised sergeants are also recruited and trained. Gendarmerie recruits provided by the military conscription system are trained in Gendarmerie Training Units in accordance with their assigned duties. Gendarmerie personnel perform diverse tasks, including counter-terrorism and peacekeeping, at diverse geographical locations. The General Command of Gendarmerie therefore attaches the utmost importance to education and training so that its personnel is able to keep up with changes in every aspect of the social and technological spheres associated with the performed tasks. The organisation also makes a continuous effort to modernise equipment and technology so it can effectively carry out its duties. A code of ethics was developed and adopted to serve as a guideline for personnel of the General Command of Gendarmerie in carrying out their responsibilities. This code of ethics is based on a number of occupational principles aimed at guiding the professional lives of Gendarmerie personnel and providing them with a means of learning the ethical standards of the organisation. These professional principles to be upheld are concerned with administrative, judicial, military and other duties. They are imperative for all Gendarmerie personnel. Complying with these principles will help to mitigate a person's undesired behavioural tendencies. They impose sanctions, within the legal framework, on personnel showing non-standard behaviour. They regulate occupational competition and aim at increasing efficiency and effectiveness of service. Administrative ethical principles of the General Command of Gendarmerie are: to behave in observance of the ethical values of the Turkish Armed Forces; to be just, equitable and righteous; to be honest, impartial and responsible; to respect human rights and act in accordance with the law; to be provident (i.e. rational use of resources); to be democratic and to believe in democracy; to be explicit; to promote positive public relations; to act in accordance with individual rights and freedoms; to give people their due; to resist unlawful orders; to be humane, loyal and caring; and to be respectful (*Jandarma Genel Komutanlığı*, 2001).

The Gendarmerie organisation is a law-enforcement entity in military uniform. This is the difference between the Gendarmerie and other law-

enforcement organisations from a societal perspective. Military service and the armed forces occupy a special position in Turkish society and in the minds of the general public, and the population places more trust in military institutions than in any other government institution (*Avrupa Komisyonu Türkiye Delegasyonu*, 2008). Since the organisation enjoys a high and respected status in Turkish society, being a Gendarmerie officer fulfils most of Maslow's Hierarchy of Needs¹², providing its members with opportunities that go well beyond fulfilling their physiological and safety needs. The sense of belonging to a respected and powerful organisation, such as the Turkish General Command of Gendarmerie, is a source of honour for many. Aware of the importance and difficulty of the tasks they perform, Gendarmerie personnel are committed to serve and protect the nation to the best of their capability.

In order to deal proactively with the new security challenges of the 21st century, the gendarmerie organisation is increasing the range of activities for mutual cooperation with other law-enforcement entities in the world. The organisation is currently undergoing a transformation that affects all aspects of its functioning to enforce and maintain security and public order. A criminal investigation system has also been established to help gendarmerie units detect crime and criminals by scientifically examining lawfully collected physical evidence (Gendarmerie General Command Criminal System, 2009).

The Gendarmerie organisation strives to address threats posed by the security risks and challenges of the 21st century, such as asymmetric conflicts, organised crime, computer-related crime, natural disasters, and acts of terrorism which may take the form of chemical, biological, radiological or nuclear attacks. Such threats, which may originate from both within and outside the national borders, cannot be countered by one organisation alone. In order to identify the best responses to such threats, the Gendarmerie organisation recognises the need to improve its capabilities and enhance

¹² Maslow's Hierarchy of Needs is a theory in psychology, proposed by Abraham Maslow in 1940s, which portrays human needs that affects motivation in a hierarchical order which is usually depicted as a pyramid, biological and physiological needs stating basic life needs at the bottom and self-actualisation needs stating personal growth and self-fulfillment at the top.

cooperation among law-enforcement entities. The Turkish Gendarmerie strives to improve its technical and intellectual capabilities to confront the complex threats of the 21st century. The organisation seeks to enhance its capability to address asymmetric threats whenever and wherever they occur and acts as an effective instrument for emergency management by its ability to take and implement decisions in a timely fashion with the support of public opinion (Matousek, 2002 & NATO, 2004).

In the information age, “the soft and weak” surmount “the hard and strong”, by attacking its willpower through all instruments available, such as the media (e.g. internet) (Clarke, 2007 and Sun, 1995). Asymmetric confrontation also occurs when the attacker uses new, unorthodox, surprising methods, technologies or distorted rules of engagement to seek and abuse vulnerabilities of its target. The key to the asymmetric struggle, which is also “a war of ideas”, is to corrupt the opponent from within by overwhelming him with all forms of misleading, delusive and divisive ideas. Asymmetric conflict may present itself in many forms, such as domestic terrorism spreading malignant schemes, cyberterrorism, involving the use of computers or computer networks in terrorist acts, or narcoterrorism, involving drug smuggling (O’Connor, 2009).

Cyberterrorism is any form of deliberate attack which destroys computerised nodes for critical infrastructures to achieve political or social objectives through intimidation or coercion. In the absence of political motivation such a cyberattack can be labelled as cybercrime. However, it is not always easy to ascertain the intent or political motivation of an attacker. As such, labeling a cyberattack as a cybercrime or cyberterrorism can be problematic. Cybercrimes may also be committed in a very highly structured and organised network. Moreover, terrorist groups may cooperate with criminals to finance and expand their activities. Therefore, it can be difficult to label them (Wilson, 2008; O’Connor, 2009; Gordon & Ford, 2002 & Krasavin, 2000). No matter how difficult it is to name such threats, crimes must be detected and prevented, regardless of their labels. The primary objective is to prevent such threats from happening. Some threats, such as earthquakes, cannot be prevented from happening. In this case, in the context of emergency management, the goal of the organisation is to minimise prospective injuries and the loss of life, potential damage to infrastructure, and economic impact.

All in all, the Gendarmerie organisation provides the nation with an important and effective tool for emergency management by combining law enforcement and military capabilities in order to confront challenges faced (Lalinde, 2005). Military forces are not trained to cope with civil crimes and criminals in the aftermath of a conflict; they are ill-suited to “provide basic law enforcement and security in a not yet fully stabilised environment.” Under such circumstances, the use of “police forces alone does not help to create stable conditions unless there are other means to process criminals and administer justice” (Armitage & Moisan, 2005). However, the Turkish Gendarmerie has the expertise and capability required to restore and maintain public order under all circumstances through a four-stage cyclical process which comprises preparedness, response, recovery, and mitigation (Mileti, 1999 & Bunyan, 2005). Thus, Gendarmerie troops are well-suited to be deployed “at every phase of a conflict” owing to their flexible structure, which is suitable for being placed under either military or civilian command, their equipment from both military and police forces, their high level of military and police training, and the size of their personnel resources (Armitage & Moisan, 2005).

In conclusion, in terms of quality and quantity, Gendarmerie personnel are well-suited to provide law enforcement and security in national and international environments where “old concepts and organisations are no longer adequate in dealing with the asymmetric and non-traditional enemies” (Armitage & Moisan, 2005). Within its jurisdiction, the Gendarmerie organisation is able to perform excellently in ensuring the safety and well-being of people and their property, keeping them informed about potential hazards and how these can be prepared for and protected against. The organisation supports emergency services through leadership, education, communication, and coordination. More importantly, the Turkish Gendarmerie has always been and will always be willing and ready to undertake any duty to enforce, maintain and oversee security and public order.

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The 21st century: security challenges. Expanded borders for the Argentinian national gendarmerie

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Today's world is undeniably globalised and there is no way to return to previous traditional paradigms. Man and society must understand that by adapting to the positive parameters of globalisation, it is possible to create a better world, but only if it is comprehended in full.

Moving from that general framework to a more specific one, the more undesirable consequences of globalisation, which are to some extent also unavoidable, seek to impact on societies and weaken them. From this perspective, every state must be able to create its own legal structures to prevent such consequences. If these legal structures are not able to fulfil their functions properly, people start to feel anxiety and distrust. Incompetent state structures fail to protect citizens and create a very fertile field for new global threats, in particular those related to criminal activities, such as transnational organised crime. International borders no longer appear to exist in this respect and this may indeed be the case. That is to say they no longer exist in the way that people have traditionally perceived them. Actually, even if the frontiers are under strict control, they appear to be easily permeable.

In every democratic society, there are many dimensions involved in terms of public life, the most common being the political, cultural, environmental, economic, defence, justice, security and religious dimensions. However, there is one in particular which is currently attracting the attention of the authorities. Internal security has become a very sensitive issue for governments. Due to increases in crime and criminal violence, the supreme commitment to protect their citizens and their fundamental rights is under threat. The policies on security must be sustainable and attainable. In addition to political measures, in order to be successful in the preservation of this crucial pillar, it is paramount to have security forces that are capable and reliable.

At this point, it is important to discuss the law enforcement offices and security institutions that already exist within the structure of homeland security and which are tasked with preventing crime, following up investigations, maintaining public order and neutralising cross-border crime.

In the 21st century, crime will be one of the greatest challenges for democratic states. The world has become unpredictable and unsafe, but there is no reason to lose hope nor to lose direction.

1. Introduction

This aim of this article is to analyse the Argentinian National Gendarmerie in the context of the security challenges for the 21st century.

The Argentinian Gendarmerie is a typical gendarmerie-type force. The model of the National Gendarmerie stems from its history. In order to understand the present state of the force, it is essential first to provide some historical background. Obviously, history cannot explain all aspects, so it is also necessary to discuss later events. We will follow the phases of the evolution of the Gendarmerie, thus creating a picture of today's force. In this sense, information about the force's own characteristics and values is very useful in order to understand how the gendarmes perform their day-to-day duties, as well as to comprehend the ethical structure of the organisation.

After that, the position of the National Gendarmerie in both national and international scenarios is analysed from the current perspective, aiming to provide the reader with an insight into the future of the institution.

The article will end with a number of conclusions, allowing to the readers to reflect on its content. The article as a whole is an attempt to make a useful contribution for those colleagues and researchers who seek explanations and knowledge in this specific domain.

2. Evolution of the concept of "Gendarmerie"

2.1. Background

In Argentina, the National Gendarmerie was created in 1938. Its creation was the result of a true public necessity to consolidate the international borders and to guarantee the security of colonists and settlers based in the National Territories. It was also intended to secure remote and isolated regions of

the country, and to replace the old regiments of the line of the Argentinian Army in its capacity as a border security force.

The Gendarmerie's creation was not a political decision of a circumstantial nature, but the result of a long historical process generated by social needs and by the state in its institutional evolution. The force recognises the following historical facts as its institutional antecedents:

- In 1724, the first military corps, known as *Compañías de Blandengues de la Frontera*, had as its mission to restrain the native incursions that hit the Buenos Aires territories and Pampa's plains.
- In 1751, a similar corps was created in the *Banda Oriental*, called *Cuerpo de Blandengues de la Frontera de Montevideo*. Its mission was to control the Uruguayan border with the present-day territory of Brazil, under Portuguese rule.
- In 1789, the boundary line had already been formed, demarcated by the Salado River, running due west from the coast of the Río de la Plata, protected successively by the Fort of San Juan Baptist of Chascomús, Guardia del Monte, Fortín de Lobos and the Navarro, the Fort of the Guard of Luján, Carmen de Areco, de Salto and de Rojas.
- During the government of Dr Nicholas de Avellaneda (1874-1880), Law 850 created a Gendarmerie corps, consisting of two companies designated to cover the northern border with the Argentinian Chaco and Bolivia.
- At the beginning of the 20th century, by Decree of 25 February 1902, units of the Argentinian Army with its Headquarters in the military garrison in the Chaco began to act as a Gendarmerie police force, that is to say, they carried out border control tasks, with 11 and 12 Cavalry Regiments designated for this task.

There were also various ongoing projects to create a Gendarmerie corps under the authority of the Ministry of Defence; projects in 1911, 1913 and 1921 led to the creation of 10 units of Gendarmerie of the Line, to be distinguished from army units, but successive projects of 1923, 1926, 1928, 1934, 1936 and 1937, were unsuccessful for various political reasons.

- During the presidency of Dr Hipólito Irigoyen, by Decree of 22 October 1917, the Regiment of Gendarmerie of the Line was created, with the mission to control the border of Formosa with Paraguay, a region considered to be a "hot zone". This military unit, formed basically like

a combat regiment, had its headquarters in the city of Formosa and the deployment of its subunits covered a territorial extension of 400 kilometres towards the west of the national territory, along the entire the border with Paraguay.

2.2. Creation of the Argentinian Gendarmerie. Evolution phases

Finally, during the government of Dr Ortiz Robert, on 28 July 1938 the Law creating the National Gendarmerie¹ was approved, assigning to Army Colonel Manuel Maria Calderon the responsibility for its organisation, creation and implementation of staff categories and the training of its personnel.

The foundations that sustained the statutory law and that constituted its creation were: “To contribute decisively to maintaining the national identity in border areas, to preserve the national territory and the inviolability of the international border”.

Historical events and geographic features determined the Gendarmerie characteristics. Based on these facts, the new Corps adopted a military organisation, as well as an educational military system, with an iron discipline and will.

From its creation, several legislative steps² provided the Gendarmerie with the necessary legal basis for it to be organised in terms of functions and the allocation of responsibilities, as well as recruitment of personnel, equipment supplies, etc. This is considered as an institutional phase of its development, a crucial one. Human resources, logistics and financial matters were regulated from a particular perspective. Under the responsibility of the Minister of Defence, and under the control of the Army, the Gendarmerie adopted a typical military doctrine which characterised this entire historical period.

¹ Law No. 12.367 creating the National Gendarmerie, passed on 28-07-38.

² * 28-02-46: Law Statute No. 6358/46-NG

* 18-12-46: Law No. 12.913-Ratification of Decree No. 6.358/46

* 03-12-51: Law No. 14.050-NG Amendment of the Statute (Law No. 12.13)

* 25-05-58: Law Act No. 3.491/58-NG

* 23-09-58: Law No. 14.467-Ratification of the Organic Law of NG (DL 3.491/58)

* 03-09-61: Law No. 15.901-Modification of the Organic Law of NG (No. 14.467)

* 08-10-63: Decree-Law N° 8913/63 – Modification of the Organic Law of NG
(D.L. 3.491/58)

* 15-06-67: Law N° 17.313 - Modification of the Organic Law of NG (N° 14.467)

* 20-11-67: Law N° 17.542 - Idem

* 25-11-71: Law N° 19.349 - Law of National Gendarmerie.

The gendarme helped the progress of geographically isolated zones, most of them situated in the north, north-west, west, north-east and south of the country. His presence generated a feeling of protection among the people, creating a better living environment. As a public servant, the gendarme became a fully integrated member of the community, whilst never losing his authority. A particular profile of the gendarme-military was gradually emerging. Generation after generation of local inhabitants shared their lives with him. He might serve as a teacher, a medical doctor, or a counsellor, but always with authority. Based on his service performance on the one hand, and his professional and personal value on the other hand, the gendarme became a living expression of sovereignty.

While the army was preparing itself to defend the country under the so-called “National Security Doctrine”, the protection of international borders became a very sensitive issue for the national government and the nation as a whole. Operationally, the gendarmerie focused its activities on the reinforcement of the borders to prevent any violation by foreigners, civilian, military or paramilitary individuals or groups³.

Additionally, on the one hand the gendarmerie accomplished its police role by supervising international checkpoints and illegal crossing points. Illegal immigration, smuggling, drug trafficking, public order maintenance were their main concerns. On the other hand, national defence duties were conducted by a specific unit called the “security squadron”⁴ which protected nuclear facilities, sensitive material factories, international and inter-jurisdictional bridges, a dam complex, etc.

Later, in 1982 the gendarmerie participated in the Falklands War by integrating the military ground component with a special unit⁵. In 1983, Argentina became a democratic state.

³ The year 1965 saw an international armed conflict in Laguna del Desierto. In preserving the inviolability of the international border, a patrol of gendarmes clashed with a small group of Chilean Army soldiers.

⁴ Security Squadron: equivalent to or larger than an army company. It was an operational unit organised, equipped and trained to provide static security to the sensitive material facilities or installations.

⁵ The Alacran Squadron was integrated with Special Forces personnel. It was organised, equipped and trained to conduct military operations, such as ambushes, infiltration, etc.

In 1992, the first contingent of gendarmes was deployed to the Balkans for peacekeeping operations as part of the United Nations Protection Force. Conducting monitoring operations and supervising the local police, the gendarmerie reaffirmed its police role within the civilian police component.

For almost 60 years, the National Gendarmerie demonstrated a doctrine, organisation and institutional deployment that responded to the strategic vision of the National State, emphasising the protection and monitoring of the international borders. The deployment of its units and sub-units was based on a static method. However, the aforementioned institutional layout contributed to the social and economic development of many communities situated away from main cities. This situation still persists in some places.

Driven by new realities, the institutional evolution of the country led the National Gendarmerie to be moved from Ministry of Defence to the Ministry of the Interior in terms of authority. This occurred in 1996, and from that moment the Gendarmerie adopted a police profile, in spite of its military doctrine.

Recently, ending 2010, the Ministry of Security has been created. As a new branch, National Gendarmerie as well as the others federal security forces have been moved from the previous former Ministry of Justice, Security and Human Rights.

As a matter of fact, two main pieces of legislation apply to the National Gendarmerie: the Law of Internal Security⁶ and the Law of National Defence⁷. The former provides the general scope for its mission and functions, while the latter applies complementarily.

⁶ Law No. 24.059 of Internal Security, passed by Congress on 17-1-1992, which includes the National Gendarmerie, the Naval Prefecture, the Federal Police, and the Airport Police. Provincial police institutions are also invited to join the “National Police Effort” to contribute to the internal security of the country.

⁷ Law No. 23.554 of National Defence, passed by Congress on 13-4-1988. The National Gendarmerie is part of the structure of the National Defence, as stipulated in paragraph No 9.

3. Characteristics and values of the gendarmerie

3.1. *Characteristics*

In Argentina, there are the Armed Forces, the Security Forces, and Police Forces. The structure of the Security Forces consists of the National Gendarmerie, the Naval Prefecture, the Federal Police, the Airport Police, and the Federal Correction Service. The Gendarmerie has defined itself as an "Intermediate Force"⁸, based on the fact that it has a number of features similar to those of the Police Forces and the Armed Forces. The concurrence of both police and military functions in its mission statement is the main characteristic.

The aforementioned intermediate concept is a legal option for the national state to exclude the Army from the maintenance of public order and the performance of intelligence activities; the internal security law allows only the security forces to intervene in the event of major riots and illegal migration through international borders, and to neutralise groups of organised criminals which do not fall under the ordinary scope of crime.

In this country, the unique force with these characteristics is represented by the National Gendarmerie. It has demonstrated to be an efficient organisation, especially considering its dual characteristics in dealing with security and defence duties and responsibilities, mainly with regard to the expanded Argentinian borders, which are very permeable and geographically difficult to control. The Gendarmerie also acts, at the request of the provincial authorities and with national government approval, when riots and demonstrations get out of control and require more than civil police intervention. In handling these situations, it is well-equipped for riot control operations. Normally, however, its functions are related to the monitoring of the international boundaries, not only to prevent illegal immigrants from entering, but also to prevent the smuggling of contraband, among other federal crimes, and also to maintain territorial integrity.

⁸ Intermediate Force Concept. Organisation with military status, able to deter and respond to threats, crises, contingencies and incidents within the Internal Security and National Defence framework. Also develops appropriate skills for its commitment to supporting national foreign policy.

The specific education and training received by the gendarme for the fulfilment of his duties is based on humanistic and technical content, and is what makes him a “soldier of the law”. Its purpose is to form and train the gendarme to fulfil the missions and the specific duties of National Defence, but from the point of view of a public servant.

The Gendarmerie is trained to counter crime; its members are professional agents who are able and equipped to stop and/or to neutralise criminals or transnational crime organisations. Their tools are the codes of legal procedure and laws of the nation, and only in extreme cases and as a last resort, the use of force and firearms. The controlled use of force in social conflicts is one of the distinguishing features of the institution compared with the other police forces.

In fact, both technical programmes and university programmes are offered in order to have more qualified personnel, including personnel proficient in foreign languages. All this, along with the courses on human rights and international humanitarian law, allows the gendarme to accomplish any mission assigned within the framework of UN peacekeeping operations and operations of the North Atlantic Treaty Organisation⁹.

This flexible organisation follows modern concepts, with fewer levels in the administrative pyramid, decentralised operational decision-making and logistic centralisation in substantial issues. The capacity to implement police and military procedures enables the force to intervene in a variety of crisis situations.

Due to its dual nature and capabilities, the Gendarmerie has participated in many different international operations, in countries such as the Dominican Republic, Haiti, Guatemala, Colombia, Lebanon, Croatia, Bosnia-Herzegovina, Kosovo, East Timor, the Democratic Republic of Congo, Angola, Rwanda, and recently in Ivory Coast, Sudan and Liberia. A vast range of tasks and responsibilities has been accomplished, such as:

- Formed Police Units.
- Military Observers.
- Staff members of the Multinational Specialised Units.

⁹ From 1998 to 2000, the National Gendarmerie joined the NATO Stabilisation Force in the Balkans by integrating with the Italian Carabinieri Multinational Specialised Unit (MSU)

- Monitoring of police and judicial systems.
- Monitoring of correctional systems and prisons.
- Investigations of human-rights violations.
- Assisting in the reconstruction of the civil infrastructure.
- Coordination of humanitarian assistance.
- Monitoring and supervision of presidential elections and referendums.
- Supervisor and adviser in public security.
- Liaising with international civilian and security/military organisations.
- Assisting in the reorganisation and retraining of the local police.
- Monitoring activities of integrated border complexes.
- Mentoring and training to enhance local police capacity.

At the Argentinian Embassies in Bolivia, Paraguay, Peru, Colombia, Guatemala, China and Algeria, the gendarmes have provided security to diplomatic personnel and facilities. Specific technical support was provided at the Argentinian Embassies in Chile, Bolivia and China. Police Advisers and Liaison Officers were sent to the United Nations, as well as to France, Chile, Paraguay, Brazil, Bolivia, Colombia and Peru.

The most recent assignment abroad has been to the Union of South American Nations¹⁰. The Secretariat's Headquarter of UNASUR is based in the Republic of Ecuador, while the Technical-Politic Secretariat has been temporarily established in Haiti, where the Argentinian Gendarmerie provides physical security to the international civilian staff officers and facilities.

With a realistic vision on the consequences of the globalisation process for regional cooperation, or on a world-wide scale, the National Gendarmerie has promoted a constant adaptation of its structure to the new reality. A major institutional effort is dedicated to the permanent updating of its personnel's skills.

The Gendarmerie is a valid legal instrument and necessary to link the highest national interests with the basic needs of the population. Two important aspects in this respect are the consolidation of the concept of an intermediate

¹⁰ The Union of South American Nations (UNASUR) is a regional political project created in 2008 and effective from 2011. Argentina is a member of the organisation. Its aim is to stimulate the political, economic, cultural and social development of the región in a democratic context.

force and increasing in relevance among the gendarmerie-type forces and police organisations with military status.

3.2. *Values*

The National Gendarmerie goals are intended to contribute to the supreme responsibility of the nation: the general social welfare of its inhabitants. For the fulfilment of such aims it is necessary that those institutional goals are imbued with ethical contents and moral values. The values were chosen by the founders of the Gendarmerie. The metaphysical validity of such values is not at issue. They must be observed and constantly reaffirmed by every single member of the entire force. The permanent values of the gendarme are the following:

- *Religious beliefs*

The National Constitution, as a fundamental statement, recognises the existence of God. The gendarme must orientate his belief to a unique, universal and paternal God. To love God and his fellow human beings is an essential principle. That implies seeing the human being as an image of the Creator. From this value derives the permanent conviction of the gendarme to respect and to defend the human rights of any person.

The religious education of the personnel will allow for cohesion in the force from a moral and spiritual point of view, stimulating those collective values of solidarity and esprit de corps, love for the mother country, the correct performance of duties, sentiments of loyalty, honour, subordination and self-abnegation.

- *Mother country*

This concerns the gendarme's love of his native country. It is nourished by the past, it endures in the present and it has a future projection. Being a good public servant contributes to the nation's greatness.

The love for the mother country is a feeling that implies commitment and devotion. To demonstrate his love of the mother country he must conduct himself honestly and show a clear vocation to serve others.

- *Family*

The gendarme must recognise the family as a natural community of parents with their children, founded on marriage. The family forms the

basis for feelings and communitarian values with regard to love, fidelity, respect, confidence and solidarity. The gendarme must care for his wife and children and provide for their welfare.

In the same way as the National State has the obligation to protect and to respect the rights of the Argentinian family, the National Gendarmerie has the same obligation in relation to its members' families.

- *Respect for individual and collective rights*

The National Gendarmerie focuses on the physical person from a double perspective, both individual and social, as a human being.

The gendarme must safeguard the individual and social rights of all individuals without distinction on the basis of gender, creed, race, nationality, ideology, etc. That is to say, that the gendarme accepts the mandates derived from the institutions founded on norms. For that reason his actions are devoid of partisanship or ideological connotations. The gendarme is "a soldier of the law" and the law is his permanent guide. Thus he must make those norms into a mantra, so that he does not allow his actions to be determined by human feelings.

- *Public service vocation*

The public service vocation is the call to safeguard the highest values and the rights of citizens. It is like the priesthood, an act of devotion and love towards one's fellow human beings. There are no gradations in the way one serves. Even the most insignificant task is important and relevant to the institutional goals. There is no difference between a dangerous mission and a basic administrative duty. All assignments contribute to the fulfilment of the duties entrusted to the gendarmes.

- *Esprit de corps*

This esprit de corps can be individual or collective, and implies the feeling of membership and participation in a common project to serve superior interests and values. The esprit de corps means that each member is naturally inclined to cultivate the loyalty and the solidarity of all the members of the institution. This value never can be negative, nor can it encourage complicity in and concealment of illicit deeds. On the contrary, a pure esprit de corps will allow the imposing of sanction and the expulsion of any gendarme who has broken the law.

This value is the clear manifestation of the service vocation of the gendarme, and shows the cohesion of all the members. It is a well-disciplined way to achieve a superior aim which is to serve the nation and the community as large.

- *Discipline*

Discipline implies a community of teachers or senior officers who teach and students or subordinates who learn. The organisation is a harmonious community which requires a basic state of order and obedience. It is expressed through the subordination and the respect within the group and between the individuals in the fulfilment of the norms and the orders given by senior personnel.

The discipline is based on education, a suitable system of rewards and punishments, and essentially on the example of a gendarme who commands and teaches while the other gendarme obeys and learns.

The National Gendarmerie requires order, in which the gendarme is well-educated and knowledgeable of his responsibilities, rights and obligations, exercising them to achieve the aims of the organisation.

- *Subordination*

This value implies that one is voluntarily placed under an order, willingly accepting a command given by the senior member in charge of the assignment, respecting the norms and, bearing in mind the superior aim of the community as a whole, seeking the fulfilment of the mission that will be conducted according to ethical and legal norms.

Subordination is not blind obedience, since it entails a propitious spiritual state and awareness of the result of the submission, which will be reflected in the fulfilment of the superior aim that is being pursued.

The gendarme must never obey an illegal or immoral order. Likewise as a teacher, he must never deliberately impart incorrect knowledge.

The subordination aspect implies other values: command and hierarchy, which are necessary to keep the organisation in operation, regardless of whether it involves a single element or the gendarmerie as a whole.

These essential institutional values must be handed down by the senior members to the personnel by example. The formation, the capacity and the proficiency will increase during the gendarme's professional career, by

gradually acquiring better skills and aptitudes, which will contribute to the enrichment of the institutional identity.

4. Role of the gendarmerie in the national and international context

The previously described concept of a static Gendarmerie focusing exclusively on border control has progressively changed. The dynamism which characterises globalisation has had an impact on society. The country and the society have evolved following variables that are not clear enough. The social and economic transformation is in progress but new threats have arisen, interrupting and delaying the progress.

Consequently, the demands made on the Gendarmerie by the authorities are no longer the same. But is the National Gendarmerie the same? Absolutely not! The experience accumulated and the prestige gained over the years has yielded benefits, giving the Gendarmerie the institutional strength to face the security challenges of the present century.

Recently, in late 2009, following the transformation of the public institutions recommended by the national government, the National Gendarmerie decided to introduce changes to its organic structure and redefine its strategic vision. The highest level of command in the force and its senior general staff are fully convinced that we are faced with a new scenario and the entire organisation should be prepared to face the various types of crime involved. The national authorities, urged by an important demand for citizen security on the part of the community, support the adaptation of the Gendarmerie to this reality. In its permanent commitment in the fight against contraband, economic crime, drug trafficking, terrorism, migrant smuggling, human trafficking, environmental crime and other factors that can damage the security of the State or its inhabitants, the organisation has brought about the necessary adjustments in its structure, adapting it to the changes facing the decision-makers in an atmosphere characterised by dynamism, a complex variety of actors and, consequently, shifting degrees of uncertainty.

The ongoing development project has ambitious goals in the medium and long term, orientated towards noticeably optimising the operative results by an augmentation of the integral resources. One of the most important

challenges of the force transformation has been the incorporation of men and women to its ranks by recruiting up to 10,000 new gendarmes. In fact, this large-scale recruitment has forced an urgent organisational, educative, logistic and financial re-engineering.

In support of foreign policy, the objective is to continue participating in operations throughout the world, by providing security to the Argentinian Embassies and in peace-keeping operations under the flag of the United Nations. International cooperation has proven to be a very practical instrument for keeping abreast of the *modus operandi* of criminals in the surrounding regional areas. Transnational organised crime is forcing the structures of criminal intelligence, criminal investigations and scientific police to be more proactive and effective. Sharing experiences and information in a timely manner is a pre-requisite for success in the accomplishment of professional responsibilities. In this aspect, a number of initiatives in police cooperation¹¹ seem to be steps in the right direction towards a promising future.

Therefore, the main institutional efforts will be focused essentially on two principal aspects:

Firstly: to adopt the necessary measures to strengthen and to consolidate the values of the Gendarme to prevent personal moral deviation or misconduct.

Secondly: to enhance the technical structure to be more effective and efficient in the maintenance of public order and in the fight against organised crime. Particularly crimes associated with drug trafficking, money laundering, human trafficking, environmental crimes, health hazards, contraband, and road safety.

¹¹ Southern Common Market (Mercado Común del Sur – MERCOSUR). Regional economic integration programme, established in 1991 and comprising Brazil, Argentina, Paraguay, and Uruguay. Venezuela is in the process of becoming a full member. Bolivia, Chile, Peru, Colombia, Ecuador and Mexico are associate members. American Police Community (Comunidad de Policías de América – AMERIPOL). Initiative for police cooperation established in 2007. Comprises 22 police institutions. Association of European and Mediterranean Police Forces and Gendarmeries with Military Status (FIEP). Comprises 8 full institutional members, 2 associate members and 1 observer member. See FIEP website: www.fiep.org or www.fiep-asso.nl

In 2010, the year of the Bicentennial, the Gendarmerie Commander ratified its institutional policy¹² by defining three clear functional pillars:

- Internal security.
 - o Police tasks in support of the Federal Justice System.
 - o Taking action against violations of special laws and decrees.
- National defence.
 - o Border control.
 - o Surveillance of strategic targets.
- Support for the foreign policy of the country.
 - o Peacekeeping operations in the United Nations context.
 - o Providing security for the Argentinean diplomatic facilities abroad.

5. From the present to the future

Today the organisational chart and the operational force landscape have changed. The capacity to adapt shown by the Gendarmerie is quite surprising. It is now operating in new areas where crime has been the main protagonist. Authorised by the national authorities, the Gendarmerie performs duties in some of the main cities of the country. The provincial governments are being urged by local communities to provide security. Working in close coordination with local police forces, the Gendarmerie has become part of the lives of citizens and we are seeing a certain symbiosis. Sensitive areas have become safe and a feeling of protection is increasing among the population.

While the Federal State is looking for lasting solutions in the framework of community policing, there is an invisible opponent to contend with: corruption. Corruption is always seeking the cracks in both operative and administrative structures in order to weaken them and to break down the moral pillars which keep alive the identity of the organisation. The new threats materialising in criminal actions supported by modern techniques

¹² The Institutional Strategic Plan is a fundamental document of the National Gendarmerie containing all the strategic provisions to be developed in the medium and long term.

quite often create a perception of being unsafe. The criminal threats are constantly changing, so a very flexible disposition is needed on the part of the police. The police presence has to be pro-active and dynamic.

This new scheme of action requires both leadership and team members to be well trained. This may require the command levels to be restructured. These new requirements could include, *inter alia*, a greater commitment from personnel in the hierarchy with a high degree of qualification and specialisation. As crisis situations develop rapidly, the decision-making should be more decentralised, giving functional flexibility to the actors in police prevention.

Flexibility and mobility are two essential requisites for making the police intervention successful. This methodology generates a positive impact among the population. Predictability is then eliminated by avoiding static police preventive deployment. A successful example of this methodology was the operational occupation by the Gendarmerie forces of specific suburbs of the metropolitan area¹³.

Another aspect is that the growth and evolution of organised crime constitute a real challenge for the police in less developed democratic countries, which have been experiencing strong transformations in last recent years. The police need to respond to the public demands for security with efficiency and effectiveness. Management techniques and accountability, most of them originated in the area of private business and companies, are now being used to enhance the institutional performance.

Modernisation of police organisations, based on management, is today part of a broader process, covering the whole of the public sector. These complexities stem not only from the fact that police forces and security forces are holders of powers defined by legislation, but that police action is only

¹³ Fuerte Apache, located in the province of Buenos Aires, in the 3 de Febrero District, is in the surrounding area of the Autonomous City of Buenos Aires. It is a housing complex inhabited by around 36,000 people, where criminals were more or less free to operate. Gendarmerie forces were deployed to control the movement of people and to neutralise illicit activities. It was a successful security programme.

one of the factors that influence crime rates and the fear of the population, which poses obvious problems for the evaluation of results.

This would primarily involve strategies on management, assessment methods, and other similar instruments used by other organisations that have addressed a review of their structures. Those modern organisations have been primarily evaluated by themselves with regard to management processes. An accurate assessment is needed. The organisations should be conscious of the kind of phenomenon they are facing. We see a successful example of these reform processes led by the national authorities in the modern states. The United States case is considered as a paradigm by some experts on management, arguing that it was the first country to bring business experience to the police force. In Latin America the first steps in this direction have been taken, as has been seen in initiatives undertaken by some police forces. The Colombian National Police, as well as the Chilean *Carabineros*, are appropriate examples in this respect, among others.

The complexity of crime, nowadays characterised by more violent expressions, requires the State to develop new strategies, in which the actions of the National Gendarmerie, become fundamental in order to renew the sense of security in society.

In that sense it is perceived that, in the region, processes of reform have begun in police organisations in order for them to be more effective in fighting crime, both locally and transnationally. This is a very good sign for society. However, the crime figures are rising, which causes disruption to social development projects.

In the international context, gendarmerie-type forces and police forces with military status are called upon to be the most efficient instrument by enhancing their own capabilities. Through various initiatives, regional police cooperation is moving toward closer coordination, linking their local police issues with legal procedures against transnational crime. In South America, a joint international police scenario would be possible. Transnational crime is a dangerous reality which threatens the economic and social development of the democratic societies in the region. Since criminals are moving in a globalised world, misusing the new tools provided by technology without any

moral scruples, gendarmes and policemen must represent a technical barrier to neutralise them. But in same way, it is clear enough that the law enforcement agencies and security forces are not the only institutions in society to do so. Governmental authorities and civil society leaders are responsible for the design of security policing. Without a doubt, appropriate initiatives in this particular field are very welcome.

6. Conclusions

Intercontinental and regional cooperation between police organisations and gendarmerie-type forces is the way to be able to share common institutional objectives and management organisation models. Adaptation to change is a basic requirement for all those security institutions, even if they are orthodox in nature. They have to assume the important role as legal and technical tools created within the framework of internal security to combat criminals and organised crime.

Legality and legitimacy are two fundamental pillars for the performance of the assigned responsibilities in the framework of a democratic state. Legality comes from the law and legitimacy comes from the qualified professional. Community acceptance is a core condition. Confidence is a day-to-day necessity. Citizens need to trust the public servants who are tasked with protecting them.

In the pursuit of their goals, criminals have a vast network, so a very strong and tight net is needed to fight the scourge of crime. The authorities must be closer to the security officials and the security officials closer to the population. This does not mean, under any circumstance, the confusion of roles. In fact, it means a clear and a thorough comprehension of the civil responsibility that every single member of society must have.

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The Guardia Civil and Public Security

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1. General introduction

Gendarmeries and Public Security is a topic that many authors, either professionals in security or otherwise, try to explain, defend and criticise. The “non-convenience” of a Gendarmerie nowadays is a topic mainly prevalent in the countries of northern Europe, who (with the exception of the Netherlands) do not have any other public security force other than those with civilian status.

The position of various countries only having a civilian police force is to be respected, from the point of view that during their national histories they maybe had no need for a gendarmerie. However, in certain countries in southern Europe, these gendarmeries have been necessary, due to many factors that are difficult to explain.

This contribution discusses the history of gendarmeries and the actual role of the Guardia Civil in Spain, along with its tasks and how it is considered as the first official institution in which Spaniards trust¹, even more than other police forces with higher numbers of personnel than the Guardia Civil.

2. Evolution of the gendarmerie concept

2.1. *Emergence of gendarmerie forces in Europe*

As regards their historical roots, gendarmerie forces share a common pattern. Despite the fact that the first of these institutions was created in Luxembourg in 1733, we might consider that the exact date gendarmerie forces emerged was 16 February 1791², when the French National Gendarmerie was founded. This Corps was the model for other European nations to establish their own security forces.

¹ Centre of Sociological Investigations, 2011.

² Law of 28th Germinal (Revolutionary calendar) 1791.

As a result, similar corps were founded in Belgium (1798), Italy and Holland (1814), Greece (1833), Turkey (1839), Spain (1844), Austria (1849), Romania (1850) and Portugal (1911).

2.2. *History of Gendarmeries in Spain*

The situation in Spain during the 19th century was that of a country undergoing fundamental changes in the spheres of politics, society and thought.

Even though the natural border of the Pyrenees delayed their impact, the Enlightenment and the French Revolution finally put an end to the old regime's structures. The preponderance of monarchs in society gave way to the concept of the nation state, where citizens become more and more important as subjects to whom public administration renders certain services. The concept of the military evolved in a similar way. Armies were no longer "royal", since they were not in the exclusive service of the King. The concept of a national army emerged at this moment, as an institution serving the interests of a Nation, which was understood as a group of citizens sharing a common history, culture, ethnicity and/or territory³.

Bonaparte's influence: The Spanish Royal Gendarmerie

After Napoleon invaded Spain, the nation rose up triggering a six-year long conflict (from 1808 to 1814), known as the Spanish War of Independence or Peninsular War.

The French administration model was brought to Spain by Joseph I (Napoleon Bonaparte's brother), and it implied the creation of a security corps similar to the French one: the Spanish Royal Gendarmerie. It was founded in 1810 and could be considered the first predecessor of the Guardia Civil, as it had military status⁴.

Once Joseph I had been expelled and the Spanish monarchy had been restored, the gendarmerie project did not succeed, as it was a remnant of the administration of an invader country, and other solutions were adopted. Old security structures were also questioned. The *Santa Hermandad*, the institution responsible for ensuring security throughout the national territory since the 16th century, and which was funded by different local bodies, was

³ New Oxford American Dictionary, 2nd Edition.

⁴ Created by a Decree in January 1810. Tomo I, de Francisco Aguado Sánchez, *Historia de la Guardia Civil*, Ediciones Históricas, S.A., Madrid.

almost inactive. As an alternative, different bodies had appeared at the regional and provincial levels which, in most cases, lacked internal cohesion and well defined operating procedures, and were under the direct authority of political leaders. This implied that the commanders and structures of these bodies changed with each political leader⁵.

1824: The General Police Force of the Kingdom (Policía General del Reino): the disappearance of public security forces in Spain

As a homogenising option for police tasks, the General Police Force of the Kingdom was founded in 1824 as an institution of a civilian nature. However, its working procedures did not meet the needs of the population due to several reasons, first of all, its deployment and insufficient staff. It was only implemented in the main Spanish cities, and its total strength was below one thousand men. Secondly, the regulations were different in each city. Owing to this, although this corps was supposed to be united, it was not homogeneous. Lastly, the type of tasks assigned to this force might have been the main reason for its existence. The absolutist authorities in power made excessive use of this police force to support their own interests and subdue their political opponents. As a result, the General Police was dissolved in 1840, and Spain was left without any national security force⁶.

Reorganising security. Foundation of the Guardia Civil: return to a gendarmerie model

The failure of the Spanish police model resulted in a period of reflection on the part of the authorities, opening a process of undergoing new potential external influences. Security problems in Spain were particularly serious at that time.

After the War of Independence, an unprecedented phenomenon took place. Many former fighters decided to continue fighting, using a system created in Spain: guerrilla warfare. In this case, instead of fighting against an army, small units attacked travellers along the roads or houses in more or less isolated villages. This phenomenon is known as bandolerismo (banditry).

⁵ Tomo I, de Francisco Aguado Sánchez, *Historia de la Guardia Civil*, Ediciones Históricas, S.A., Madrid..

⁶ Tomo I, de Francisco Aguado Sánchez, *Historia de la Guardia Civil*, Ediciones Históricas, S.A., Madrid..

The bandits from the War of Independence were joined by others who fought during the Dynastic Wars (also called Carlist Wars). Due to this, the level of insecurity in mainly remote areas⁷ became unbearable. In order to tackle these problems, the army was tasked with the surveillance and security on roads and deserted spots; however, this solution proved ineffective. Besides, it was harmful for the army itself, because the number of deserters increased as the task was dangerous and involved a high risk of death, and the units conducting these tasks were small and were under the command of inexperienced officers.

Consequently, the need was felt to establish a force able to meet very specific requirements, demanding a high level of quality in its men.

Unlike the General Police Force of the Kingdom, the new police force would have the following features:

- Thanks to appropriate deployment, it would be able to cover the national territory.
- It would be able to perform its tasks with a small force, thanks to a high and unquestionable sense of duty and discipline⁸.
- It would share homogeneous criteria all over the national territory; to this end, a single command was considered essential.
- It should be as politically unbiased as possible, and focus only on performing its duty.
- It was expected to be respected and admired by all citizens due to its commitment to society⁹.

These reflections led Queen Elisabeth II of Spain to approve the foundation of the Guardia Civil Corps in 1844; it was part of the Army, but had specific tasks related to civilian security. As the Queen said, Guards (therefore, military personnel) should be responsible for the protection of civilians.

⁷ Andalusia, Catalonia and Galicia were the main focuses of banditry in Spain in the 19th Century.

⁸ What were called “correrías” (7-day patrols), requesting help of the population, helped to carry out these tasks. With a few men patrolling for a long time, there was always availability of agents.

⁹ One of the goals of a security force is to be respected by the people. By interacting with them and gaining their confidence, the benefit for security increases, as the gathering of information is higher and the population really realises that the Guardia Civil has been created to help the populace and fight crime.

This comment was also the origin for the name of the institution. It would be probably impossible to explain in fewer words what the concept of a gendarmerie force means.

The code of conduct for Guardia Civil officers: Cartilla del Guardia Civil

The singularity and versatility of the Guardia Civil is determined by two particular circumstances: the status of “veteran soldiers” given to all its members, and their devotion to duty, clearly perceptible in their strict compliance to regulations.

The possible reason for the success of the Guardia Civil model is the adherence by all of its members to a very strict and specific moral code, clearly conveyed in the *Cartilla del Guardia Civil*. The *Cartilla* is divided into different sections:

- General responsibilities for every Guardia Civil officer: General Provisions; Assistance along Travel Routes; Use of Weapons; Passports; Hunting, Fishing, Countryside, Forestry and Rural Police; Deserters and Fugitives; Fires, Floods and Earthquakes; Illegal Gambling; Smuggling; and Transport of Prisoners.
- Responsibilities of GC Station Commanders.
- Forms corresponding to different procedures (judicial, administrative and internal).
- Regulations: Military Regulations (organisation, recruitment, promotion, retirement, disability and friendly society, general military responsibilities for the different echelons of command, discipline, general provisions) and Service Regulations (relationship with ministries and authorities, ways to request services and render them -operating protocols-, etc).
- Annex with legislation.
- Responsibilities for Infantry and Cavalry soldiers, since the Guardia Civil has specialised units of these arms.

To sum up, the *Cartilla* is a rule for life, followed by every Guardia Civil officer almost as a religion, but it is also a practical compendium establishing everything they need to know to successfully perform their duties, as it sets out full guidelines for the performance of police tasks.

3. Present position and relevance of the gendarmerie in the national context

Article 11 of the Law that regulates the Security Forces in Spain (*“Ley Orgánica de Fuerzas y Cuerpos de Seguridad”*¹⁰) states the area of responsibility of the two State police corps (Guardia Civil and National Police), ordering the Guardia Civil to serve in rural areas and territorial waters¹¹.

The Law states that the Guardia Civil falls under the Ministry of the Interior for service, payment, commissions, Guardia Civil stations, and resources. Together with the Ministry of Defence, the Ministry of the Interior is responsible for selection, training, weapons, and deployment. The Guardia Civil falls under the Ministry of Defence (without being part of it) for military missions and promotions.

Finally, in peacetime, the Guardia Civil is directed only by the Ministry of the Interior. In wartime or a state of siege (*estado de sitio*), the Guardia Civil would be directed by the Ministry of Defence.

Concerning the tasks, there are two categories; those performed by both the Guardia Civil and the National Police (*Cuerpo Nacional de Policía*¹²), and those performed exclusively by only one of the two corps.

The tasks performed by both Police Forces (Guardia Civil and National Police) are:

- Law enforcement;
- Protection of and assistance to persons, surveillance of property;
- Protection of VIPs;
- Protection and Surveillance of Official/Government buildings;
- Maintaining and restoring public order;
- Prevention of crime;
- Search and arrest of suspects, seizing of effects and means related to crime, handing those effects and means over to the Judicial Authorities, reporting;

¹⁰ Ley Orgánica de Fuerzas y Cuerpos de Seguridad, 2/86, 13 March

¹¹ Rural Areas are those that are not under the jurisdiction of provinces and cities of over 30,000 inhabitants. In Spain, this is about 88,46 % of the territory. www.guardiacivil.org/olaf/guardiacivil.htm

¹² In English, the “Cuerpo Nacional de Policía” could be translated as “National Police”.

- To obtain and analyse interesting data regarding the public order and security in order to prevent crime;
- To collaborate with Civil Protection bodies in case of high-risk incidents, catastrophes or disasters.

The tasks performed exclusively by the Guardia Civil:

- Weapons and explosives control;
- Smuggling and control of special taxes (fuel, tobacco, alcohol);
- Traffic control on roads and in cities¹³;
- Control of land transportation means, coasts, borders, airports and seaports;
- Environmental Protection¹⁴;
- Transport of criminals/convicts between cities;
- Other stated by Law¹⁵.

The fight against organised crime and terrorism is included under “prevention of crime”. The only tasks not carried out by the Guardia Civil are (as they are exclusive to the National Police)¹⁶:

- Issuing of ID documents;
- Control of entry and exit of foreigners;
- Immigration control;
- Inspection of gambling facilities;
- Control of Private Security Companies;
- Collaboration with and assistance to other countries' police forces, as stated in International Treaties;
- Enforcement of drug legislation.

Although the latter three tasks should be performed exclusively by the National Police, they are in fact also performed by the Guardia Civil.

¹³ Cities without a Local Police. Traffic Control is its main task.

¹⁴ Created in 1988, it was the first Police Service whose main task is the protection of the Natural Environment.

¹⁵ Art 12.1.b.7 of the Law 2/86

¹⁶ Art 12.1.a of the Law 2/86

After studying the Spanish police model, we can conclude that the Guardia Civil is a fully competent police force with a large range of responsibilities¹⁷ (investigations, law enforcement, arrest of criminals, VIP protection, traffic control, antiterrorism tasks, Coastguard, etc), and whose deployment covers most of the national territory. Moreover, the Guardia Civil has no longer been a branch of the Spanish Army since the mid 1970's¹⁸.

The comprehensive nature of the Guardia Civil derives from its ability to both ensure public security and conduct investigations, as well as to perform many other functions.

Within this institution, there are units specialised in fighting serious crimes (terrorism, drug trafficking, trafficking in human beings and other manifestations of organised crime). They conduct joint investigations with police forces from other countries, and have received recognition regarding their effectiveness from the international community on several occasions.

It has units fully capable of conducting forensic investigations of samples collected at crime scenes, and its staff has the highest qualifications to carry out different types of analysis.

There are standby units deployed all over the territory. They are robust forces which ensure security at events where this is deemed necessary (demonstrations and other protests), at events attended by large crowds of people (sports and religious events, cultural events, etc.), or whenever the population needs relief aid in cases of high-risk incidents, catastrophes or disasters (floods, serious fires, earthquakes, etc.).

There is a wide variety of specialised units, also deployed throughout Spain. This ensures that they can intervene in every field, whenever and wherever necessary.

¹⁷ If we make a comparison with the USA, the tasks performed by the FBI, Secret Service, ATF, DEA, and Coastguard, are performed by the Guardia Civil (investigation, VIP protection and hostage rescue, control of Alcohol, Tobacco and Firearms, Drug enforcement and surveillance of coastal waters).

¹⁸ The Spanish Constitution of 1978 does not include the Guardia Civil in the Armed Forces (art 8). The 2/86 Law clearly states the relationship between the Guardia Civil and the Ministry of Defence, i.e. the Guardia Civil is not part of the Army or another corps of the Armed Forces.

In line with this, the Guardia Civil has air units (fixed wing and rotary wing) for transport and as platforms for surveillance, command and control, and support for different operations.

It also has specialists in dog handling. Their operations are extremely varied, such as drug detection, explosives detection, defence, tracking and attack, search and rescue, etc.

Within the Guardia Civil, there are also Public Safety Bomb Disposal (PSBD)¹⁹ experts, with wide experience and well-deserved prestige after more than 36 years of responding to bombings carried out by terrorist groups in Spain. These PSBD experts are well known beyond Spain's national borders, and they have served as the model for the creation of similar services in other parts of the world, mainly in Latin America and in Mediterranean countries²⁰.

Spain possesses an enviable Chemical-Biological-Radiological-Nuclear (CBRN) defence system, thanks to the deployment and training of GC experts. This fact has been recognised quite recently, thanks to an evaluation of Spain's counter-terrorism units by the European Union.

The Guardia Civil also has personnel specifically devoted to weapons and explosives control all over Spain. There are inspection teams that visit every establishment which produces, stores, transports and uses weapons and/or explosive materials.

Responsibility for security along most land communication routes in Spain lies with the Road Traffic Group of the Guardia Civil. For over 50 years, it has been, and still is, devoted to road traffic control and road security, combining both a repressive role in punishing traffic offences, and assistance to drivers who need help on the road.

Surveillance and protection of the borders, both from a physical and from a fiscal point of view, is the responsibility of the Customs & Borders Command Office. It carries out its tasks in ports, airports and along land borders, and also in any other places not considered to be regular border crossing points.

¹⁹ In fact, they are capable of disposing of explosive ordnance, such as torpedoes, bombs or shells found on old battlefields or military training ranges.

²⁰ Seminars and training of PSBD agents from Russia, Portugal, Chile, Mexico, Panama, Argentina, Romania, Poland, Morocco, Algeria, Guatemala, Costa Rica, Lebanon, Egypt, Jordan, Uruguay, Brazil (state of Rio de Janeiro), Colombia, Andorra, FBI, ATF, England, France, the Netherlands, Turkey, Belgium, Israel. Collaborations with Yemen, Lebanon, for investigations.

The Guardia Civil has a powerful Sea Service which, thanks to its patrol boats and offshore vessels, enforces the law along the Spanish coast. In addition, with the help of air resources, it tackles the problems related to illegal immigration from African waters very successfully. Even sea and riverbeds are familiar to our divers, who contribute their capabilities to the common effort of the whole institution in the service of our citizens.

Neither the mountains nor the depths of Spain's rough geography prevent the Guardia Civil from arriving wherever they are needed, since they are also equipped with units specialised in mountain rescue, ready to carry out missions in that environment.

Since the foundation of the Guardia Civil, environmental protection has been one of its concerns. Since the Guardia Civil was deployed in rural areas and not in big cities, all situations related to the environment could only be monitored by the Guardia Civil. But, until 1988, there was no specialised unit to take care of the environment and enforce the related laws (fishing, hunting). It was in 1988 that the Guardia Civil established a Specialised Unit to carry out these tasks, being the first police corps unit in the world with a specific task of enforcing the laws related to the Protection of Natural Areas. Environmental protection units are deployed with a view to monitoring the preservation of flora and fauna; geological, forest and (inland and maritime) water resources; and their protection from pollution, abuse or overexploitation. Besides, these units cooperate in preventing fires and protecting the atmosphere by monitoring pollution and radioactivity levels.

Police forces from other countries, mainly Portugal, Latin American countries and now Algeria, Senegal and Jordan, request the Guardia Civil to train officers for their own services.

All of these specialisations are deployed all over the national territory, contributing with their specific skills to the work of other territorial units. They are actually the units responsible for protecting the citizens and the State, which is in turn responsible for public security.

As can be seen from the aforementioned, almost a hundred percent of the Guardia Civil's tasks are not related to the military function.

It must be highlighted that, nowadays, the Guardia Civil is a police force that devotes over ninety percent of its efforts to public security. Therefore, in countries with no gendarmerie-type police forces, journalists²¹ and others misinterpret the concept when they define them as “military police” or “paramilitary forces”. The activities carried out as military police, in aid of the Armed Forces, are a minimum percentage of their tasks as a whole, a fact which does not contradict their vocation to enforce public security.

The Guardia Civil has 80,000 personnel, and the percentage of them serving as Military Police is insignificant (30 personnel). Besides, many of these 30 officers perform duties of Provost Marshal, Traffic Accidents Investigation, Crime Investigation or in an advisory capacity to the Military Commander of the Spanish Military Force²².

In conclusion: taking into account the wide experience and prestige of the Corps, in recent years the Guardia Civil has increased its participation in operations abroad, deploying both advisors and attachés of the Ministry of the Interior within Spanish diplomatic missions, or as participants in training missions aimed at similar police forces.

The Guardia Civil is present in different crisis response operations where the Spanish Government has decided to send our officers under the umbrella of the United Nations or the European Union to take part in executive missions (where the Guardia Civil officers conduct the same tasks as the local police of the host country) or to provide expertise (where local police forces receive advice or training).

Furthermore, taking advantage of its military structure and nature, the Guardia Civil integrates its staff and units into different international military structures, so that they take part in NATO or EU missions within other units belonging to the Spanish Armed Forces or other allied forces.

Due to these facts, the Guardia Civil is currently a large organisation, responsible for the security of Spaniards, trusted by the authorities and very

²¹ Karen Sack, *Hooking the high seas' fishing "pirates"*. <http://news.bbc.co.uk/2/hi/science/nature/8716064.stm>

²² These data were taken from the Guardia Civil Department for International Cooperation.

prestigious for both Spanish society²³ and the international community. All of this has led the Guardia Civil to become an institution of reference, whose model can be exported abroad without hesitation, since it is a consolidated standard in different parts of the world (France, Italy, Portugal, etc.).

4. Characteristics and values of today's gendarmerie forces

The value of the gendarmerie model in society is a recurrent topic. Politicians, scholars and others have argued that a military (police) force should not be involved in guaranteeing the security of the citizens and carrying out criminal investigations.

Considered as an outdated police model for advanced societies in the second half of the 20th century (when domestic security did not seem very problematic), the increasing transnationalisation of security threats and globalisation led to many governments reconsidering the gendarmerie model and a possible reintroduction of this type of force. In this context, the Balkan crises have proved the need for robust police forces²⁴ (which can operate in situations of peace, war or conflict, and in any of their stages), and gendarmeries are the forces best suited to do this²⁵.

Although some police forces of this type have disappeared in Europe (Greece, 1984; Belgium: 2001; Luxembourg: 2002; and Austria: 2005), the current trend is not only to maintain but also to promote institutions of this nature.

²³ According to the Center of Sociological Investigations (C IS, Centro de Investigaciones Sociológicas), the Guardia Civil is one of the most respected Institutions in Spain.

²⁴ Or so-called “heavy police forces” contrasting with civilian police forces, which are called “light police forces”.

²⁵ See for example: Armitage, D. T., & Moisan, A. M. (2005). ‘Constabulary forces and postconflict transition: the Euro-Atlantic dimension’. *Strategic Forum*, 218, pp.1-8; Call, C., & Barnett, M., ‘Looking for a Few Good Cops: Peacekeeping, Peacebuilding and CIVPOL’. In T. T. Holm & E. B. Eide (Eds.), *Peacebuilding and Police Reform* (2000), pp. 43-68.; de Weger, M. *The Potential of The European Gendarmerie Force*. The Hague 2009; Perito, Robert M., *Where is the Lone Ranger When We Need Him? America's Search for a Postconflict Stability Force* (2004). and H. Hovens, *The European gendarmerie force: Bridging the Security Gap*, (2011) (elsewhere in this book).

Through the Agreement signed on 17 September 2004 in Noordwijk (the Netherlands), the Governments of France, Spain, Portugal, the Netherlands and Italy agreed on the establishment of the European Gendarmerie Force. The main goal was to set up units consisting of multinational gendarmerie personnel, who are capable of cooperation especially in crisis management operations from a policing point of view, with the possibility of conducting these same operations within the framework of multinational military operations. Consequently, the gendarmerie model has become one of the tools for the international community to deal with crisis situations and to foster the rule of law all over the world. This is a simple conclusion, as the laws that rule police forces in many countries forbid civilian police to be under military command, which therefore excludes civilian police from acting in the first phases of a peace mission under military command. Gendarmerie-type forces are especially useful as they may enter the area of operations at the same time as the Army Forces and remain there until the final withdrawal of the international mission, allowing long periods of time in the area in order to gain the confidence of the population.

The world map of Gendarmerie forces provides a very accurate overall picture. Within the European Union, security forces with military status are directly responsible for the security of more than forty percent of citizens and approximately the same percentage of territory²⁶.

There are similar institutions in countries on the four major continents, and it is important to also note that some countries are currently creating forces of this type (for example, Jordan set up its own gendarmerie in 2008 and requested its accession to FIEP²⁷ in 2010).

4.1. Defining 'gendarmerie-like' forces

As Gobinet argues, research on gendarmeries shows that there still is little understanding of what a gendarmerie is, and how to define these forces²⁸.

²⁶ These are data taken from the Guardia Civil, that can be also useful for similar Corps.

²⁷ FIEP. Association of the European and Mediterranean Police Forces and Gendarmeries with Military Status. Created in 1994 by France, Italy and Spain, and later enhanced with Portugal, the Netherlands, Turkey, Morocco, Romania, Argentina, Chile and Jordan.

²⁸ P. Gobinet, 'The gendarmerie alternative: is there a case for the existence of police organisations with military status in the twenty-first century European security apparatus?', in *International Journal of Police Science & Management*, Volume 10 (2008) Number 4, pp. 448-463

Although existing gendarmeries have a variety of tasks in different countries, the feature that distinguishes these corps from other police forces is their military status. Gendarmerie or gendarmerie-like forces are in fact police forces with military status, and -generally speaking- fulfil a whole range of police tasks, including the investigation of crimes, which in many countries could be perceived as slightly bizarre. The question is: why should a corps with military status not investigate crimes or perform technical police work? However, in many countries without gendarmerie-like forces or whose gendarmerie does not perform tasks other than riot control, these forces are perceived as riot police or military police²⁹. The lack of knowledge about gendarmeries and the associated prejudices raises questions that are, in fact, easily reversible, i.e. why do non-military corps carry out these tasks?

Following the gendarmerie concept, depending on the country where and historical context in which such a corps was established, they will be more or less linked to the army or to the Ministry of Defence. Currently, the Guardia Civil falls under both the Ministry of Defence and the Ministry of the Interior.

As a rule, the members of such corps belonged to the army. In fact, the Royal Decree of 1844 that created the Guardia Civil stated that the first members would be men drawn from the Army. The two main branches of the Guardia Civil were Infantry and Cavalry, and the first director was an Army Field Marshal. Their structure, guiding principles -military virtues- and devotion to discipline and the performance of duty also have a military nature.

Due to their singularity and the military virtues that give their members a strong sense of discipline, duty and commitment to the population, the level of effectiveness achieved by the gendarmeries has made it possible to extend this model beyond the boundaries of Europe, and has led to the model being adopted on other continents (mainly Africa and America).

²⁹ Some countries have anti-riot units belonging to a police with military status that also perform military police tasks. The military police in Spain or other countries only act within military jurisdiction, and are not tasked with riot control or with maintaining public order.

4.2. *Advantages of the gendarmerie model*

After examining the current capabilities of the Guardia Civil, it must be admitted that its sufficiently proven effectiveness is mainly the consequence of the added value of its military nature, a characteristic shared by all gendarmeries.

This particular and distinguishing characteristic contributes certain qualities, such as -first of all- the promotion of military values, which are not specific to the military, but are especially valued by them: self-abnegation, spirit of sacrifice, comradeship, discipline, sense of honour, strict fulfilment of duty, etc.

The military nature of gendarmerie-type organisations also provides additional stability, since these corps tend to undergo less major structural changes.

In addition, gendarmeries complement the actions of other civilian police models. In this sense, one has to reflect on certain elements related to dual police systems, where gendarmeries coexist with civilian police forces.

As already mentioned, the military nature of gendarmeries ensures a higher degree of political neutrality among their personnel³⁰. This allows them to focus their actions exclusively on fulfilling their duties and this has been the case for more than 155 years under different political regimes (two Republics, a Monarchy, and Civil War)³¹.

The exercise of military virtues makes gendarmerie members focus their lives on their work, subordinating their interests to the common good and rejecting any possibility of protest against anything that might jeopardise the fulfilment of their tasks.

³⁰ The political involvement of a few members of the Guardia Civil is only a minority. The last attempt at a coup d'état, lead by the Guardia Civil Lieutenant-Colonel Antonio Tejero was followed by a minority and the majority of the Guardia Civil stayed loyal to the Government.

³¹ Dictatorships of Primo de Rivera and Francisco Franco. In fact, due to the loyalty of the Guardia Civil to the II Republic, one of the first decisions that Franco wanted to take was the disbandment of the Guardia Civil, but in 1940 he realised the effectiveness of the Guardia Civil to maintain the order in areas under the *Maquis* (Spanish guerillas) in the 1940s.

In conclusion, these gendarmerie-like forces have a number of characteristics that make them especially useful in crisis management situations, since they are capable of operating in all stages of such operations: from the initial stage, where the military component plays the most important role, through the intermediate phases, until the moment when the local authorities can assume control. The versatility of the gendarmerie model allows a smooth transition from one stage to another, since they are forces that can continuously operate throughout the crisis scenario.

5. Future role of the gendarmerie in both the national and international context

As has been mentioned before, gendarmerie-like forces can play an essential role in crisis situations. Either as military police for the armed forces, deployed in the early stages of a peace mission, or as trainers of the local police in a country that has suffered a major crisis or war, or even as executive police under the command of the United Nations acting as civilian police to maintain order: gendarmerie-like forces are valid for all these tasks.

Being able to operate under military command (due to the military status of gendarmeries), as well as under civilian authority (owing to their versatile police capabilities), gendarmerie forces can be deployed or employed throughout the whole spectrum of crisis management operations.

In the national context, the continuity of these Forces is guaranteed, as long as they have served their country and its inhabitants correctly³², with an unquestioned will of serving. If Spaniards did not place so much trust in the Guardia Civil, it would not have been considered as the first institution to trust in. If this model has worked in Spain and other democratic countries, why should it not work in other countries?

³² As mentioned before, the Guardia Civil is, after the Monarchy, the most respected institution, especially in rural areas, but also in urban areas.

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The Jordanian Gendarmerie and the security challenges of the 21st century

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Prologue

States form security agencies in order to provide security, maintain public order and ensure the rule of law. Security is a prerequisite for a society based on compliance with the declaration of human rights and the preservation of civil liberties for all members of society seeking to live a decent life. The Hashemite Kingdom of Jordan founded various security agencies, including the General Directorate of the Gendarmerie which is linked to the Ministry of the Interior, to achieve security of the homeland, tranquillity for citizens, and to contribute to global stability as well as to address conflict situations before they escalate.

It is clear that many challenges and threats have appeared on the global scene in the 21st century, receiving exposure from the media. The central question is:

What are the security challenges that the Jordanian Gendarmerie faces in the 21st century and what are the methods to meet these security challenges?

This study contains an introduction setting out the theoretical framework of the security concept and the historical background of the Jordanian Gendarmerie and its tasks, mission and the main elements of its comprehensive strategy, in line with its vision, mission and core values. The Jordanian Gendarmerie represents an excellent security institution for maintaining security and public order through implementation of best practices, in accordance with human rights and the rule of law.

In view of recent security incidents in the Hashemite Kingdom of Jordan, in neighbouring countries, and in the Arab region, this study shows that the Jordanian Gendarmerie faces a number of security challenges in this century, which include terrorism (armed and intellectual terrorism), demonstrations, riots, organised crime, insurgency and civil disobedience, the globalisation of crime, natural and man-made disasters, and forced migration and displacement.

This study makes a number of recommendations that the Jordanian Gendarmerie must implement in order to overcome these challenges. In short, these recommendations are: tactical doctrine of the Gendarmerie should be dynamic and not static; the Gendarmerie should be supported by the Jordanian Government in view of its recent establishment; expansion of cooperation with neighbouring and developed countries in order to combat terror cells and extremism; and, finally, the reduction of the number of weapons of mass destruction.

1. Introduction

Security is a fundamental requirement and a psychological need for individuals and groups, either in terms of family or community. Scholars of management and sociology, such as Abraham Maslow, consider security as a primary human need. In his theory “the needs’ ladder”, Maslow designated security as a primary need for individuals, putting it on the first ladder of needs, that includes the need for food, drink, sleep, clothes, etc. (Maslow, 1943). Security involves all aspects and activities of human life.

The Hashemite Kingdom of Jordan, in line with the contemporary international community, is currently adopting the international principles and conventions issued by the General Assembly of the United Nations and international human rights organisations. These include the rule of law, compliance with codes of human rights, the preservation of civil liberties, support of the foundations of justice, equality and faith, and the sanctity of human rights. The Hashemite Kingdom of Jordan also intends to provide the utmost security for community members, in order for them to be able to live decent lives, as guaranteed by the Constitution.

The Jordanian state has established various security agencies to strengthen the rule of law. Among these is the Gendarmerie, which is represented by the Directorate-General of the Gendarmerie and linked to the Ministry of the Interior. The Ministry of the Interior is one of the largest state institutions that contributes to the implementation of laws and provides all services that contribute to the achievement of security, tranquillity and the service of homeland and citizens.

The objective of the formation of the Gendarmerie is to provide maximum safety and security to citizens and to achieve justice, equality and respect for human rights. The organisation will also fill the gap between the army and the police in the duties of internal security, and be incorporated in the national framework of His Majesty the Supreme Commander of the Armed Forces of the Hashemite Kingdom of Jordan in his capacity as the constitutional head of state. The Minister of the Interior is also linked administratively via a range of measures to adjudicators and administrators (the governors) that act as a security authority for management of cases of riot control. All members of the Gendarmerie have the status of law enforcement officers and are continuously ready for duty, being on call for work at any time and in any place. The most important duties of the Gendarmerie of Jordan are: the arrest of dangerous persons, the protection of the diplomatic corps, control of riots, demonstrations, and disturbances in prisons, the provision of security at festivals and sporting events, and participation in missions as UN peacekeepers.

Currently, the security agencies in Jordan face a number of challenges. These include administrative deficiencies that limit their effectiveness and efficiency in carrying out their tasks and activities. However, most of the actual security challenges are internal challenges within the community of the Hashemite Kingdom of Jordan, but there are also a number of external challenges at the international level.

This study was carried out to define the challenges that the Jordanian Gendarmerie faces in the 21st century, both within and outside the Hashemite Kingdom of Jordan, and to propose a method to address these challenges. As we discussed the Jordanian Gendarmerie as an institutional agency, we had to organise and arrange this study to start at the beginning, which is to clearly define the national security concept and define the Jordan Gendarmerie

concept in historical, constitutional and administrative terms. We also had to clarify the organisation's duties within and outside Jordan and its strategic basis for implementing the tasks and the mission of the Jordanian Gendarmerie.

Secondly in this study, we answer the central question by setting out all security challenges facing the Jordanian Gendarmerie in the 21st century and the method the Jordan Gendarmerie should follow in order to deal with these challenges, within or outside Jordan.

2. Concept of national security and global security

The need for security falls under the first set of needs drawn up by Abraham Maslow, i.e. it is a basic necessity of life. Security needs are mentioned in all divine laws, as stated by the verse in the Holy Quran "Let them adore the Lord of this House, who fed them from hunger and with security against fear" (The Holy Quran, sura Quraysh). The Holy Bible also mentions security and peace "Glory to God in the highest, and on earth peace among men in whom he is well pleased" (The Holy Bible, Luke 2:14). Security can be explained from the point of view of two concepts: the perceptual and the objective concepts.

The perceptual concept: A sense of human individuals and groups satisfying their organic and psychological motives, particularly physical and psychological security, through which the community ensures the demise of threats to its physical manifestations, such as permanent and stable housing, living in harmony with others, and to its psychological manifestations, where the community recognises individuals in their roles and positions, which can be expressed in words (public order), meaning that daily life in the community life is relatively calm.

The objective concept: security is defined as "the state that is available when there is no breach of law, either in the form of punishable crimes, or in the form of a dangerous activity that calls for preventive measures to prevent this dangerous activity that can be translated to a crime".

Concept of national security: National Security is based on many important fundamental factors such as political stability, the rule of law, the enforcement of the Constitution and the preservation of a cohesive society. Stability

is the foundation of national security, as any instability will lead to chaos and unrest, and will threaten the security of the homeland and citizens. Security of individuals or citizens is an important priority, and is also an essential prerequisite to the components of states and for the sovereignty of states. The existence of security enables the comprehensive concept of development, as national security is the state's ability to provide security services with qualified personnel capable of dealing with all security issues and eliminating all threats, and its ability to harness its resources to address sources of internal and external threats in peace and war. Security also entails its ability to provide a sense of security to its citizens, through the measures of security agencies and the guarantee of laws, legislation and the cooperation of citizens. National security is relative and never changes with time, place, interests and circumstances. This introduction will review in summary the development of the Directorate-General of the Gendarmerie and set out what this newly-developed agency with a comprehensive security vision seeks to achieve.

Global Security: Global security is cooperation between States in facing global threats and addressing hotbeds of conflict before they move between countries and escalate, in turn leading to internal crises and disasters.

3. Brief History of the Jordanian Gendarmerie:

The word Gendarmerie, according to the dictionary is: “a military force assigned to maintain security and order” (Azdi, 2006). Most historians have suggested that this kind of military organisation first appeared in France, where it performed judicial and administrative functions (Edward, 2010). This type of organisation then moved to other states associated with France, i.e. those under its direct control such as colonies and countries under the French mandate. For many centuries, the gendarmerie was the sole military force that carried out the task of policing. It took its current name of “Gendarmerie” in 1791.

In Arab countries, gendarmeries were formed during the Mamluk period in Egypt and later in the Levant in the 13th century when the Mamluk state assigned a number of tribes with the task of protecting convoys of pilgrims to Mecca. The tribes were assigned to “protect the road from robbers”. In

the second half of the 19th century, the Ottoman Empire established a gendarmerie under pressure from European countries. Within the reform package imposed by Europe on the Ottomans, the Ottoman Empire adopted the French Gendarmerie system or the “Jandarma”. This name was coupled with security personnel deployed in rural areas.

In the Hashemite Kingdom of Jordan, the Gendarmerie was established under the British Mandate in the 1920s upon the birth of Transjordan in 1921. The name “gendarmerie” was synonymous with the word “police”. When the structures of internal security were reformed in the 1960s, the focus remained on the internal security agency, which was later renamed as the Directorate of Public Security, rather than the gendarmerie. (Tawalbeh, 2010).

However, at the beginning of the 21st century, owing to increased security threats which took an international nature, His Majesty the Supreme Commander of the Armed Forces of Jordan, King Abdullah II Ibn Al Hussein, issued his Royal directives on 17/1/2008 to form the Directorate-General of the Gendarmerie as an independent security organisation working in conjunction with the Directorate of Public Security and other military and security units to achieve the security mission (maintaining security and public order, imposing the state’s prestige, promoting a sense of public comfort to all members of society). The Directorate-General of the Gendarmerie is officially known as “a security statutory body of a corporate and military character to perform security duties, and established under the Royal directions according to the Law No. 34/2008, and affiliated to the Ministry of the Interior.”

4. The Jordanian Gendarmerie’s position and links within the national framework of Jordan

The national framework of Jordan that contains the Jordanian Gendarmerie is the Jordanian state and its formal constitution, legitimate leadership and its three authorities, namely the legislative, judicial and executive.

The Jordanian Gendarmerie is positioned in the executive branch and has the following links:

The link with His Majesty the Supreme Commander of the Armed Forces of Jordan: the King of the Hashemite Kingdom of Jordan in his capacity as the constitutional Head of State and entrusted with the authorities (the legislative, executive and judicial) where powers are practiced by so-called “Royal Decree” (the Jordanian Constitution, 1952). In 2008, he ratified the Law of the Gendarmerie, issued by the legislature.

The Link with the Interior Minister: the link of the Gendarmerie with the Minister of the Interior is an administrative link involving a series of administrative measures and procedures concerning the appointment of commanders and officers and transfers between the Directorate of Public Security and the Gendarmerie (Gendarmerie Law, 2008).

The link to the General Director of the Gendarmerie: the General Director of the Gendarmerie sets the general strategy and manages and leads the Gendarmerie in performing its duties inside and outside the homeland, in accordance with the supreme policies of the Hashemite Kingdom of Jordan, and in accordance with the legislation and laws in force regarding security and order. (The law of the Gendarmerie, 2008)

The link to the administrative adjudicators: Gendarmerie forces are linked to administrative adjudicators in terms of security and with administrative authorities in the case of riot control as stated in Article (167) of the Jordanian Penal Code of 1960. The administrative adjudicators authorise the Gendarmerie command to use as much force as necessary to control riot situations. (Penal Code, 1960)

The link to the Attorney-General: All gendarmerie members have the status of law enforcement officers and are on call to work at any time, anywhere in the Kingdom (the law of the Gendarmerie, 2008). Orders are issued, under the warrants issued by the Attorney-General, to take all measures and actions necessary to arrest persons in situations requiring arrest, thereby maintaining security and order according to the provisions of the legislation in force.

5. The duties of the Gendarmerie of Jordan

The Gendarmerie forces are deployed inside and outside Jordan in preserving public security and order. The duties assigned to the Gendarmerie can be clarified as follows:

The Jordanian Gendarmerie's duties inside Jordan: the Gendarmerie was assigned its duties from the Law of Gendarmerie in 2008 and from the cooperation protocol between the Gendarmerie and the Directorate of Public Security, which sets out how security incidents should be dealt with if the public security units lose control. The Gendarmerie's duties are summarised as follows:

- Taking all necessary measures and actions, including the arrest of persons in situations that require the same, thereby maintaining security and public order according to the provisions of the legislation in force.
- Providing the necessary protection for the diplomatic corps and official public institutions and establishments of special interest.
- To control riots, demonstrations, disturbances in prisons, sit-ins and fights of a tribal nature.
- Protection and security at festivals and celebrations, and to provide security for sports championships.
- Participation in peacekeeping operations (international police monitors and police units) by sharing with other security agencies.
- Providing support to other security forces for other duties or tasks required by the relevant legislation in force or necessity.

Deploying the Jordanian Gendarmerie outside Jordan: the Jordanian Gendarmerie forces are deployed outside the nation's boundaries to maintain regional security or to maintain international peace and security through contributions to peace operations, either in conjunction with military multinational forces or through international police operations, as follows:

- Jordanian Gendarmerie units operate as an international military power in the area of operations in order to ensure a safe and secure environment in situations of armed conflict. Its work is governed by the Laws of War, the Charter of Human Rights and the United Nations Charters and international laws.

- Jordanian Gendarmerie units participate as international police observers in peace support operations, and respond to the orders of the International Police Commissioner in order to build the capacity of local police. Their activities are governed by the Charter of Human Rights and the United Nations Charters and international laws.
- Jordanian Gendarmerie units operate as international stabilisation police units in order to bridge the security gap resulting from the incompetence or the collapse of the local police force and are armed with non-lethal weapons. Their activities are governed here by the Laws Rules of War and the Charter of Human Rights.
- Jordanian Gendarmerie units act as special teams in international assignments to carry out training for building the capabilities of police or gendarmerie forces in other countries.
- Jordanian Gendarmerie units act as special operations units in assisting in maintaining security and stability in brotherly and friendly countries in need.

6. Strategy elements of the General Directorate of Gendarmerie Forces

Vision: To be a “distinct security agency at the local, regional and international levels and able to effectively contribute to the strengthening of security and stability.”

Mission: The commitment of the Gendarmerie to the homeland and citizens through “playing a key and active role in maintaining security and order through the application of best practices and relying on human resources and knowledge that provide the highest level of security and confidence for all citizens”.

Core values: These are the symbols, meanings, attitudes, and beliefs that are underwritten by the Jordanian Gendarmerie in the implementation of its duties and management of its tasks. These values are: respect for human rights at all times and in all places, commitment and loyalty to the responsibility for maintaining security; teamwork among Gendarmerie personnel; strengthening relations with citizens, as well as integrity and transparency in dealing with all citizens and all aspects of security; professionalism, competence and excellence in security work; integration and cooperation with military and

police forces in Jordan and in brotherly and friendly countries; the continuous training of personnel, adaption of work systems and development of Gendarmerie units on the basis of best practices; skilfulness in dealing with security crises in order to take control; order, discipline, high morale and enthusiasm in carrying out security duties with courage and valour, no matter how dangerous; prioritizing the public interest over private interest; and, finally, giving importance to information technology systems in carrying out security duties.

7. Analysis

In the previous section, basic security concepts were mentioned as a basic human need. Information was also given on the Jordanian Gendarmerie as a formal organisation offering security services; in addition, it can be said that the Jordanian Gendarmerie is an institutional structure with a legal basis as it was formed by issue of a special law and approved by the Royal Decree of his Majesty King Abdullah II. This law enables the Directorate-General of the Gendarmerie to take legal measures for carrying out security missions and tasks and it is therefore considered one of the official security organisations responsible for law enforcement.

The Jordanian Gendarmerie provides safety and security by protecting citizens and properties. At the same time, it prevents all practices which adversely affect security and public order and is therefore in direct contact with the citizens of Jordan.

The Jordanian Gendarmerie follows the security strategy, focusing on performing security services in an excellent way, making use of human and financial resources to ensure best practices, and on respect for human rights and transparency in performing its duties within or outside Jordan.

8. Security challenges facing Jordan's Gendarmerie in the 21st century

A security challenge is an expression of a physical, moral or psychological action that seeks to impose or create an undesirable security situation and aims to undermine the security and stability of the citizens and the country. A security challenge can be caused by several reasons, including social, psychological or physical. Security challenges also include geo-political

challenges, which result from the geographical location of Jordan, in the middle of the Arab world, political variables in the region and entities, wealth and natural resources that have become part of the global financial system (Al Thaher, 1999). These challenges weaken the strength of internal security cohesion, of which citizens and security services are the most important components. It must be said that the forms of security threats and challenges at the national level in Jordan mostly come from regional and neighbouring countries, and are international threats that have an impact in the Jordanian arena. These challenges from neighbouring countries result from the Israeli-Palestinian conflict (west of the Hashemite Kingdom of Jordan), the wars that began in the early 1990s in the Arabian Gulf area, the presence of foreign troops in Iraq in the east, security conditions that prevail in the Lebanese territories north of Jordan, and now, events unfolding in Northern Africa. Threats at the international level include international terrorism, where terrorist groups are active in all countries and target foreign countries that have diplomatic relations with Jordan on Jordanian territory. Clear security challenges facing the Gendarmerie in Jordan during the 21st century can be outlined as follows:

Terrorism: Armed terrorism is considered one of the most probable forms of threat due to its easy execution and the difficulty of predicting attacks. It includes various bombings in cities, residential areas, government institutions and strategic targets, kidnappings, assassinations and others. One of the most important terrorist activities that took place on Jordanian territory were the hotel bombings in Amman on 9 November 2005, which targeted citizens celebrating a wedding. This was later found to be terrorism that came to Jordan from the Iraqi theatre. Although there have been no repeated incidents of bombing, threat letters have been received regarding bombings on Jordanian territory, owing to the distinguished relations between Jordan and the European countries and the United States of America.

Intellectual terrorism: The aim of intellectual terrorism is to mobilise organisations and individuals by using manipulative and psychological methods, and to create an appropriate environment for terrorism. This can be achieved through political speeches and religious edicts, meetings of associations organised by various parties, and through the distribution of brochures and posters exhorting extremist ideologies. It should be noted that

threatening messages come to Jordan through the Internet, or through audio recording broadcasts by terrorist groups via satellite stations. These messages encourage citizens to practice terror against humanity.

Marches and demonstrations: Marches and demonstrations, as a means of expressing public opinion, are the most frequent form of security challenges. In addition, marches and demonstrations are easily utilised by some organisations for escalation into large riots, with the intent of assaulting security personnel and increasing aggression among the public. It should be noted that many marches and demonstrations in Jordan are called by political parties and groups (most of them Jordanian) as a protest against international resolutions to the Israeli-Palestinian conflict. Furthermore, marches and demonstrations are also called in protest to Israeli activities regarding excavation and construction in the vicinity of Al-Aqsa Mosque and the city of Jerusalem and regarding the war in Gaza, in particular regarding the attacks on the “freedom convoy” that came to the aid of Gaza. These marches and demonstrations are expected to continue as long as there is a conflict between Israel and Palestine, west of the Hashemite Kingdom of Jordan. It should also be said that Jordan’s economy impacts on the behaviour of Jordanian citizens, as average monthly incomes are limited in the face of high prices, leading to more demonstrations.

Illegal gatherings: Jordanian Penal Code No. 16 of 1960, Article no. (164), sets out crimes against public order, including illegal gatherings which are defined as gatherings of seven or more persons with the intent of committing a crime and provoking other people to disrupt public order. It should be noted that there are many protest activities against administrative decisions taken by government agencies that affect the lives of citizens. These lead to gatherings of Jordanian citizens, or other Arab communities, in front of diplomatic missions of other countries or in front of United Nations premises in order to protest against what affects the citizens in brotherly and friendly countries, with the intention of pushing these bodies to respond to the requests of the protesters.

General strikes: General strikes involve stopping work in public and private institutions to disrupt services for citizens and put pressure on the state to meet certain demands. These strikes could be exploited by opposing groups

who escalate the situation to include all state institutions. This could directly impact on the national economy in particular and the national security in general. It should be noted that some staff in government institutions occasionally stop work for certain hours, mostly to demand wage increases. It should also be noted that there are many foreign investment firms in Jordan, where non-Jordanian staff stop work due to non-payment of salaries by foreign companies, sometimes for periods of several months. This is especially valid for those companies that attract workers from different countries.

Sit-ins: Sit-ins are staged at specific locations by individuals with certain demands who do not leave until their demands are met. These are staged mostly in front of the Prime Minister's building by, for example, unemployed university graduates who seek employment in the government services. Some sit-ins are carried out by company employees in demand of higher salaries.

Rabble-rousing: Negative actions emanating from groups of people gathered together and under the influence of other agitators who control their minds and impact on their emotions in order to push them to attack public and private properties.

Illegal meetings: Meetings on illegal or immoral issues organised by individuals without obtaining prior approval from the Minister of the Interior or the Governor.

Armed gangs and organised crime: Armed gangs are groups of armed and dangerous persons who have often been previously apprehended for crimes against security, public order and public safety. They may have committed criminal offences and been released by the judicial bodies. In Jordan, we often deal with armed persons, not gangs, with affiliation to armed gangs in neighbouring countries, especially in conflict areas, and involved in organised crime. Organised crime encompasses crimes committed by a group of people in gangs that possess the capacity for leadership and planning, organising, implementing and directing criminal activities to areas that achieve their illegal goals. Their operations are characterised by secrecy, and they are people without conscience or morality that challenge systems and ethics (Saifi and others, 1999). Organised crimes include: theft, looting, armed robbery, arms smuggling, aerial and marine piracy, and crimes of intimidation using

explosives. These forms of crime increase the task burden of the Jordanian Gendarmerie in view of the necessity of pursuing and arresting these gangs. Organised crime gangs are growing in number as these crimes have taken on an international character and currently move between countries.

Insurgency and civil disobedience: This involves the challenge to legitimate authority by opposition groups in which there is general discontent and resentment. These might be an extension of the previous challenge forms. Its danger to national security should be sought in some segments of society which are under the influence of groups of lawlessness and the use of weapons against security personnel. This insurgency can have a significant effect if it is simultaneously based on an external threat. However, this does not exist in Jordan due to the constitutional legitimacy, which is His Majesty the King who comes from the line of the Prophet Mohammad (peace be upon him). This line is acknowledged and respected by all Arabs and Muslims (Al Baalbaki,2008). Therefore, rebellion and disobedience, which represent challenges facing the Jordanian Gendarmerie, occurs in other countries, including neighbouring countries, governed by rulers who are not considered satisfactory. Nationals of neighbouring countries who reside in Jordan organise marches and protests, resulting in breaches of the law, and sometimes commit crimes by liquidating persons loyal to the regime of the countries in question. Nationals from countries that are not neighbours, but do have the Jordanian Gendarmerie on their territories (especially among peacekeeping forces of the United Nations) and are considered hotbeds of internal conflict (leading to critical crises), may threaten the security of the Jordanian Gendarmerie, for example in Ivory Coast.

Globalisation of Crime: Globalisation is the removal of restrictions on trade and the movement of people. Crime has therefore become transnational, which has facilitated the transfer of drugs and the proliferation of computer crimes, especially crimes of fraud and money laundering (Albadaineh, 1999). In short, the globalisation of crime, and the related increasing crime rate in Jordan, is a challenge that increases the task burden of the Jordanian Gendarmerie. Moreover, the globalisation of technology means that technology may be used to eavesdrop or spy on the operations and confidential information of the Jordanian Gendarmerie.

Natural and man-made disasters: Unexpected accidents caused by the force of nature (earthquakes, volcanoes, floods, etc.) or accidents arising from human acts (wars, environmental pollution, serious traffic accidents, etc.). These disasters result in loss of life and property and the disruption of public life, and require the Gendarmerie's efforts to confront them and minimise their effects.

Forced migration and displacement: The situation in the countries bordering Jordan is characterised as extremely tense and wars have already led to the displacement of millions of people to the territory of Jordan. These are known as displaced people who escape their country after man-made disasters such as wars, or are refugees who fear being exposed to persecution based on race, religion, nationality, or political membership or opinion. This all instigates a movement of populations and human families, including women and children, towards the Jordanian borders. Forced migration and displacement are challenges that are expected to continue in neighbouring countries. Challenges regarding refugees and public disorder exist at border crossing points, where displaced people and refugees are accommodated in empty buildings and in shelters on open land. There is also the threat of throughflow of refugees to main cities to seek support from relatives. Disease, epidemics and crime may also occur in refugee shelters.

9. Analysis

On the basis of scientific studies and research by one of the authors as a police officer in the Public Security Directorate and later as a Gendarmerie officer, this study exposed a number of different security challenges which the Jordan Gendarmerie faces. Some challenges arise from political conditions in the Mediterranean region and the Arabian Gulf, others arise from security situations in neighbouring countries (such as general strikes, marches and demonstrations in revolt against national governments), wars caused by countries invading other countries, or the war against terrorism. These security situations and wars cause a great many refugee flows and migrations toward the Hashemite Kingdom of Jordan.

General strikes, marches and demonstrations represent the majority of the challenges and threats within Jordan, whereas the globalisation of crime, organised crime and terrorism lead to increasing challenges at the

international and regional levels. This increases the task burden of the Jordanian Gendarmerie, as it also takes part in peacekeeping operations, such as in Ivory Coast.

The Jordanian Gendarmerie intends to build its capacity to overcome these challenges. The most important means are:

Allocating major forces for duties after securing a strategic reserve force. Gendarmerie forces are geographically spread within the borders of Jordan in field formations of the size of gendarmerie brigades in every region of the three Kingdom regions (the North, Central and South). The basic security units of the Jordanian Gendarmerie are distributed throughout all administrative areas in those regions, either within the major cities or in suburbs, thereby covering the twelve districts, and aiming to maintain security and public order and to protect sensitive and strategic installations. The main Gendarmerie force is located in the capital Amman and comprises two Gendarmerie brigades: about 60% of this complement is allocated for the purposes of providing diplomatic security for embassies, ambassadors' residences and international facilities, while 40% is allocated for the purposes of maintaining security and public order and protection of national installations. The main reserve force of a size of two Gendarmerie mobile brigades and a special duties unit is used to support the regional brigades, the Directorate of Public Security or other security services. This geographical distribution and these reserve forces enable the Gendarmerie forces to implement their security strategies.

The General Directorate of the Gendarmerie implements its security strategies in a way that helps to overcome security challenges. These strategies are the preventive strategy and the corrective strategy. They can be clarified as follows:

The preventive strategy. This strategy aims to prevent security incidents and risks, to discover their causes, and to minimise losses by using human and physical resources. This strategy is implemented through surveillance personnel and patrols in the various areas, control and analysis of security information and the application of an integrated information system that contains complete and constantly documented and updated information, which is analysed and categorised for security decision makers. The Gendarmerie maintains a degree of full readiness for Gendarmerie units to carry out duties satisfactorily.

The corrective strategy. When security incidents escalate, the deployment of the response force becomes inevitable, through implementation of operational plans. Personnel of the response force are issued with special equipment for carrying out their tasks and rapid response units, which are often at the level of a security team or detachment, use special vehicles. This strategy is performed either by the Gendarmerie alone or in conjunction with other security services. Negotiation is often used in this phase, and operation rooms are opened to manage security incidents. The communications system is activated and powers are allocated; information is passed to senior leadership levels in order to take appropriate decisions. Security units are deployed very close to the scene of the incident to intervene in a timely manner and to control and terminate the incident.

Continuous training to meet emergency security situations: The Jordanian Gendarmerie continuously conducts military training and security exercises to defend against terrorism and to overcome emergency security conditions, which lead to critical incidents. There are currently approximately 28 security training exercises with a total participation of 2,800 trainees. This number represents about 50% of Gendarmerie personnel assigned to maintaining security and public order and crisis management (Gendarmerie Training Plan 2010-2011).

Entering into security partnerships and cooperation at the national and international levels with security and military agencies in Jordan. Partnership is sought with similar military and police institutions in other countries, such as the membership of the Euro-Mediterranean organisation FIEP. The Jordanian Gendarmerie was granted the role of observer member of the FIEP for a period of one year, as a prelude to permanent membership (FIEP, 2010).

The Gendarmerie forces prepare security plans that enable them to overcome all of the security problems. These include security plans for the security of sensitive buildings and VIPs, plans for dealing with disasters and emergency situations, plans for security at festivals, celebrations and sports activities, plans to control public riots, prison riots, insurgency and disobedience, and plans to address crises and deal with terrorist threats. Gendarmerie personnel are trained for execution of these plans and conduct joint security exercises with the Jordanian armed forces, public security units and civil defence units.

The Jordanian Gendarmerie adopts a security tactical doctrine. Applied in the security sector at the national level or at the global level, this is a policy the Gendarmerie believes in and pursues in order to maintain security and public order and to enforce the law. It is a doctrine derived from the Constitution, the laws and regulations of Jordan and international laws and resolutions that govern the activities and duties of law-enforcement agencies through a set of principles, teachings, ideas, concepts and opinions. Security science is employed to prepare and upgrade the Gendarmerie to achieve the objectives for which it was created, and to practically translate the tactical doctrine to the performance of duties through gradual use of force, depending on the nature of the incident and strength of the opponent. If the nature of the incident is normal (peaceful), the Gendarmerie is present in a security status of readiness, without being visible in operational terms; however, if the nature of the event is characterised by violence from the opponent, various gradations of force are used, i.e. review of force, negotiate with the opponent, give warnings about the use of force, use of tear gas, use of water cannon, use of truncheons, and possible arrests. Weapons should be used as specified by laws (Penal, Criminal Procedure Code, the Prisons Act), which are laws issued by the legislative authority allowing the use of non-lethal weapons in order to control the opponent, in compliance with special conditions to do so.

Regarding peacekeeping and international security. The Gendarmerie plans and participates in the application of the provisions of the 1945 United Nations Charter and UN Security Council resolutions in order to preserve international peace and security, to take a set of measures to prevent and remove threats to peace and security, and to stop any activities that lead to aggression and violation of human rights and any form of racial discrimination. To this end, the Jordanian Gendarmerie sends international police observers to participate in missions monitoring the behaviour and performance of local police and judicial authorities and providing advice and assistance in the reorganisation and training of the said authorities. The second method through which the Gendarmerie contributes in keeping international peace and security is by sending police units in cooperation with the United Nations into areas that do not enjoy a stable security situation. The main duties assigned to these units are: support of transitional governments to ensure security and stability of the Constitution and the political process; assistance in restoring law

and order and maintaining cooperation with the local police and assistance in crime investigation; protection of the local population against violence; assistance of the members of the United Nations in the mission area against any imminent threat to lives or attempts of abduction or detention of individuals; the protection of properties, equipments, facilities, and goods of the United Nations as set out by the representative of the Secretary-General of the United Nations, and other security duties (United Nation, 1995). It is worth mentioning that the total number of participants of the Jordanian Gendarmerie in peacekeeping missions on an annual basis is 40 international observers and 1,100 officers and security personnel, operating in a total of 10 police units. In addition, there is a special intervention team comprising 40 officers and security personnel carrying out tasks in Haiti. Jordanian Gendarmerie personnel are currently deployed in the following countries: Liberia, Ivory Coast, East Timor, Haiti, Congo, Sudan, Darfur and Southern Sudan, in addition to a fast intervention team in Haiti.

10. Outlook of the Gendarmerie

The General Directorate of the Gendarmerie is looking to play a future role at the national, regional and international levels of excellence in maintaining security and public order and dealing with emergency and security incidents, and thus seeks to develop its capabilities in all areas, as follows:

In the area of operations: It is the Jordanian Gendarmerie's aim to have at its disposal the latest methods and equipment, weapons, and materiel, distributed over all regions of the Kingdom to ensure rapid and immediate response to incidents. It looks to continuity of participation in international peacekeeping forces under the umbrella of the United Nations.

In the area of training: the Jordanian Gendarmerie intends to develop the training institutes of the Gendarmerie and the use of latest information technology tools in the process of training. It further intends to teach a full programme of security science and perform practical field exercises, in order for these institutes and training centres to become suited and valid for International Training.

In the area of manpower: the Jordanian Gendarmerie intends to increase the number of its officers and personnel, instructed and trained to be able to carry out the required duties or potential duties, whether inside or outside Jordan, as independent Jordanian Gendarmerie units or as part of multinational forces in the Arabian or European spheres.

In the area of vehicles: the Jordanian Gendarmerie intends to acquire vehicles designed and developed for carrying out internal security tasks, especially to be used for demonstrations and riots in protection of individuals. These vehicles must be suitable for work in all climatic conditions, either in Jordan's climate (which is a Mediterranean climate) or the tropical climate in hotbeds of conflict on the African continent, where international peacekeeping missions are carried out.

In the area of weapons and equipments: the Jordanian Gendarmerie intends to acquire all non-lethal weapons and equipment that assists in controlling crowds or during arrests of dangerous persons. These weapons and equipment must not be prohibited under the international laws and conventions.

In the area of regulation: the Jordanian Gendarmerie intends to re-examine and develop its organisational structure and other units to enable them to participate in any duty inside or outside Jordan. They must also be capable of supporting the Jordanian military and civilian agencies, and similar services in other countries when assigned to cooperate with these services and units.

In the area of command and control: the Jordanian Gendarmerie looks to develop a command and control system for ideal incident and crisis management. This development will include the use of the latest types of information and communication technology and will link up with local and international communication networks using video, audio, and recording techniques.

In the area of crisis management: the Jordanian Gendarmerie always seeks to develop crisis management teams, both at the administrative and executive levels. It will also develop the means of addressing crises by harnessing potential, and achieving the integrated coordination of information and processes.

11. Recommendations

1. The Jordanian Gendarmerie operates in a variable security environment. The tactical doctrine of the Gendarmerie should therefore be dynamic, and not static, to suit the prevailing security situation and attitudes. The Gendarmerie must, furthermore, constantly develop its tactical doctrine, depending on the assessment of threats, changes, and potential challenges that arise for security at national, regional and international levels and depending on technological developments.
2. Achieving the national security objective of Jordan and participation in the provision of regional and global security by the Jordanian Gendarmerie will require a deepening of the concept of professionalism of its staff, as well as the promotion and development of its capabilities in order to carry out its tasks to protect security and to serve peace.
3. Owing to its recent establishment, the Jordanian Gendarmerie should be supported by the Government by providing the organisation with new resources and by giving the organisation priority in financial support, in order for the Gendarmerie to be able to fully carry out its tasks within the framework of respect, human dignity and liberty. The Gendarmerie should be committed to promoting the rights, trust and mutual confidence of citizens of all categories.
4. The expansion of cooperation with neighbouring countries and developed countries in dealing with terrorist cells and extremist ideas, combating funding of terrorism, and seeking to make the Middle East a zone free of weapons of mass destruction.
5. Gendarmerie forces are required to plan for the future through the provision of new technologies, equipment and training to cope with globalisation and crime and in order to be able to maintain the data and information base of the Gendarmerie. This is also required for cooperation with other security agencies, whether in Jordan or other countries, for the exchange of security intelligence in order to reduce crime.

6. As a result of increasing criminal activities and the evolution of technology, the Jordanian Gendarmerie must select personnel who are intellectually, psychologically, and physically qualified to cope with security threats and challenges.
7. In dealing with natural and man-made disasters, the Jordanian Gendarmerie must develop regulations and provide the necessary equipment for relief aid and search and rescue tasks, and train staff for its use.

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Gendarmeries and the security challenges in the 21st century: A Portuguese perspective

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1. Introduction

For a better understanding of the challenges facing the gendarmeries in the twenty-first century as well as the importance of its model and operational capability, particularly with regard to the Portuguese *Gendarmerie* – the *Guarda Nacional Republicana* (GNR), it is important to look at its current institutional position, presented as a corollary of the great distance already covered by its predecessors and by the GNR itself over the last century. In doing so, we will see that the GNR derives from the same conceptions that gave origin to the different European gendarmeries. If they all stemmed from the same initial common model, and a similar path was followed by all of them, it seems acceptable that all forces with gendarme characteristics may be faced with almost identical scenarios in the different countries to which they belong.

2. The development into the *Guarda Nacional Republicana*

2.1. *Guarda Real da Polícia* (Royal Police Guard)

Let us then go back to 1780, the year in which a Court and Kingdom Police General Super-intendent was appointed, with an action plan that included the creation of a Police Corps similar to the French *Guet* and *Maréchaussée*, designed to strengthen the protection of the inhabitants of Lisbon. As in all reforms, there was a need to fight against inertia, resistance and general apathy. Several violent crimes committed by malefactor gangsters and the ineffectiveness of the *quadrilheiros* (officers armed with rods or spears who until then had been responsible for maintaining public order), combined with security ideas imported from France by the French fleeing from the French Revolution, led to innovative security measures. Thus, in 1801, a military body known as the *Guarda Real da Polícia* (Royal Police Guard) was created. This new force can be considered to be the true predecessor of the *Guarda*

Municipal (Municipal Guard) and of the *Guarda Nacional Republicana* (GNR), due to its military characteristics, hierarchy, recruitment, organisation and framework.

The Royal Police Guard was subordinate to the General of Arms of the Province and the Police General Superintendent. Initially, it existed only in Lisbon and later, in 1824, in Porto. When the king transferred to Brazil, a guard was created from the same mould as the Royal Police Guard, resulting in the current *Polícia Militar do Estado do Rio de Janeiro* (Military Police of Rio de Janeiro State), which in turn inspired the military police forces of the Brazilian federal states.

The following excerpt from the Establishment Plan of the Royal Police Guard gives a clear indication of its mission:

“His Majesty wants the Royal Police Guard Corps to be a national force to ensure the domestic tranquillity of the Capital and oversee the preservation of good order and law enforcement. The fundamental service of this corps consists of a constant and firm surveillance capable of controlling law offenders and disturbers of the public peace.”

In regard to recruitment it stated:

“...it will be constituted from the best soldiers chosen from among the whole Army, not only from among those who are the most robust, the most determined, and who are single and under 30 years of age, as these are tasks that are even more difficult than those of war, but also from those with good manners and behaviour.”

Its well thought out organisation and its reputation acquired by the fulfilment of its military duties over 33 years of existence was such that, in spite of the troubled times experienced during this period in Portugal and of its having been disbanded for ideological reasons and due to personal vendettas among its commanders, its model was followed by its successor, the *Guarda Municipal* (Municipal Guard) as a way to ensure the fight against crime. Interestingly, many of the decisions of the Plan that are included in the decree that established it are still followed to this day.

2.2. Guarda Municipal (Municipal Guard)

The Municipal Guard (1834) inherited the tasks carried out by the Royal Police Guard as a way “to attend to the security of Lisbon, which cannot be guarded by civilian patrols, as that would weigh upon the inhabitants who

incidentally pay contributions for that important service, nor by military patrols, which would cause the discipline of the Corps to deteriorate; [the regent King] saw fit to, on behalf of the Queen, create the Lisbon Municipal Guard within the following articles to maintain public peace, ensuring the safety of the City without threatening its freedom”.

The military corps characteristic that already existed in the Royal Police Guard was intensified in this new force, sustaining a dual dependency on the Ministry of the Kingdom and Ministry of War.

2.3. Guarda Nacional Republicana (GNR)

With the establishment of the Republic (1910), the Municipal Guard -which was loyal to the monarchy- was abolished, and the *Guarda Republicana* (Republican Guard) was created and subsequently replaced by the *Guarda Nacional Republicana* (1911), a public safety body for the whole country.

Throughout this period, several changes took place in this special corps, often dictated by situational circumstances of a political, social and economical nature, yet it always retained its military nature and organisation and the subjection of its military elements to military justice and discipline, always ensuring the safety of people and property.

The emergence of these forces always occurred at critical moments in order to respond to a heightened sense of insecurity, to protect the population, to discipline the military elements, and to make up for the insufficiencies of other entities responsible for security.

3. Present-day Guarda Nacional Republicana

The *Guarda Nacional Republicana* (GNR) is currently defined as a security force of a military nature, constituted by military elements organised in a Special Body of Troops (Article 1 of the GNR Organic Law), with nationwide jurisdiction.

Given its nature the GNR is, and has always been, a military corps, fundamentally carrying out police, security and honorific functions in peacetime.

The GNR is a comprehensive police force, sustained by its versatility as a security and criminal investigation police force.

The GNR mission is extensive, multifaceted and permanently carried out throughout all of the national territory (territorial and temporal continuity)

within the scope of the Security and Protection National Systems, as well as in the implementation of the National Defence Policy.

Due to its nature of both a military corps and a security force, the GNR is a force with a dual military and police function, which distinguishes and differentiates it from other military forces – the Armed Forces – and from other civilian forces – the Civilian Police forces. It is this multifaceted nature that gives it richness, identity and overall value.

The multiplicity of the tasks assigned to the GNR and the deciding role in national security, granted by its institutional middle-ground positioning between the Armed Forces and other Security Forces and Services, further reinforces its importance within the national context.

It has the capacity and aptitude to permanently fulfil a large spectrum of different intervention modalities of the National Forces that may be required in the most diverse situations, ranging from normal peacetime situations to internal and external crisis and conflict situations.

Under normal circumstances, the GNR carries out predominantly police and security missions, being directly responsible for approximately 92% of the national territory and over 50% of the population.

Due to its nature, organisation, and the training of its military elements, it is particularly suited to act in difficult and critical situations and liaise with the Armed Forces in exceptional situations, emergencies or under martial law.

Given its military nature and the territorial apparatus that exists throughout all of the national territory, it can carry out a wide range of missions that are complementary to those of the Armed Forces in the event of a conflict.

The GNR can likewise carry out a wide variety of missions within the scope of Operations other than war (OOTW), ranging from imposition to maintenance, complementary to the Armed Forces, with emphasis on the post-conflict phases and on performing police tasks in lieu of the civilian police in subsequent stages, in order to attain a sufficient level of security and stability for the latter to take over.

It has maintained its double hierarchy since its creation. Nevertheless, in the last reform of the Organic Law, the authority of the Minister of Defence was reduced to the standardisation of military doctrine, weaponry and equipment. The responsibility of the Minister of the Interior was reinforced, even though the GNR already came almost exclusively under the umbrella of that Ministry.

The operational authority of the Chief of the Defence Staff was sustained by way of its Commander-General, pursuant to the National Defence and Armed Forces Law and the Martial Law Regime.

Its territorial apparatus, which is composed of approximately 475 police stations where the population can rely on the help and protection of the dedicated and committed military elements around the clock, has undergone the necessary adaptations to ensure an increasingly better quality of service, which means greater security for all.

The GNR monitors the road network and enforces traffic legislation using specialised military elements.

The GNR acquired the competencies formerly held by the *Guarda Fiscal* (Fiscal Guard) when the latter was disbanded, creating a *Unidade de Controlo Costeiro* (Coastal Control Unit) to carry out the surveillance and control of the Portuguese Atlantic coast, which is also one of the external borders of the European Union, and a *Unidade de Acção Fiscal* (Fiscal Action Unit) intended for tax, fiscal and customs investigation and intervention.

It collaborates with the European Agency for the Management of Operational Coordination at the External Borders of the Member States of the European Union (Frontex).

The GNR created a Nature and Environment Protection Service (SEPNA), integrated the Forest Rangers Brigade, a police corps under the umbrella of the Ministry of Agriculture, and equipped itself with a *Grupo de Intervenção, Protecção e Segurança* (Intervention, Protection and Security Group), designed to carry out duties pertaining to civil protection and rescue, with capacity to intervene in the event of forest fires, in chemical, biological, radiological and nuclear (CBRN) environments and in the rescuing of people in mountainous areas.

Resulting from the newly attributed tasks within the scope of criminal investigation, it established a structure involving the whole apparatus to deal with this reality, training specialists in fighting terrorism, drug trafficking, domestic violence and also in the forensic field.

The GNR modernised the intervention forces for maintaining public order. It strengthened its capability to intervene in order to maintain public order at major events where thousands of people are assembled, such as large sports events, religious ceremonies involving large congregations, major cultural events and any occasion attended by large crowds.

It equipped itself with a K-9 component with new skills (detection of victims of natural disasters or crimes, as well as bodies, compact discs and videos), without however reducing the quality of the performance in the detection of drugs, tobacco, weapons, explosives, search-and-rescue, defence and attack. The upgrading of the military personnel involved in the handling and disposal of both surface and underground improvised explosive devices was motivated by the latent terrorist threat that exists today, and the participation of the GNR contingents in international missions, such as Iraq.

The GNR is a member of both FIEP and EUROGENDFOR, and has participated, and continues to do so, in several peacekeeping and crisis management operations on different continents. This is done, on the one hand, within the framework of bilateral cooperation between states, either under the umbrella of the United Nations or of the European Union, with constituted forces often integrated into joint contingents of similar forces; on the other hand, it is done individually using military experts and advisers. The presence in East Timor has contributed decisively towards the stability and growth of that new country.

Owing to its multifaceted mission scope, the GNR maintains functional liaison with several ministries and state departments or other institutions, with particular emphasis on the functional responsibility of the judicial authorities.

In view of the above, the GNR is considered to be an essential force in internal security and national defence which is respected by the different authorities, favoured by the population, recognised by its counterparts and cherished by the international community.

The restructuring carried out in recent years in Portugal in the area of internal security served to reaffirm the military nature of the *Guarda Nacional Republicana* and the dual system. It shares its generic mission of internal security with the *Polícia de Segurança Pública* (Public Security Police – PSP) and differs from this force, not due to the geographical areas of operation, but particularly due to the subordination of its military elements to the military condition. As such, while the PSP are civilians and may exercise the majority of the constitutionally consecrated rights, freedoms and guarantees, the GNR military elements renounce part of their citizenship rights, subjecting themselves voluntarily to a more rigorous and demanding code of ethics.

The model chosen by the political leadership is based on the duality of the system of internal security forces: on the one hand, the security forces and services which are of a civil nature, whereby the PSP assumes the most relevant role and, on the other hand, the GNR with identical responsibilities pertaining to internal security but equally prepared to carry out national defence missions.

With the currently defined model, the GNR continues to play a transitional role between the internal security and national defence systems, thus constituting a force at the disposal of the country to safeguard the integrity of both systems, particularly in times of crisis or exceptional social disruption.

4. Characteristics and values of the gendarmerie forces

The responsibilities assigned to the various gendarmeries that exist worldwide correspond to those I mentioned as being attributed to the GNR. This surely does not happen by chance, but rather due to the fact that the aforementioned gendarmerie forces have certain characteristics and values that should be highlighted.

Allow me to state some of these characteristics and values, felt and experienced within the GNR and particularly by its military personnel, and to consider some common characteristics among the other gendarmerie forces.

The main feature that is common to any gendarmerie-type force and that differentiates it from other corps or forces, and which may be cited as an asset for fulfilling the missions it is entrusted with, is undoubtedly its **military nature**. The implications resulting from a military nature are:

- Values (although they are not exclusive to military organisations), such as the spirit of sacrifice and mission, discipline, self-sacrifice, honour, physical and moral courage, sense of duty, dedication, loyalty, team spirit, specific experience, decisively influence the operation of such forces;
- The personal dedication and professional commitment demanded of the military personnel in this type of force is much greater than that which is required of the civilian component, by virtue of the different occupational statuses to which they are subject;

- The fact that the operational elements are subject to the military condition, which implies a certain physical and mental ability to carry out duties and often means endangering their own lives, provides these forces with greater credibility and reliability, as well as ensuring the execution of their duties in situations of great social instability that could affect the performance of other forces;
- The subordination of individual interests to collective interests allows for a prompt and full availability of the force in the face of serious incidents whether they are natural occurrences or result from human activity;
- Putting the defence and safeguard of common property and citizens before personal interests and refraining from any discreditable conduct is another assurance for the fulfilment of missions;
- The military nature of the gendarmerie forces is the true assurance of greater political neutrality on behalf of their military personnel. This aspect is doubly important because it prevents partisan political instrumentalisation and focuses the attention of the military staff on carrying out tasks with which they are entrusted instead of deviating to other issues;
- The military nature guarantees the stability of the institution, making it less receptive to structural changes that are triggered by incidental situations.

In addition to the above, sociologist François Dieu pointed out the fundamental values of gendarme culture as being **discipline**, based on the hierarchical organisation and decision-making capacity; **loyalty**, based on legalism and civility; **subjection**, which passes through availability and austerity; and **dignity**, inherent to the spirit of sacrifice and courage¹.

¹ Dieu: *the gendarme model is based on three strong ideas: versatility, proximity and continuity. The versatility is achieved, on the one hand, through the extreme diversity of the missions that the gendarmerie fulfils in regard to internal security and defence; on the other hand, the institution is constantly in the frontline of public service, immediately facing the most diverse crisis phenomena. As for proximity, it is associated with the actual foundation of the gendarmerie, having always been accomplished by the so-called general policing carried out by the patrols of the territorial posts, and favouring close contact with the populations and deep knowledge of places and people. As regards continuity, the activities of the gendarmerie consist of ensuring public service under all circumstances, functioning as an interface between defence and the maintenance of order, between the external and internal security of the territory, representing the sovereignty of the State in the State.*

Theoretically, the forces which are marked by these characteristics and guided and supported by such values would be sufficiently safeguarded from any objection to their existence and institutional model. Nevertheless this has not been the case. In the second half of the twentieth century, we witnessed an offensive from a range of political quadrants allied to sectors close to the civilian police forces which began to question the reason for the existence of the gendarme model.

Demilitarisation began when people started to speak about the unification of police forces, claiming that the gendarme model was outdated, there being no need to maintain military police corps.

Greece and Belgium are paradigmatic examples of the demilitarisation phenomenon. In Greece, between 1802 and 1906, police duties were performed nationally by a gendarmerie force and locally by a municipal police force. The gendarmerie came to have jurisdiction over the whole territory in 1906. Nevertheless, as of 1920, the two-tier system returned with the creation of an urban police force and the retention of the gendarmerie force. In 1984, the Greeks adopted the one-tier system of a general police force, merging the gendarmerie force and the urban police force into a single Hellenic Police corps under the authority of the Ministry of Public Order. In addition, there is a special police corps, namely the Harbour Police, under the authority of the Ministry of the Navy.

The aim of abolishing the gendarmerie force was to demilitarise the police system. Curiously enough, the current Hellenic Police has a military structure, the indicative ranks of hierarchy remain within the military terminology, and its elements are trained in establishments of the Armed Forces and are subject to a regime of military discipline.

In Belgium in 1972, a continuous process in which professional associations and political sectors criticised the excessive militarisation that existed in the gendarmerie, alleging a detrimental influence on a good relationship with the population and to the fulfilment of police missions, led the government to question the existing police system. Examples of poor coordination, lack of collaboration and even conflicts between police corps were presented.

In 1978, its personnel were granted union representation, although with limited rights, having evolved to a professional association in the form of trade unions and federations of trade unions.

Protests carried out by progressive trade unions against the working conditions of employees and criticism against the military nature of the institution increased in the 1980s. In 1988, the government declared that the police had become a political problem, whereupon action was needed.

As of 1991, the gendarmerie is no longer a part of the Armed Forces, becoming a General Police Service, under the authority of the Ministry of the Interior. Under pressure from trade unions and based on the grounds that the reforms carried out merely represented a partial demilitarisation, new disciplinary statutes were established in 1992, which meant new recruitment statutes and profound changes in training and personnel.

Given the importance of this topic, the question of duality of police forces in a state, one of a military nature and another of a civilian nature, is subject to discussion and continues to be in some circles, namely military, police and political. It is thus necessary to analyse some aspects of this problem.

Police duality is a political option. Like any other system, police duality is subject to criticism and controversy regarding both its basis and its functioning. Critics are driven by ideological, political and corporate reasons.

The system of police dualism can be understood as a balanced solution that takes into account the problem of warding off the “Caesar spirit” (absolute power of the military force) and also avoids the domain of the “Fouché spirit” (the omnipotence of a single super police force).

In a democratic society, structured by a logic based on democratic principles, an ideological approach to police dualism is possible both in regard to sovereignty and the separation of powers.

In this sense, dualism would represent an impediment to the possible emergence of an autonomous police power and would guarantee independence for the judiciary. In reality, it would prevent deviations from the principle of political and legal subordination to the police framework, avoiding insurrectional tendencies or even separatist movements that wish to avoid despotism. In addition to the regulatory function of the separation of powers, police dualism contributes to freedom of action and independence for the judges, allowing them to choose which of the two forces to turn to.

The competition which emerges among the police corps indisputably gives rise to a strong incentive within the respective forces, and may lead to intensified

competition in the field and occasionally lead to conflict situations. Criticism regarding a possible police war, exploited by the media, is not enough to condemn the system in principle, considering the recurrence of similar situations within each of the police corps.

The costs resulting from the existence of two forces instead of just one is justified by the political choice of dualism. It is not necessarily the case that the merging of the two forces would signify a reduction in financial costs. We cannot simply add two plus two. The fact that the military personnel are more intensively used compared with civilian personnel is not differentiated and compensated by the salary tables of the different corps.

We will now broach the issues that are often used to cast doubt on the dualist option:

- Is it necessary to have two police corps?
- Wouldn't it be cheaper and more functional to have only one force?
- Why is there one force of a military nature and another of a civilian nature?
- What prevents us from totally civilianising the police?
- How can we distinguish between two forces that do the same?

These issues, in addition to the arguments mentioned previously, can be countered with the following views and characteristics:

- The equilibrium of forces as a stabilising factor in society;
- The search for complementarity among corps with different characteristics;
- The role of a gendarmerie as a force that is inseparably linked to the establishment and maintenance of a sovereign power;
- Even in countries where the gendarme model was not followed concerning border security, protection of communication routes and monitoring of populations, it has been acknowledged that these tasks are carried out best by mobile forces that are permanently available, highly disciplined and trained to fight;
- Capability to modernise;
- Strong tendency to provide its personnel with increasingly pedagogical and technical training, rather than mere instruction;
- Perpetuation of a strong corps spirit within the framework of missions that are of increasing civilian interest;

- Large territorial dispersion, constituting a systematic network of field occupation by forces with military characteristics, establishing sovereign presence of the central government throughout the country, instead of the Army, which has shown a tendency to retreat and focus on large military camps;
- Striking sense of commitment to the public cause and total availability;
- Rapid mobilisation;
- Unauthorised strike action (while other security forces require permission to go on strike);
- Firm determination to fulfil the mission;
- Unrivalled spirit of sacrifice;
- Gendarme specificity, an organic and functional characteristic that is also cultural given that it has its own values, implying a socialisation of its military staff with a great sense of professional identity and even of corporatism. This particularity is based on its institutional past, traditions, organisation and principles of action. Even though it is connected or close to the Armed Forces and imbued with military spirit, the gendarmerie is simultaneously a specific military corps and a police institution;
- The gendarme specificity cannot be reduced to a derived form of the Armed Forces specificity. Even though the gendarmerie is based on an essentially military organisation, its purpose is not to wage war; in spite of the fact that the professional GNR is a *manager of violence*, it is regulated and limited to maintaining law and order. A gendarme does not have enemies, merely adversaries;
- Third Force – an intervention model in which security forces of a military nature, with a framework similar to the armed forces, form a connecting bridge between military missions and restoration of law and order in greatly unstable social and political environments;
- An asset for the foreign policy of each country, given that when there is doubt whether to send an armed-forces or police contingent, one can decide upon intermediate forces. The significance of sending elements of the Armed Forces is not the same as sending a security force.

5. Future role of the gendarmerie in the national and international context

With the end of the Cold War and the collapse of the bipolar power system, many people assumed the world would experience a period of tranquillity and peace. On the contrary, strong instability arose, particularly after the September 11 attacks on the U.S.

The security situation underwent profound changes: the danger level of some threats changed, whereby the risk increased exponentially in some areas, such as terrorism; the proliferation of weapons of mass destruction, which went from mere fiction to near reality; organised crime; and de-territorialisation of more overt threats which greatly benefitted from the element of surprise and involved non-governmental actors, leading to increased convergence between internal and external security.

Ambiguity concerning war or crime situations increased, increasing the significance of the grey area between war and peace.

The convergence of threats and risks and the fading of the boundary between internal and external security, along with the changing international environment and conditions of employment of forces, stressed the importance of the gendarmerie forces - police forces with martial characteristics and several military capabilities^{2,3}.

² Derek Lutterbeck, of the Geneva Centre for Security Policy (GCSP), furthermore adds that gendarmerie-type forces have been playing an increasingly important role in two areas of the post-cold war agenda: **border security**, whereby they are mobilised to combat activities ranging from the most diverse types of trafficking to international terrorism; and **peace support operations**, wherein they are seen as tools of growing importance as regards internal security or maintenance of public order. This fact is due to its intermediate status, which combines the characteristics of a military force with those of a police force and applies them properly to deal with emerging high risks and challenges, notwithstanding the fact that there are many analysts, above all in Anglo-Saxons countries, who view “militarised” police forces as being associated to repressive or authoritarian tendencies and a threat to civil liberties. However, it is argued that, in spite of their anomalous status, such forces have recently gained tremendous importance.

³ In this regard, GNR colonel Carlos Alves stated that there has been a general tendency in both the European Union and the United States to engage gendarmerie-type forces in border security, including the maritime sector, sometimes accompanied by a massive expansion of these corps. The main thrust of this development has been the growing

The new security challenges posed to states, in which security issues continue to contribute towards a simultaneous convergence with the domain of war and crime, reinforced by globalisation tendencies, herald a future that is particularly well-suited to gendarmerie forces.

Allow me to suggest some potentially interesting measures, which may be considered in the context of the new challenges, namely at the internal level of gendarmerie forces:

- Each gendarmerie force should follow the societal revolution, develop knowledge and anticipate changes, as it has hitherto been capable of doing, even though it may currently be more radical and quicker;
- In order to survive the major revolutionary changes of the third wave, the gendarmerie forces will be forced to look at the world in a new way, bearing in mind the dominant functions and processes in the information age, which increasingly involve organisation in networks;

concern over international threats of illegal immigration, drug trafficking and terrorism. Given their intermediate status as a third force, and in view of increased security challenges, gendarmerie forces no longer distinguish between internal and external security areas, encompassing both fields by valuing the external dimension of internal security. Keeping in mind the predominance of transnational threats, these forces have been advocating a comprehensive security concept which covers internal and external levels. They are therefore specially equipped to face new international challenges related to different categories of trafficking and terrorism.

Gendarmerie forces have also been particularly active in peace support operations, particularly since the 1990s, when gendarmerie forces were increasingly called upon to participate in this type of operation.

The so-called second generation missions are more concerned with internal security or public order duties, focusing on crowd control, the fight against organised crime, refugee protection and local police reorganisation, in addition to monitoring ceasefires. That means increasingly carrying out police duties, to which merely military forces may be less well suited and less inclined. The popularity that gendarmerie-type forces have gained in multilateral peacekeeping missions is remarkable; they are currently considered to be a sort of panacea for many challenges in unfolding conflicts and they play an increasingly prominent role. East Timor is a good example in this respect. The increased popularity of police forces with a military status in peacekeeping operations is also related to the double hierarchy and consequent interoperability, given that they can be headed by civil authorities or commanded within a strictly military scope. Once again, gendarmerie forces assume a security concept that reflects the prominence of the intermediate characteristic of policing in a post-war situation, in a grey zone between war and peace.

- The gendarmerie forces have to invest heavily in new information technologies, in order to conduct and monitor operations, and develop a swift and efficient internal information system, in order to ensure instant communication with their staff;
- The enhancement of human resources is the most important and defining aspect in the quality of the institutions. Improved and increased training will have to be a constant concern;
- As we have seen, the gendarme model has several advantages and potentialities that enable their personnel to carry out actions that will allow them to take advantage of new opportunities. We should invest strongly in a model with gendarme specificity, preserving and strengthening internal cohesion at all levels;
- Make the public and politicians aware of the greater value of the military nature of a security force in the fight against security threats and other new threats;
- Do everything possible for the gendarmes to be recognised by government leaders and society in general as being providers of an essential and high-quality service for the population;
- Ensure that the military nature of the gendarmerie forces may assert itself as a boosting factor for their capabilities and skills to promote new responsibilities and not as an obstacle to the development of the spectrum their missions;
- Adopt an optimistic attitude, anticipating changes and understanding the social context.

Very important steps were taken at the international level and the gendarme model asserted itself worldwide, which augurs well for the future of the gendarmerie forces. Let us therefore consider the following:

- The need felt by European gendarmerie forces to join together and form the FIEP association (seeking to develop collaboration and coordination among gendarmerie forces), which was subsequently joined by overseas countries with security forces with the same characteristics, contributed to taking an important step in favour of the vitality of the gendarme model;
- The operational success achieved by the various gendarmerie forces elevated this type of forces to international recognition;

- The European gendarmerie force (EUROGENDFOR or EGF), which is constituted by multinational forces with military features with the capability to carry out very diverse police activities, possesses adequate means and is capable of surviving and operating in highly hostile environments, was established for rapid intervention; the gendarmerie forces gained governmental and public recognition for their international added value and opportunities;
- The exchange of military personnel carried out among the gendarmerie forces helps to bring these forces together and gradually contribute to the standardisation of procedures and to facilitate combined operations and constitute multinational units;
- It is more and more common to state that crisis management cannot be solved simply at a military or even police level. Its resolution should be assigned to suitable forces with military and police capabilities. Bearing in mind the new forms of crime, the same is also internally valid for each country.

The greatest international challenges that gendarmerie forces face involve optimal understanding among similar forces through a constant exchange of knowledge and information, as well as presence in theatres of operations of different types and risks (possibly CBRN environments involving a greater number of casualties), and also a better connection with police and armed forces during missions.

In conclusion, I would like to mention that, due to their nature, characteristics and capabilities, gendarmerie forces are one of the most attainable and powerful tools on which each state and the international community in general can count on to tackle crises and ensure the safety of people and property in such an unstable world, which holds new and ever more violent threats.

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