2 Police and Military: two worlds apart?

Current Challenges in the Process of Constabularisation of the Armed Forces and Militarisation of the Civilian Police

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INTRODUCTION

Nowadays, the ‘architecture’ of security involves a large number of semi-public regulators and authorities, private security, investigations, military companies and intelligence. In this complex environment it seems like ‘one hundred tiny theatres of punishment’ (Foucault, 1978) are at work. The very notion of policing and security is being dispersed throughout society. Concepts such as ‘plural policing’, ‘policing quilt’, ‘plural security’ or ‘security continuum’, on which a vast and growing number of actors operate are, being used to describe the new realities of security. Increasingly, new forms of cooperation between these different security actors are evolving. Operational boundaries between the public and private sector, but also between civil, police and military organisations are blurring. In the prevention of street crimes, the investigation of organised crime and anti-money laundering, the fight against terrorism, and international peacekeeping operations, hybrid arrangements emerge, leading to questions about privacy, transparency and democratic control (Bigo, 2000, 2005; Sarre, 2005). This paper focuses explicitly on the blurring boundaries in the field of security by addressing the relations between the police and the armed forces and the challenges that go hand-in-hand with this evolution.

The armed forces and the police share a long history (Bayley & Shearing, 2001; Fijnaut, 2007). Both are uniformed government services that have the mandatory power to use legal force and contribute to state authority. Combined they provide the state’s strong arm. With the rise of the nation state since the late Middle Ages, monarchs and later civilian politicians developed the state’s security institutions. The armed forces and judiciary were among the first. Up to the early 1900s, military personnel outnumbered police troops. Military units were stationed along borders and in almost all major villages and towns. Most villages had one police officer or sometimes none, while larger cities had only a few dozen. For any serious disturbance they called upon the nearest military commander to send soldiers to back them up (Wal, 2003). With the emergence of the urban working classes and the rising tensions between western European states at the end of the 19th century, the development of modern and professional police forces

1 Thanks to the anonymous reviewers for comments on an earlier draft of this chapter.
started. As police forces grew in number, the role of military forces in internal security diminished, especially in larger cities. The roles of the police and the armed forces were codified in a growing number of laws and regulations.

At first glance, both institutions fulfil a different function and have their own history and culture. The most obvious functional difference is that the armed forces are responsible for the protection of the state against external enemies and the police are responsible for the internal security and the preservation of internal public order. Traditionally the army is focussed on warfare and the international rule of law, and the police are focussed on public order, service delivery and the national rule of law. Nevertheless, this distinction in functions and tasks has never been clear in practice. The establishment of the English Modern Police in 1829, for example, was in fact a reaction to the blurring boundaries between the military and police functions in British society at that time. The creation of the Modern Police meant the end of the military as primary agent for internal public order. The rise of the French Gendarmerie is another example. Originally this corps was a police corps within the French army. Only later was their authority extended to deal with military personnel and civilians. The model of the French Gendarmerie was ‘exported’ throughout the world, the so-called ‘Napoleonic heritage’.

Evidently, the blurring boundaries between the military and the police are not at all new topics. Nevertheless, through the years the relation between the police and the military is being influenced by a changing society in which new security threats, such as terrorism, emerge. Combating terrorism calls for a comprehensive approach by both police and military organisations. Besides terrorism the military can be asked to assist the police in maintaining public order. Moreover, the peacekeeping missions of the military in post-conflict regions are centred on bringing stability and security and have many elements of public order management in them.

In societies that call themselves democratic, questions are raised on the implications of the blurring boundaries for the legitimacy of both institutions. It has been a concern for policy-makers but also within the armed forces and the police questions are raised regarding the challenges these blurring boundaries pose for their performance and positioning within the changing security ‘market’. This chapter aims at identifying current challenges in terms of the organisational, educational and operational implications for both institutions and their role and position in our societies. We study the blurring boundaries between the armed forces and the police by conceptualising and analysing the process of constabularisation of the armed forces and militarisation of the civilian police.
2.1 MILITARISATION OF THE POLICE

2.1.1 Academic debate on the militarisation of the police

The academic debate on the militarisation of the police concentrates on two paradoxical trends. On the one hand, attention is being paid to the military character of police organisations, an issue which has been discussed since the advent of modern police forces (Kraska & Kappeler, 1997). The core of this discussion is the impact of the military structure and culture on different aspects of our society. In the 19th and 20th centuries and up until now, military organisational principles are for example implemented in different kind of organisations such as religious groups, youth associations, hospitals and the police (Van Doorn, 1956; Kraska, 1994). On the other hand, the development of democracies raises questions about how to democratise/demilitarise police forces to meet all the requirements of a modern constitutional state. The concept of community policing is at the centre of this trend (Friedmann, 1992; Ponsaers, 2001). Both trends are useful to conceptualise the impact of the blurring boundaries between the police and the armed forces upon the organisational and operational functioning of police forces all over the world.

Within the trend that focuses on the impact of the military culture and structure on the police, we still find Boëne’s distinction between the military’s functional and socio-political uniqueness very useful to further discuss the process of the militarisation of the police (Boëne, 1990 a, b).²

The military’s functional uniqueness refers to the characteristics that are needed to be successful as a military organisation. The preparation for and the ever present possibility of ‘primitive’ war generates typical military characteristics 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 violence and the orientation towards violence in training, motivation and indoctrination. These elements are considered to be the most typical military characteristics, often found explicitly in military training (Lang, 1963; Teitler, 1972, p. 11). Boëne has pointed out that this military uniqueness has been influenced through time by the evolution in types of warfare.³

The military socio-political uniqueness refers to the view of nation states on the role and position of the armed forces. This view is influenced by different factors

² Both dimensions can be divided for analytical purposes but in reality they interact.
³ Boëne describes an evolution through time from a primitive kind of warfare to a complex kind of warfare and finally to an abstract kind of warfare. For more on these types see Boëne 1990a, p. 27-41.
such as political culture, social structure, economic development and strategic position of every nation state (Hauser, 1973). Since WWII many Western countries have tended to evolve from an organic/national ideal to a liberal type of military-civil relations. In the organic/national ideal there is a clear distinction between civil and military responsibilities: the armed forces are a bureaucratic public service to the civilians, officers are an impartial instrument in the hands of political regimes and the armed forces do not intervene in politics. This ideal is seen as the highlight of military uniqueness with the military being a ‘total institution’ (Janowitz, 1965; Goffman 1969). The liberal ideal reflects the delicate balance between internal and external integration of the military. Internally there is a professional mix of bureaucratic rationalism and elements of the traditional culture of warfare. Externally the military needs effective social and cultural relations with society to guarantee social legitimacy and hence to ensure its own survival. In each country the perception of the role and position of the armed forces in society interacts with the functional uniqueness of those forces, as mentioned above. Recent developments in security matters, such as terrorism since 9/11, have had a major impact on the nature of warfare these days, for example in Iraq, and on the functional uniqueness of the armed forces being deployed (see e.g. Challans, 2007).

Both dimensions of military uniqueness crucially influenced the process of institutionalisation of the police in Western societies. When establishing police organisations, the military model tends to be very popular (Monet, 1993). The influence of the military uniqueness can be situated at three levels: 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).

The first level is of great importance in the debate on the militarisation of the police. The vision of the role and position of the police in society encompasses finding the right balance between the rights and liberties of every individual, and the public interest and public order as a challenge for every democracy (Keith, 1993, p. 228). By managing public order the police is directly confronted with this challenge. From a traditional point of view (influenced by the military culture and structure and often implicit in many state policies towards policing) the police are seen as an embodiment of the power of the state, legitimated by the Law. From this instrumental point of view, policemen implement law and order for which they need the monopoly on the use of violence. This may create a police force that is an instrument in the hand of state authorities and which lacks any sense of critical reflection on its own performance. This instrumentalism invites policemen

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4 Boëne (1990a, pp. 44-47) makes a distinction between the feudal, imperial, organic, liberal and ideological type of socio-political uniqueness in the West.

5 These reflections are regularly made in for example The Advisory Council on International Affairs (www. Aiv-advies.nl).
to use the law in a coercive (dura lex, sed lex) and restrictive manner (because it allows them only to act after violation of the law). Besides, this instrumental view on policing gives police forces an a-political status that eventually leads to a police force that is separated from society (Reiner, 1992; Monet, 1993; Monjardet, 1996; Della Porta & Reiter, 1997; Van Ryckeghem, Huens & Hendrickx, 1998; Van Ryckeghem & Hendrickx, 2002).

This traditional view on the role and position of the police in society, which may vary in its consequences from state to state, influenced to a great extent the operational and organisational dimension of the police. On the operational level this traditional view may lead to an operational militarisation of the police, defined as performing military duties and/or implementing military principles in performing police duties. The performance of military duties by the police implies that the military power of a nation state is strengthened against foreign enemies and can therefore be referred to as a strategic militarisation of the police. The implementation of military principles in the performance of police duties leads to the use of violence and arms\textsuperscript{6} as an appropriate means to solve problems; thinking in terms of ‘enemies’ resulting in an approach that does not solve problems but only combats symptoms. These principles are mostly applied and highly visible in public order policing and the reactive style of police in interventions performed as a ‘fire brigade’ (Cordner, 1978; Horn, 1996). On the organisational level, the traditional view on the role and position of the police in society implies that the police are being managed as an army (Goldstein, 1977). This may lead to characteristics such as army officers in command, military rank and hierarchy, military discipline, military training, military culture, and the restriction of rights and liberties of personnel.

2.1.2 Military policing versus community policing

The traditional view on policing and the consequences on the three levels mentioned above have been questioned since the second half of the 20\textsuperscript{th} century. The instrumental perspective generates a few problems. The first problem of instrumentalism is the illusion that the police can solve societal problems by addressing symptoms, for example by handling the disturbance of public order. This creates high expectations of the police that cannot be fulfilled because the causes of societal problems are difficult to address.\textsuperscript{7} This may threaten the legitimacy of the organisation.

The second problem is that instrumentalism can threaten democracy because it generates a police force that is mainly steered by internal orders and guidelines

\textsuperscript{6} The famous discussion between Waddington and Jefferson (White 1994) reflects the essence of this issue: does the use of violence by the police provoke violence in society?

\textsuperscript{7} This has once more been a topic of discussion during the riots in the ‘banlieues’ of Paris in 2005-2006, which were an outburst of complex social problems.
from police authorities. In this process, the responsibility of the police constables on the street is neglected and there are fewer possibilities for input from the people who are being served, the citizens.

The third problem is that the police can never be a perfect instrument in the hands of authorities. Studies indicate that the interpretation of laws and guidelines are being influenced by organisational mechanisms, informal rules and the culture of police constables on the street. Policemen/women do have an operational autonomy, called discretionary power, when performing their tasks on the street (Monjardet, 1996; Van Ryckeghem et al., 1998).

Apart from this, operational and organisational aspects of military policing have been subjected to an ever-growing flood of criticism. The use of the police to strengthen the military, the effect of the paramilitary approach to maintaining order and the efficiency of using military organisational principles to guide police constables in their daily work are being increasingly questioned. It became clear that there was a gap between the police (organisation) and the people being policed. Since the end of the 20th century awareness has grown that a different style of policing is required to meet the changed needs and expectations of democracies. Meanwhile community policing is seen as a possible answer as far as it is a philosophy that deals with the question of how to make the police more democratic. One of the basic ideas of community policing is that the police should first understand the nature of societal problems before they decide what kind of answer the police can or should provide. It implies a critical reflection on the role of the police in solving complex societal problems. Community policing can be a challenge to military policing if the underlying cultural assumptions of the traditional view on policing are questioned (Van Ryckeghem & Hendrickx, 2002). The challenge relates to the three levels already mentioned: the role and function of the police in society, the operational consequences and the implications for the police organisation.

Regarding the role and position of the police in society, community policing implies a totally different view on policing. The police needs to be a part of society like institutions such as schools, churches etc. ‘The police can no longer be viewed as commandos, parachuted into a community to rescue it from the forces of evil. The police are the community and the community is the police. Police officers come from the community and reflect its values’ (Cadieux, 1989). The major objective of community policing is to establish an active partnership between the police and the community through which crime, service delivery and police community relations can jointly be analysed and appropriate solutions can be designed and implemented. By consequence five central principles are distinguishable in community policing at the operational level: service orientation, partnership, problem solving, accountability and empowerment. Service orientation refers to the idea that the community is the client and the police the service provider. Partnership is seen as a co-operative effort to facilitate a process of problem solving.
Problem solving as such is related to the joint identification and analysis of the actual and potential causes of crime and conflict in communities. Accountability can be realised by creating mechanisms through which the police can be made answerable to addressing the needs and concerns of the communities they serve. Empowerment refers to the creation of a sense of joint responsibility and a joint capacity for addressing crime, service delivery and safety and security amongst members of the community and the police (Van Ryckeghem et al., 1998, 2002).

Crucial is that these principles challenge the traditional operational level of policing, for example, partnership is in contrast to the idea of the ‘enemy’, and problem solving is opposed to the approach that only deals with symptoms. Nevertheless, these five principles are complementary and should be taken into consideration together to be able to challenge the traditional view on policing. Moreover on the organisational level community policing asks for principles such as decentralisation, diversity in human resources, democratic decision-making and an ethical police code to be able to ‘integrate’ the police into society.

Meanwhile, community policing is not the only police model that challenges military policing. Ponsaers (2001) developed a frame of reference on police models to structure the actual discussion on policing in a more transparent way. A police model bears clear basic assumptions in itself about the role and the place of the police in society, and in this way generates clear answers to key questions with regard to discretionary power for policemen, the role of the law, responsibility, the relationship with the population, professionalisation, legitimacy, prevention and pro-active and reactive police force policy. On the basis of these eight core themes, Ponsaers distinguishes four police models: the military-bureaucratic model, lawful policing, community policing and the public-private police model. The military-bureaucratic model, builds on the logic of military policing mentioned above, and scores on the eight topics respectively as follows: internal rules and hierarchy, law and order, internal responsibility in particular and no external responsibility, a large gap between population and police force, the obedience of rules, absence of disorder and monopoly on physical violence, emphasis on repression and control and reactive actions. The figure below reflects his latest conclusion on the logic of reasoning in the current discussion (Easton, Moor, Hoogenboom, Ponsaers & Van Stokkom, 2008).

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8 The introduction of only a few of these principles is one of the reasons why the implementation of community policing fails in several police stations (Van Ryckeghem et al., 1998).
The figure shows that the military-bureaucratic model is one of the traditional models that has been challenged by modern and post-modern police models. Ponsaers stresses that it is essential that these police models are not considered as consecutive in time. The described models are logical diversions, not chronological episodes. This means that the choice for a model during reforming a police order is not a necessary consequence of the time in which we live, but a programmed choice. Thus ‘Community Oriented Policing’ for example is not a post-modern phenomenon, but a voluntary and conscious choice from various options (Ponsaers, 2001, pp. 490-492).

From this, according to Ponsaers, it immediately follows that each reform process of the police is not a unilateral process where alternative possibilities are impossible. After all, a ‘point of return’ is never reached; there is a constant tendency to return to more conservative models. Hence, it is possible to conceptualise reform as an ongoing process which is never completed. During this process the police models are continuously evaluated with respect to their social effectiveness and in particular with respect to the degree to which they actively contribute to crime reduction. Moreover, the way in which a police model is dominant in an overall police structure also implies developments in the social environment of the police organisation. Important is that each concrete police organisation can be considered as a combination of police models. After all a police organisation is not synonymous with a police model (Ponsaers, 2001, pp. 490-492).

For our discussion on the blurring boundaries between the police and the armed forces it is important to notice that the military-bureaucratic police model, inspired by the logic of military policing mentioned above, is just one of the possible outcomes of police reform. Due to the changing security agenda, the model is still very much present in current discussions on police reform.
2.1.3 Changing security agenda and current challenges of the militarisation of the police

Bowling and Newburn (2006) indicate that the security agenda is increasingly becoming a hybrid containing internal, external, military, criminal and civil threats. In addition, the problems that the police are faced with are on a larger scale, are increasingly international in character and more often involve violence. Evolutions in organised human trafficking, the trade in weaponry and drugs, criminality and terrorism require collaboration that implies the crossing of the existing boundary of internal security and the use of special methods, techniques and of ‘adjusted’ violence. Moreover, the braiding of organised crime and terrorism is increasingly seen as the ‘real’ police work.

This evolution tends to make the military-bureaucratic police model, with the organisational and operational elements from military policing (as mentioned above), quite popular. The war metaphor, central in military policing and ‘used’ in the past to restore public order, appears in the struggle with the new security challenges. The international ‘war on terrorism’ that started after the 9-11 terrorist attacks has caused a paradigm change regarding national security. To give an example, the massive presence of armed policemen after the July 2005 terrorist attacks in the London tube invokes a revival of the war metaphor within the realm of policing. It appears that the terrorist attacks drove the unarmed ‘Bobbies’ off the street.9

At the operational level, the transition from ‘crime control’ to ‘war on crime’ and ‘war on terrorism’ reflects a transition from a routine job to a crisis. The ‘war’ against criminals, disturbers of public order and terrorists legitimates the use of operational principles such as the symptom-approach, thinking in terms of ‘them and us’ and the use of violence. Furthermore it stimulates centralisation and specialisation as organisational principles. The expression ‘war on organised crime/terrorism’ legitimates the use of certain methods and gives policemen the capacity to ‘play’ war, which can be conceptualised as a process of militarisation of the police (Bittner, 1970; Skolnick & Fyfe, 1993; Kraska & Kappeler, 1997). At the organisational level, police units and gendarmeries worldwide are strengthening their anti-terror units such as the American SWAT (Special Weapons And Tactics), the Austrian GEK (Gendarmerie-einsatzkommando), the German ‘Grenzschutzgruppe 9’ and the French GIGN (Groupe d’intervention de la Gendarmerie Nationale). Moreover, in countries such as Italy, France and Portugal, voices are raised to use the armed forces to support the police in this ‘war against terrorism’.

9 ‘Hundreds more armed police to join London’s terror fight’. The Independent on Sunday, 7 august 2005.
Striking is the contrast between the revival of the ‘war metaphor’ on the one hand and the importance of community policing on the other hand. There is some debate on the question of whether both trends are complementary or paradoxical. In a nutshell non-believers (paradox) refer to the competing basic principles of both trends such as partnership versus ‘them or us’ attitude as believers (complementary) refer to the necessity of community policing in daily police practices to avoid the need to apply any ‘war metaphor’ in dealing with current security challenges. There is not much empirical research on this specific issue. Nevertheless, research on the application of the ‘war metaphor’ on public order policing indicates that it has a big influence on the structure and culture of the police applying those principles (Easton, 2000). In researching the process of demilitarisation of the Belgian Gendarmerie it became clear that both trends are actually interacting. The presence of an often latent, traditional approach within a police organisation influences, to a great extent, the way in which community policing is interpreted and implemented. The traditional perception of the role and position of the police in society is part of the prevailing culture in the police organisation and it is inherent to the functioning of the police force. It refers to a vision which impacts on the implementation principles that are adhered to when discharging the remit. Hence, manifest civil implementation principles, such as problem-oriented methods of working and partnership, are being usurped by latent militaristic implementation principles, such as symptom-driven methodologies and a ‘them or us’ attitude. The observations above do generate concern.

The question arises about whether it is possible to combine both styles of policing in one police corps to be prepared to address the increasing demands of the changing security agenda. To some extent the ‘war’ on terrorism seems to ask for a remilitarisation of the police while good relationships with different neighbourhoods (and the ‘cry’ for community policing) is one of the elements needed to be able to deal with terrorism as a societal problem. If both trends are not paradoxical at the level of society as they are two sides of the same coin, this may nevertheless generate paradoxes on the organisational and operational level of police management and may ask for a reconsideration of the current process of militarisation of the police.

2.2 Constabularisation of the military

2.2.1 The academic debate on the constabularisation of the armed forces

Being tasked with international peacekeeping duties, the western armed forces have gradually developed into constabulary forces. The concept of a constabulary force was introduced in 1960 by the American sociologist Morris Janowitz (1960). Janowitz based his concept on the policing missions that the British Army conducted in the former colonies. According to Janowitz, ‘the military establishment becomes a constabulary force when it is continuously prepared to act, committed
to the minimum use of force, and seeks viable international relations, rather than victory.’ (Janowitz, 1960, p. 418) The role of the military is changing from a more absolute into a more pragmatic focus on practical conflict resolution. Janowitz’ constabulary force concept ‘encompasses the entire range of military power and organisation. At the upper end there are the weapons of mass destruction; those of flexible and specialised capacity are at the lower end, including the specialists in military aid programmes, in paramilitary operations, in guerrilla and counter-guerrilla warfare’ (Janowitz, 1960, pp. 418-419). A constabulary force is the solution to what Geser sees as an immediate need for international peace operations. More troops, a mixture of police and military, are needed to operate in micro (police), meso (counterinsurgency and counter-terrorism) and in macro violence (warfare) environments and who are able to execute both police and military functions (Geser, 1996, p. 70).

The concept of a constabulary force implies that the military is able to operate in a great variety of situations at the higher end of the continuum of military force, and at the lower end of the spectrum. The military thus has to be able to vary and fluctuate the intensity of its use of force. This requires competences to escalate and de-escalate in the application of force within a short period of time, and within short intervals. A constabulary force also needs the ability to deal with a range of different environments and specific security scenarios. In addition to their classical warfare task, military organisations are turning into instruments for creating international order and nation building (Haltiner, 2003, p. 179). The modern soldier is developing into a diplomat, policeman, social worker, conflict manager, and advisor of local authorities (Moelker & Soeters, 2003, p. 33).

The functional uniqueness and the socio-political uniqueness discussed above not only influenced the process of institutionalisation of the police in the direction of instrumentalism, it also caused the armed forces to develop in the opposite direction to that of police forces. In the debate between Huntington and Janowitz, it is Janowitz’s thesis that is supported in the sense that the military is drawing nearer to civil society and is not separated from society by instrumentalism. Huntington (1957) advocated ‘objective civilian control’ stating a strict separation from politicians, who control the armed forces. In this paradigm the military is the apolitical instrument of the state. According to Huntington, professionalism means not only being a skilled soldier, but also being politically neutral. In the academic debate this stance became known as the divergent model: keeping politics and soldiering apart. In contradistinction, Janowitz (1960) propagates the convergent model. Rather than separated from wider society, Janowitz sees the military as necessarily integrated. Political spheres and the military converge upon each other and ‘in this convergence it is the military that draws closer to the mainstream of the society to which it belongs, gradually and continuously incorporating the values that gain broad acceptance in society’ (Caforio, 2003, p. 18).
As a result, the organisation of the armed forces no longer fits the model of a total institution (Goffman, 1969), the profession is losing many, but not all, of its institutional characteristics (Moskos, 1977), and instead of being a traditional top-down organisation, much information that influences decision-making travels from the bottom up. Consultation models in many countries have been modelled upon a pluralist framework of negotiations (Bartle & Heijnecken, 2006). Whereas the military traditionally is described as a machine-bureaucracy (Mintzberg, 1983), this characterisation does not hold true any more. These changes emanated as early as the sixties because of the reasons given by Janowitz, but they are even more identifiable in the present military organisation whose main task, referring to the medium and smaller military powers, is predominantly devoted to operations other than war.

### 2.2.2 National tasks of the military

Before turning to tasks abroad, the national tasks will be discussed. As Huiskamp & De Weger (2009) tentatively sketch, these tasks are rapidly changing. The clear division between policing and military tasks is fading. According to these authors, the armed forces could be more important in combating crime and drugs trafficking, especially since these issues relate to border crossing and international cooperation between authorities and law and order organisations. As an instrument for state building, the armed forces can contribute to citizenship and the integration of newcomers. Other issues that are likely to cross borders and that require the assistance of the armed forces relate to contagious (human or animal) diseases or disaster management. Catastrophes can be large scale and the infrastructure of the armed forces might easily be necessary to relieve human suffering caused by non-military threats. Non-traditional threats like terrorism or ethnic tensions or the spread of nuclear, chemical or biological weaponry might also require the use of the military organisation within national borders. Digital paralysis, stemming from internet terrorism, or transport and/or safeguarding energy sources are certainly part of the new domain for the military. Often the military are used as auxiliary forces because of their infrastructure that can deal with large-scale operations but at the same time it is also expected of the military that they contribute to national tasks, especially in times when the sovereignty of the state and national integrity are not at stake.

### 2.2.3 Military intervention versus community policing

Meanwhile, in contrast to the police, where developments regarding the operational level tend to move in a direction of military policing, the armed forces are moving away from the use of military force, especially regarding their international operations. Whilst not denying that fighting occurs during peace enforcing operations, theory and practice of military operations are directed at conduct that comes close to community policing. The logic stems from a counter-insurgency doctrine that was developed by the British in Malaya, a doctrine that
was also adopted by the Dutch in their ‘doctrine for irregular adversaries’, e.g. in the form of what we currently label ‘asymmetric warfare’. The British general Thompson (1966) formulated five principles that are preconditions for success:
1. find a political solution;
2. act in accordance with the law, use minimal force;
3. fight the cause of the insurgency;
4. separate the fish from the water/offer safety to the population;
5. support the government.

After 12 years of campaigning for the hearts and minds (1948-60) and the combined effort of 300,000 soldiers, the outcome in Malaya was positive. Giving them land, creating decent living conditions and citizenship and preventing the squatters from supplying the insurgents with food met the basic needs of the Chinese squatters. Insurgents were offered the opportunity for rehabilitation. A committee system was implemented in the new villages where the efforts of military, police and civil institutions were coordinated. The political solution offered was independence for Malaya.

Thomas Mockaitis (2003) effectively argues that the principles derived from the Malayan experiences apply also to the present war against terrorism in general: ‘Trust and cooperation depend in turn on recognizing and as far as possible addressing the real needs and addressing the legitimate grievances on which the insurgency feeds. Good intelligence allows the security forces (military, paramilitary, and police) to use force against the terrorists in a limited and focused manner so as not to further alienate the general population. This strategy has generally been described as “winning hearts and minds”.

By use of the committee system, by providing economic alternatives for the local population and by supporting the government, the British contributed to public order management, and to a large degree it was police work. Examples from Dutch missions in Iraq show parallel experiences. During the operations in Iraq, a Dutch commander, Lt. Col. Richard Oppelaar, drew international media attention by putting forward the concept of the Dutch ‘softly, softly’ approach (Blanford, 2003). Oppelaar stated: ‘I expect a professional conduct during all our operations and activities, during which the population should be approached in a friendly and respectful manner. ... it is important to win (and keep) the hearts and minds of the local population and their leaders ... It’s all about respect. Respect for the locals and other cultures and their values, ... . If you don’t grasp the culture, you won’t grasp the problem.’

One of Oppelaar’s successors Lt. Col Kees Matthijssen elaborated upon the best practices in Iraq and made it into the New York Times (2004): ‘Part neighborhood police officers, part social workers, the soldiers managed to practice in Iraq what the Netherlands has come to call the Dutch approach to patrolling. ... Instead of armored vehicles, the Dutch drive vehicles that leave them exposed to the people
around them. To encourage interaction with residents, they go bare-headed and are forbidden to wear mirror sunglasses. Making soldiers accessible and vulnerable to their surroundings increases their security, they contend.

In Afghanistan the Dutch soldiers do not wear mirror sunglasses in order not to remind the Afghan population of the Russians, they prefer to patrol on foot if possible, wear the minimum of protective clothing and when driving the soldiers use open roofed vehicles or lightly armoured cars that allow the soldiers to show themselves. The British Times states that the Dutch ‘aim to beat Taleban by inviting them round to tea’ and the ‘Military HQ is run as open house’ (Page, 2007). In contrast to the British who hide in fortresses, the Dutch are building clay huts in which they receive Afghan guest and host them with tea, nuts and dried fruit.

A quote from the news clipping: ‘You don’t want it to look like a fortress – there has to be a balance between accessibility and defensibility’, Colonel Vleugels [the commander, RM] said. ‘You have to be among the people to influence them. By offering them help and work, they can make a choice. If they then decide to fight, we’ll fight back, but that should be a last resort’. The newspaper clipping was from early 2007. Unfortunately, six months later, the Taleban started putting on a big fight and the Dutch have been forced to abandon their approach temporarily, hoping that they can return to it later.

Basically the strategy during peace keeping missions is mixed and, according to the Dutch Ministers of Foreign Affairs, Development and Defence ‘a number of priorities are clear. These are ordered following the three ‘D’ dimensions of the ISAF (International Security Afghanistan Force) mandate for the province: defense (security), democracy (governance) and development (reconstruction)’ (Bot, Kamp & Van Ardenne-Van der Hoeven, 2006, p. 41). Military operations resemble police operations when they are in the lower spectre of violence. When some degree of security is established the military prefer to patrol their area of responsibility in the manner of a constable. Members from the Marine Corps patrolled Tarin Kowt on mountain bicycles in December 2009 in order to establish contact with the population more easily and to cover more ground (bicycles increase the action radius considerably compared to patrolling by foot).

2.2.4 Challenges to constabularisation of the armed forces

One of the most important challenges to constabularisation of the armed forces relates to the problem of professional identity. The concept of constabularisation was never really popular among the military who often associated it with the armed forces losing prestige. Janowitz (1960, p. 419) predicted low acceptance in the armed forces because it has to operate:

on a double standard of ‘peacetime’ and ‘wartime’ premises. Since the constabulary force concept eliminates the distinction between the peacetime and the wartime military establishment, it draws on the police concept. The professional soldier resists
identifying himself with the ‘police’, and the military profession has struggle to distinguish itself from the internal police force. ... the military tends to think of police activities as less prestigious [sic] and less honorable tasks ...’.

The constabulary concept rivals and seems contradictory to the professional identity of the military, but according to Francke, the solution has to come not from denouncing or denying one of the two identities (more specifically, Francke refers to peacekeepers instead of policemen), nor from over-investment in one of the many aspects of identity, or even from some sort of differentiation in the soldier’s identity, but from an integrated super-identity (Francke, 2003).

An integrated super-identity that amalgamates the ‘warrior identity’ and the ‘peacekeeper identity’ can be induced by training and by socialisation techniques. During socialisation, soldiers can be made aware that they must make deliberate choices in diverse situations that vary in the degree of violence that is involved.

However, the double role of the soldier in present day conflict regions often leads to cognitive dissonance. When a soldier is only trained to engage in war and then all of a sudden he or she has to work on development and play the diplomat’s role, it would seem to him/her like ‘teaching a dog to walk backwards’ (Francke, 2003, p. 31).

A strong super-identity helps in preventing tensions between the warrior and peacekeeper identity, and cognitively justifies behaviour that fits the superidentity. This model assumes that soldiers will think of peace missions as equally important as traditional warfare and it will prepare the soldiers better at meeting the requirements of the diverse tasks to be dealt with, without endangering the objective of the mission nor the mental stability of the soldier (Francke, 2003, p. 46).

Another challenge to be met, besides finding a balance between the soldierly and the constabulary aspect of the changing military profession, lies in the preparation and execution of the police-like tasks and the effect on the armed forces’ competencies. The required competencies would also qualify them for national security tasks, especially in the higher ends of police power. Preferred soldiers will be trained in police operations as well as in warfare and fighting techniques. De Weger, Grashof & Douma (2007) strongly recommend that soldiers be trained in crowd and riot control because those skills are necessary in dealing with protesters and rioters. The same recommendation would apply for the use of non-lethal weapons by the military in conflict regions. Now they are forbidden to use the baton, forcing soldiers to use their guns instead, even in situations that are only mildly threatening.

Also related to training and education is the matter of attitude towards the inhabitants of conflict regions. Soldiers often lack empathy and cultural sensitivity in
dealing with people from countries that are culturally distant from their homelands. Cultural awareness training is being implemented more and more in the training programs of soldiers simply because it proves to be a critical success factor (Simpson, 2007). As in community policing, the military will have to find a way of communicating with local residents and accepting them. This is already difficult in one's own culture, let alone when operating in a culture that one is not acquainted with.

The composition of the force poses yet another problem. UN resolution 1325 states that more attention to the gender aspect of peacekeeping missions should be given. In order to do so, the social composition of the peacekeepers force should have a larger percentage of women in it. The composition of a peacekeepers force is relevant to the process and outcome of conflict resolution itself. An Israeli example may prove the point. Authors such as Van Creveld (1991) have observed developments in their homelands – in Van Creveld’s case Israel – that point at the simultaneous occurring phenomena of a blurring of the internal and external security and the need for the military to take upon their shoulders non-military tasks. Increasingly soldiers have been taking on tasks that are related to preserving the domestic order within the borders of their states, or they are executing policing tasks abroad in so-called failed states: observing truces, elections, educating local police forces. In order not to escalate violence during the clearing of the Gaza strip in the summer of 2005, female soldiers were tasked with the job and all soldiers were extensively prepared for the task that emotionally burdened them. Typically, preparation and composition of the soldiers was directed at preventing the use of violence.

After the international armed forces have successfully intervened in a military conflict, in the stabilisation phase, they are the dominant international authority for some time. The security situation does not always allow the deployment of international police forces, even when the international community is willing to deploy sufficient numbers of them. Therefore, the military is obliged to fill the so-called security gap (Dziedzic, 1998, p. 14) in a stabilisation phase. The military has to be willing and prepared to execute law enforcement and public order tasks.

Peace-enforcing, peacekeeping, nation building, civil-military co-operation, humanitarian assistance, but also assisting civilian authorities in situation of crises and disaster, and battling terrorism are tasks of the military that result from the linking of internal and external security, much increased in the 1970s and again in the 1990s. The military no longer operates exclusively at the high end of the spectre of violence but also at the middle (crowd and riot control, anti-terrorist squads etc.) and even the low end (i.e. theft and violence by individuals). At this low end the tasks are converging on the tasks of police officers. The ‘war’ on terrorism, reconstruction of war-ridden countries, state-building, and the training of local security forces, demand a further constabularisation of the armed forces.
Reflection

It is clear that the police and the armed forces are two institutions currently confronted with complex (and often competing) competences to deal with the new requirements related to the blurring boundaries between internal and external security. This reality is one of the challenging policy questions related to the changing ‘architecture’ of security. There seem to be three options possible with respect to the relationship between both institutions: Separation, cooperation or merger.

The first option is the preservation of the difference between the police and the armed forces leading to a separation of both institutions. Then the question arises of what kind of criteria this distinction can be made? Internal and external security does not seem to work anymore.

The second option is to elaborate on the possibilities of cooperation between both institutions. Questions such as: Should the armed forces deploy activities in relation to the protection of internal security? Is cooperation with the police necessary for this? If the armed forces deploy these activities, which new boundaries will come to the surface and whom will they be set? Do we want a police force that is capable of deploying a hard/military style of policing within the border of our state as well as in a supporting position towards the armed forces in international peacekeeping operations? What kind of challenges does this pose regarding the implementation of community policing? Can the police get rid of its military character by calling in the armed forces to deal with challenges that require a tougher approach? Does it provide a solution for the tension between the military analogy and community policing? Can the armed forces make an appeal to the civil police instead of educating themselves in policing?

The third option is a merger between the police and the armed forces, for example into one security organisation under the auspices of one Minister of Security Affairs? What would be the main characteristics of this kind of security organisation? Would it have to conform to the format of gendarmerie forces? Are the recently (2008) established European Gendarmerie Forces a forerunner for this organisational lacuna in the security structure?

The choice for one of these options implies critical thinking and discussion on some further related questions. Various developments in the international and European arena indicate the emergence of a fused field of security and careful thinking needs to be invested in finding an optimal way to deal with the challenges that this brings. In this reflection, crucial criteria are social legitimacy, the impact of institutional action on the safety and security of citizens. These are issues that need to be addressed urgently when elaborating the challenges of the blurring boundaries between the armed forces and the police.
References


