POLICING RECONCEPTUALISED: THE IMPACT OF GLOBALISATION AND POSTMODERNISATION ON THE PUBLIC POLICE OF ENGLAND & WALES AND THE UNITED STATES OF AMERICA.

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ABSTRACT

POLICING RECONCEPTUALISED: THE IMPACT OF GLOBALISATION AND POSTMODERNISATION ON THE PUBLIC POLICE OF ENGLAND & WALES, AND THE UNITED STATES OF AMERICA.

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The problematic of any analysis of public policing is that it is primarily based on the premise that policing is a state centred activity. As public policing has always been associated with the political institutions of the state, and with the advent of modernity, it has reinforced the notion that policing is power exercised through control by the (Weberian) resort to the legitimate use of force. However, developments in the theories of Globalisation and postmodernisation suggest that policing cannot continue to be analysed, explained, theorised, or compared merely on this basis.

This thesis examines the current contributions by Reiner (1992 & 2000), Johnston (2000), and Wright (2002) that assess the impact of either Globalisation or postmodernisation, or both. It also examines police discourses, and discursive practices, that indicate the tensions within the public police and policing of England & Wales and the US that may be said to be associated with the processes of Globalisation and postmodernisation. The postmodern notions of power/knowledge, and the role of agency, are utilised, as well as the multidisciplinary approach of the new Political Sociology. A comparative historical approach to the concept of public policing is undertaken and case studies, including the attacks on the World Trade Centre in New York on 11th September 2001, are utilised in order to contextualise the conceptual developments as they unfold.

In essence, this thesis argues for a greater appreciation of, and emphasis on, the processes of Globalisation and postmodernisation when policing is analysed. It concludes that policing should be reconceptualised as power through control of information and knowledge, rather than through the legitimate use of force. In consequence, there would be a move towards a more strategic appreciation of policing as a major factor in the political economy of the state at the local, national and global level.

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The thesis itself is my own work, typed by me, and proofed by me. Any mistakes are mine alone.

CONTENTS

Part 3 Concerns and Consequences

ACRONYMS

ACC	Assistant Chief Constable
ACPO	Association of Chief Police Officers
AID	Agency for International Development
APA	Association of Police Authorities
APEC	Asia-Pacific Economic Cooperation
ARF	ASEAN Regional Forum
ASEAN	Association of South East Asian Nations
BBC	British Broadcasting Corporation
BCU	Basic Command Unit
BTP	British Transport Police
CIA	Central Intelligence Agency
CID	Criminal Investigation Department
CIVPOL	See UNCIVPOL
CND	Campaign for Nuclear Disarmament
CPS	Crown Prosecution Service
DEA	Drug Enforcement Agency
DIY	Do It Yourself
DOE	Department Of Environment
DTI	Department of Trade and Industry
EC	European Community
ECHR	European Convention on Human Rights
EU	European Union
EUROPOL	European Police Office
FBI	Federal Bureau of Investigation
FCO	Foreign and Commonwealth Office
FOIA	Freedom Of Information Act
G7 (8)	Canada, France, Germany, Italy, Japan, UK, US (Russia)
GATT	General Agreement on Tariffs and Trade
GCHQ	Government Communications Headquarters
GM	Genetically Modified
GMP	Greater Manchester Police
HO	Home Office
HOC	Home Office Circulars
HMI	Her Majesty's Inspector of Constabulary
HMCIC	Her Majesty's Chief Inspector of Constabulary
HOLMES	Home Office Large and Major Enquiry System
HRA	Human Rights Act 1998
IMF	International Monetary Fund
IACP	International Association of Chiefs Of Police
ICC	International Criminal Court
ICITAP	International Criminal Investigative Training Assistance Programme
INS	Immigration and Naturalization Service
IPA	International Police Association
IT	Information Technology
KGB	Soviet Secret Service
MERCOSUR	Southern Cone Common Market (Latin America)

MI5	UK Internal Security Service
MI6	UK External Security Service
MDP	Ministry of Defence Police
MOD	Ministry of Defence
MSU	Michigan State University
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organisation
NCB	National Crime Bureau
NCS	National Crime Squad
NCIS	National Criminal Intelligence Service
NDIU	National Drugs Intelligence Unit
NGO	Non-Governmental Organisation
NHTCU	National High-Tech Crime Unit
NPM	New Public Management
NRC	National Reporting Centre
NUM	National Union of Mineworkers
OSCE	Organisation for Security and Co-operation in Europe
PACE	Police And Criminal Evidence Act 1984
PEST	Political, Economic, Social, Technical
PM	Prime Minister
PMCA	Police and Magistrates Courts Act 1994
PNC	Police National Computer
PSA	Political Studies Association
PSC	Police Staff College (UK)
PSI	Policy Studies Institute
PSU	Police Support Unit
RCMP	Royal Canadian Mounted Police
SEATO	South East Asia Treaty Organisation
UK	United Kingdom
UKAEAC	United Kingdom Atomic Energy Authority Constabulary
UN	United Nations
UNCIVPOL	UN Civilian Police
US	United States
USA	United states of America
VAT	Value Added Tax
WEU	Western European Union
WTC	World Trade Centre
WTO	World Trade Organisation

INTRODUCTION

There is a crisis of confidence in the ability of the public police in Western democracies to protect citizens from crime and disorder, and to protect states from intrastate criminality and violence as a result of organised crime and terrorism. Wright concluded that the problem lay firmly at the door of the police - 'the widespread nature of these problems indicates an endemic flaw in public policing in late modernity' (2002:17). The problem with contemporary theorising on the role and nature of policing is that it is still based upon the concepts of modernity and the sovereignty of the nation state. It is the contention of this thesis that the public police and policing, of England and Wales (E&W) and the United States of America (US), need to be reconceptualised to take account of the processes that indicate that the modern era has been eclipsed by the postmodern, and that the role of the state has changed as a consequence of Globalisation. In effect, there has been an epistemological break between the modern and the postmodern, and between the sovereignty of the state and the global structures that both constrain and enable it.

This reconceptualisation removes the need to understand police power and governance in terms of its ability to use force within a bureaucratic framework of control. Instead, it locates that power and governance in the use and control of access to information and professional knowledge, and individual decision-making processes within an ethical framework of control. The police may now be conceptualised *as a state institution, organisationally structured and accountable at either the local or state level, and authorised to collect, store, and exchange information for the prevention and detection of crime, the maintenance of order, and the security of the state.* It will be argued that although the police still retain the ability to utilise force, in all its applications, this ability is no longer the defining nature of policing, nor of police. In addition, and as a consequence of this development, it will be argued that controls are required in order to ensure information is not collected for pure data purposes. Information has always been *a* key ingredient of policing; it is argued that as a consequence of postmodernisation and Globalisation, the manner in which information is gathered, stored, and used in executive action is now *the* key to what determines *police* and *policing*.

There are some in the academic community and elsewhere that have partially recognised this break. However, there are still those that continue with the project of modernity, as it relates to public policing, when analysing processes and policies that are seen to have failed in the primary duty of the police of a state - namely, to ensure the safety and security of the citizens of that state. What this thesis brings to the debate is an appreciation of the magnitude of this epistemological break, by an examination of processes, policies, discourses and discursive practices associated with public policing in Western democracies generally (E&W and US specifically) that tend to show the impact of this shift. Whilst there are no substantive academic acknowledgements of this break as far as it relates to public policing, there are those that have noted some of the impacts of postmodernisation on policing (Reiner, 1992), and those that have addressed some of the consequences of Globalisation (Johnston, 2000). There are processes within the policies, discourses and discursive practices of public policing that are examined in this thesis that quite plainly reflect the influence of one or other of these concepts; a number of case studies also inform these observations.

In order to assess the nature of this epistemological break, the impact of Globalisation and postmodernisation on the public police of E&W and the US will be examined to achieve a number of aims. First, this will be in order to assess both the state-centred and extra-state capabilities of public police as a result of their becoming 'knowledge workers' (Ericson & Haggerty, 1997) during the processes of Globalisation and postmodernisation (Sheptycki, 1998); second, and as a consequence, to reconceptualise the public police, and policing, to reflect and accommodate this change from a modern to a postmodern capability. There are a number of competing claims for the existence or otherwise of Globalisation and postmodernisation that will be addressed in the course of the thesis; similarly, the work of a number of contributors to this debate, as it relates to policing, are also critically engaged. The need for a reconceptualisation of the public police is found in these debates, and in the reorganisation of structures, accords and treaties that are taking place throughout the Western world, and specifically in E&W and USA. If policing is seen more as information handling and processing, rather than people handling and processing, then it would have an immediate impact upon these reorganisations. A similar process took place during the late 18th and early 19th centuries when public policing emerged as a novel form following the advent of the modern era; replacing military, militia and

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private policing, as well as communal policing, in the manner that the state maintained the security of its internal borders (Reith, 1956: Storch, 1976; Emsley, 1996). There is now an acknowledgement that policing is the preferred option for defending external borders as well; the provision of that policing is still the subject of a struggle between the military, the police and the intelligence services, as well as possible regional alternatives.

Within political science generally, there is a growing acceptance of the contribution that the conceptualisation of Globalisation is having on understanding the context within which public state institutions now operate (Held & McGrew, 2000). Similarly, there is a growing body of literature that questions the relevance of models and concepts based upon the idea of modernity; these tend to suggest that a new era has arrived - the postmodern (Lyon, 1999). The questions to be answered by this thesis are based upon these two differing concepts, that are remarkably similar in their consequences. Given that modern society produced the need for the current professional public police system (Rawlings, 2002), confined by sovereign state territories, the dynamics inherent in the current postmodern epoch will inevitably lead to a reassessment of that need.

In order to critically engage with the current debates upon public policing, there are a number of complementary conceptual developments that are utilised in order to make sense of the processes revealed by this thesis. The Foucauldian notion of power/knowledge is utilised along with the developments in governance through an acknowledgement of the importance of agency within the structure/agency debate. These mutually reinforcing concepts are able to explain and predict the processes observed in the public policing of all Western democracies, especially within E&W and US, and support the notion that policing should be reconceptualised, as a consequence of the impact of Globalisation and postmodernisation. This reconceptualisation reflects the growing power dimensions of police discourses that are created through specialist and restricted access to knowledge, and the extra-state/supra-state contexts within which all public policing now operates, and the need for an ethical framework of governance.

Following on from this appreciation of multidisciplinary conceptual synthesis, it is important to review the recent (1960 - 1999) approaches to understanding public policing, which tended to examine police activity and organisation within the concepts

of modernity (Bayley, 1985), internationalisation (Reiner, 1992:777) or regionalisation (Anderson *et al.*, 1995). Additionally, it is also important to examine the current developments in this field that partially acknowledge the impact of processes associated with Globalisation (Johnston, 2000) or postmodernisation (Reiner, 1992 & 2000) on public policing, to a greater or lesser degree; it will also engage the development of conceptual work in this area by Wright (2002). Reiner considered the process of postmodernisation as a self-explanatory and inevitable consequence of the progress of modernity, whilst Johnston believed that Globalisation was a unicausal (economic) process, exacerbated by the move from a modern to a late modern society. Wright took a wholly conceptual approach that viewed Globalisation as a multi-causal (economic and technological) phenomenon, within the context of both late modernity and postmodernity. The chronology of their contributions to the debate are covered in greater detail in the body of the work that follows, but essentially it consists of a number of conceptual developments that are not replicated by any of the other participants in this argument (as the literature review in chapter three reveals).

This thesis critically engages these conceptual developments by applying the latest political science arguments on the multi-causal nature of Globalisation and the postmodernisation of society to the current conceptualisation of public policing. It is argued that this allows for a greater understanding of the contexts and contingencies within which the public police now operate. In order to underline the multidisciplinary nature of this enquiry, the contextual nature of police activity is then theorised within Sibeon's (1999) developed work on the structure/agency debate that acknowledges contingency as a major factor in the relationship between the two. The study of police/policing discourses to reveal processes that tend to suggest the impact of Globalisation and postmodernisation is also a move away from micro-level ethnomethodological enquiry that tends to be used within the modern concept to inform policy making at the macro level; the 'one solution fits all' approach that underlines the meta narratives of modernity. What is revealed by this approach, is a dimension of power that is consequent upon the police use of their expert and restricted access to knowledge which they are able to develop (and politicians are able to exploit) in order to increase resources and to set the agenda for structural expansions at both the physical and political levels. The developments at the regional (European) level, with the securitisation debate observing the need for a security continuum within the borders of

the EU (Bigo, 1994), and the exponential developments within Europol, are all examples of this dimension of power.

The current tendency to examine and compare police systems solely on structural variables is a product of the modern era and fails to take account of the agency considerations and influences inherent in the postmodernisation and Globalisation processes; in particular, the move from a (mainly) homogenous society to a (mainly) heterogeneous society, and the emergence of a knowledge/expert-based professional elite. From these developments alone, it is apparent that privileging structure over agency will not produce a model of public policing that is either capable of comparison or of accurate explanation. Of course, there is a view that models based upon any concept of meta-narratives are not possible as anything other than heuristic devices, given the nature of the 'postmodern turn' (Seidman 1994). These issues will be addressed in the thesis.

Whilst Globalisation and postmodernisation may be contested concepts, the processes associated with these terms are not. The indications for the multifaceted aspects of the phenomena are to be found at every level of enquiry; the consequent use of these indicators is the basis of this thesis. What is clear from the research for this study is that the security of the state is increasingly threatened by issues that have their origins outside its borders and that are no longer military in nature; the events of 11th September 2001, in the US, are a timely reminder of the reality, not just the potential. What is also clear, is that prior to 11th September, the state response appeared *ad hoc*, piecemeal and tactical rather than strategic. However, as of the date of submission of this thesis (31st August 2002), the Federal Bureau of Investigation (FBI) had announced a major review of its structures to accommodate its new priorities (outlined in chapter five). In essence, they were changing from an investigative, reactive agency to a preventative, proactive one, based upon the collection, storage and analysis of information. In addition, the Central Intelligence Agency (CIA) was to be involved in this restructuring. In essence, this was an acknowledgement of the external nature of the threat to the state and one that was only capable of resolution by policing, rather than military, means. The initial point of departure from the modern conceptualisation of policing, based upon the ability to use legitimate force, was revealed by this move; and one that would have been predicted and explained by the frameworks of understanding

developed in this thesis as a consequence of the impact of Globalisation and postmodernisation.

This thesis will therefore provide a framework, based upon the changing nature of the state and the society to be policed, within which public police practices may be explained. The constraints and opportunities, imposed by the changing environment within which states now operate, will be identified and subsequently superimposed on the models currently utilised for this type of research. These models have been utilised to produce police structures and policies in a variety of situations world wide; from immediate post war Germany and Japan, to Kosovo, South Africa and Sierra Leone at the current time. The revised framework will be used to counter the perception that 'nothing works' - the 'nihilistic' realisation that is also present in much social scientific research (Cohen, 1985:7). The thrust of this thesis is that the frameworks of understanding, revealed by this research, do not work because they have not accounted for societal changes brought about by the transformation from the modern era, nor for the structural changes brought about by Globalisation. The response needed to remedy these deficiencies is identified as being at the local, national, and international levels.

This thesis is about public policing, not just the public police. Although there will be references to the many forms of police as (one of) the means to understand the nature of policing, it is argued that *police* and *policing* are two separate concepts (Reiner, 1992:1; Emsley, 1996:1; Johnston, 2000:8). Whilst there will be many examples of the impact of Globalisation and postmodernisation on the public policing of E&W and the US, there will also be examples of that same impact in other Western democracies where it is appropriate to stress the wider application of the processes under review. Whenever the term *policing* is used, it generally refers to the publicly accountable, professional activity of the police of the state in question. However, there are times when this definition will be expanded and used in its wider context although it will be clear when there is a departure from the general use of the term. Whilst essentially conceptually driven, this thesis is also concerned with empirical research that tends to inform the concepts being developed - the hypothetico-deductive model. The case studies are not included as predictors, models, paradigms or best practice, they are included to amplify the processes at work that determine the way that policing is exemplified. The research will examine the history of policing as a concept based upon political economy (Chapman, 1970:13), service (Kneymeyer, 1980:168) and control

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(Bittner, 1974; Reiner, 1992:780), and the current academic debates on the subject, together with a critical examination of those debates.

Most public police activity is order-based and reflects and amplifies society's need for order to prosper. The crime-based discourse, that is revealed here, is at odds with the rights-based, due process model of social justice employed by the legal-rational structure within which public policing is carried out in the US and E&W, or the rights-based inquisitorial system carried out in the remainder of the Western European Union (WEU). The impact of Globalisation on the development of these rights is another example of the evidence of extra-state influences determining policy and practice in the public police arena. The juridification of relationships between, and within, states militates against the discourse of policing as local, service- orientated and victim-based, and reinforces the rights-based model that now controls institutional, as well as individual, relationships.

As both Globalisation and postmodernisation are associated with the consequential dichotomies of centralisation and decentralisation, the global and the local, 'glocalisation' (Robertson, 1995), it seems appropriate to examine processes at both the micro, meso, and macro-levels in order to test these assertions (Benyon, *et al.*, 1994). The framework will enable the examination of the extent, intensity, velocity, and impact of interdependence and/or interconnectedness on the public police in individual states in Western democracies with other policing structures and non-policing organisations at the local, national, and global levels; interdependence and interconnectedness are both constituent parts of the concept of Globalisation (Held & McGrew, 2000). These same frames of reference will be utilised to assess the commodification, fragmentation and disembedding of policing and the stratification of the society to be policed, as these are all key components of the process of postmodernisation (Lyon, 1999; Nash, 2000).

In order to make sense of these processes, to understand the context and conflicts within which they occur, an historical approach has been utilised to critically engage the structuralism inherent in the synchronic accounts of some of the commentators reviewed. A diachronic approach to archival research will reveal evidence to highlight the changes in both society and public policing over time; a change now acknowledged, with the concept of society being reinvented as a mix of multiple social structures and identities (Nash, 2000:44). The society to be policed has

changed dramatically since the advent of the modern public police in the early 19th century, which was based upon the utilitarian principles of Jeremy Bentham who dismissed the notion of human rights (Alderson, 2001:17).

Current society has now developed a rights based approach to all aspects of relationships and the policing response has not uniformly reflected that change. Most current and historical texts on public policing in England and Wales either ignore the societal and extra-state aspects of the variables in policing (Mawby, 1990 & 1999; Brewer *et al.*, 1988 & 1996; McKenzie & Gallagher, 1989); or consider the societal aspects to be constant and homogenous (Bayley, 1985); or appreciate these changing phenomena, but do not link them with the developments in public policing (Johnston, 2000; Leishman *et al.*, 2000). The problem is not only an Anglo-centric one; studies of policing in Europe generally (Anderson, 1989; den Boer, 1993; Anderson & den Boer, 1994; Anderson *et al.*, 1995) and individual countries in the region - Italy and Germany (della Porta, 1995; della Porta & Reiter, 1998), Russia (Shelley, 1996 & 1999), and Holland (Jones, 1995) - have all shown the same tendency to describe the society to be policed in a modern homogenous context, and have not located their observations in the wider context of global (rather than regional) influences nor in a postmodern society. An historical approach is well understood as a means to ground new ideas in relation to their chronology as Sztompka (1994:xiv) argued, 'in order to understand any contemporary phenomenon, we must look back to its origins and the processes that brought it about'.

Methodology

This thesis is about the synthesis of a number of political concepts in order to assess the current validity of the way that the public police, and policing, are conceptualised. As such, the main part of the thesis is an historical review, and conceptual analysis, of the development of those terms. It is the contention of this thesis that processes are readily available to assess the impact of Globalisation and postmodernisation on public policing; it is the role of this thesis to determine where these processes may be observed and what conclusions may be drawn from those observations. The choice of policing spaces was determined by a number of factors; the availability of data in the English language, the availability of police professionals to be interviewed, the availability of documentary sources in English, and the ability to

extrapolate results within an observable area. Primary research revealed a convergence of policing discourses and practices within E&W and US, which then suggested that this would be the appropriate spatial dimension for the thesis. This thesis utilises the hypothetico-deductive model, with de Vaus's 'theory testing approach', that requires explanatory research to test the concepts that this thesis had as it's start point (de Vaus, 2001:6); the concepts involved were *Globalisation, postmodernisation, police*, and *policing*. It was acknowledged that each of these concepts needed to be fully elaborated, (through research by way of a literature review) as the object of the exercise was to determine the interactions of each.

The consequence of this type of research was that the literature review, and subsequent critical analysis, formed the major part of the process. Accordingly, this thesis is about conceptual synthesis and development rather than empirical analysis. The empirical research was undertaken in an attempt to inform the theoretical positions revealed by the literature review. Following this literature review, therefore, the defining concrete elements that made up each of these concepts were identified, in order to undertake the next part of the research, which entailed observations that tended to illuminate the presence of these elements in the policing of E&W and US. Finally, the processes uncovered by this review supported the hypothesis that the public police, and policing, of E&W and US needed to be reconceptualised to reflect the increased importance of information/knowledge in their interactions at both the local and global levels and the resultant problems for governance; other consequences for structures and systems would then naturally follow.

The practicalities of this research meant that it took place whilst the researcher had access to all levels of police, and support personnel, wherever in E&W and US the requirement for research suggested it would be appropriate. The start-point was the public police in England and Wales, and eventually included the police in North America. The research was carried out in such a way as to identify processes that could be the subject of analysis by way of 'triangulation', which means 'the combination of methodologies in the study of phenomena' (Denzin, 1970:300). This entailed the initial conceptual and empirical foundations being unearthed in the literature review; the piloting of a questionnaire to be utilised in qualitative, elite interviews; the refinement of that questionnaire for further interviews; the analysis of documentary sources of policing discourses contained in public and professional newspapers, and official

documents; the secondary use of data contained in academic, official and professional publications, and the use of case studies to inform the debate about the practical impact of the processes associated with both Globalisation and postmodernisation. The results of an analysis of these sources produced trends and indicators that were able to be subjected to triangulation in order to determine the validity of the observations or conclusions made.

More particularly, the questionnaire was refined slightly to accommodate the results of the pilot and the refining of the aims of the thesis (Appendix A), and was utilised in face to face interviews over the next four years with thirteen British chief officers of police, three British senior civil servants at the Home Office, and four chiefs of police in America at the Federal, State, County and City levels. All respondents were contacted personally or via the telephone and, if they consented, were sent letters formally outlining the objectives of the research (Appendix B); they were given a fuller explanation in person prior to the interview commencing. During this process, three police chiefs (all members of national British squads), declined to be interviewed. Those that agreed to be interviewed were all offered anonymity, but only two confirmed that they required it; however, all are treated anonymously within the thesis. The interviews were carried out in the official offices of the majority, whilst two were carried out at their own homes, and one in a restaurant; all locations were the choice of the participants. Each interview lasted for between two and half to three hours, except the restaurant one that lasted an hour, and continued for another three hours in the office of the person concerned. Nine of the respondents requested further refinement of their interviews, by way of telephone, up to a month following the initial meeting. The questionnaire contained basic questions that the respondents then developed, dependent upon their understanding of the concepts involved and their perception of the processes affected. The researcher is formally trained in interview techniques and avoided ambiguity, leading questions, double-barrelled questions, and closed questions. The qualitative nature of the interview required open-ended questions to allow the interviewees the opportunity to develop their answers in the way that they considered appropriate. Following the events of 11th September 2001 in the US, three of the four American police chiefs were re-interviewed (two in October 2001, and one in April 2002) to question the extent to which these events had impacted upon the discourses and discursive practices of policing in America.

Whilst considerations of anonymity were appropriate during the interview process, the considerations of the Official Secrets Act precluded the inclusion of some of the official documents that were available to this research; this was not by nature of the fact that they were secret, but that the researcher was bound by the Act concerning any documentation that was obtained by way of employment. All references to official documents that finally found their way into the thesis were obtained by way of approval of public release by the donor (especially in America), or by way of their release to the public domain by other official sanction. Some classified secret data from America was obtained by way of application through the use of the Freedom of Information legislation - the amount of censorship precluded the validity of the process and no such documentary evidence was used in this thesis; however, secondary use of such data gathered by Huggins (1998) was utilised. The reason for the use of discourses that may be revealed through an analysis of interviews, documents, texts, and media representations throughout the Western democracies, was in order to produce a comparative analysis; the analysis was also comparative at the historical level. This type of analysis helped to determine whether there were indications of convergence, divergence, or the *status quo* being maintained as a result of the impact of Globalisation and postmodernisation. The results of this analysis formed the basis for the conclusions to the thesis. In the case of interviews, case studies and documentary analysis, the cut-off date for evidence gathering was 31st July 2002.

Structure

In the first part of the thesis (chapter one), an array of policing processes are utilised to exemplify the inadequacy of current frameworks of analysis, and to highlight the potential for the inclusion of *Globalisation* and *postmodernisation* in that framework. It is also at this stage that complementary concepts are introduced - power/knowledge, structure/agency, discourses, securitisation, and governance. The second part of the thesis (chapters two and three) elaborates the concept of *Globalisation*, together with its attendant concept of *postmodernisation*; the processes associated with these concepts are identified for the construction of a framework of understanding of policing. Similarly, the history of public policing is examined and the way that the state's duty to ensure the security of its citizens became institutionalised through this method of producing internal control. During this process, a critical

examination of the observations that contributors to the debate utilise in their rationalising of this concept is undertaken, together with a review of the contributors to this debate who challenge the primacy of public policing and control. These contributors introduce the emerging contemporary view of security and the risk society, and the role of public policing in that arena. This review provides a concise but comprehensive analysis of policing that enables the following chapters to sit within a conceptual framework predicated upon the Globalisation of interstate relations and interdependencies, and the postmodernisation of the society being policed. These two chapters are essentially an analytical literature review.

The final part of the thesis (chapters four and five) examines the concepts involved in transforming the current preoccupation with policing at the state level, to one that sits comfortably within the global framework that now influences policing. This process acknowledges that the state's role in the control of policing has been severely restricted by Globalisation but, perhaps perversely, has occurred on very much its own terms. In this part, there is an examination of policing practices referred to in chapter one that sit outside the current discourse of policing as an internal state function, and that have become a regular aspect of all the other Ministries of State, especially Foreign and Defence policy - a situation that has its current catalyst in the Globalisation process, but has its roots in the advent of policing in Greco-Roman times. As a consequence of this process, the dynamic of policing at the local level is found to be incapable of meeting the risks inherent in the current epoch. The emergence of the concept of policing being inexorably linked with security at the local, state and global level, is shown not to be served by either this local structure nor current discourse.

More particularly, chapter one acknowledges the conceptual distinctions between *police* and *policing* and identifies the key elements that went into the modern construct of the concept. It refers to extensive areas of policing that have been influenced by processes that were not predicted, nor explained, by political scientists utilising a modern framework of analysis. Extra-state influences are shown to be responsible for strains upon the structure, discretion, accountability, financing and legal frameworks that legitimise the activity of the public police and policing. The work of a number of social scientists who then developed a response to this conceptual vacuum is critically evaluated (Reiner, 1992 & 2000; Johnston, 2000; and others). Postmodern considerations, such as power/knowledge as a development in policing discourses and

the emphasis upon contingency within the structure/agency debate, are also introduced in order to understand some of the developments revealed within the thesis as it progresses. The emergence of a New Political Sociology, capable of analysing the locations of power away from the nation state, is also reviewed. These developments are believed to be able to explain supra-state and extra-state police activity that drive the agenda for a security continuum within the EU. This security continuum has now developed (post-September 11th) to include all Western democracies and as many other members of the global community that are willing to participate in the structural interdependencies that are consequent upon this initiative. The incidents, processes and consequences surrounding 11th September in the US are utilised as a short case study, and contrasted to E&W response.

In chapter two, there is an examination of the theoretical and discursive nature of Globalisation and its attendant (complementary) concept of postmodernisation; it develops (but does not dismiss) the current debate from the economic determinism of some in the police research community (Leishman *et al.*, 1996; Waddington, 1999) to the multi-causal approach taken by others (della Porta & Reiter, 1998; Wright, 2002) in order to explain the processes leading to the production of social policy. This will include a wider appreciation of policing as a political activity, not necessarily in the party political sense, but in the all-embracing sense of their contribution to the political economy at the local, state and supra state level. This chapter examines Giddens' notion, from a sociological perspective, that 'modernity is inherently globalizing' (1990:177), an idea that runs counter to the view that Globalisation belongs in a different era to that described as modern. It also considers an alternative concept, the global age, and considers the possibility that Globalisation and postmodernisation are one and the same concept.

In chapter three, the convergent views of both traditional and revisionist authors are explored (in respect of the utility of policing for the maintenance of control within the state) as the basis for a concept of policing predicated upon it being a part of the overall machinery of state, with an exploration of the various views on the nature of the state and of the institutions that serve it. The current concept of public policing is located in the modern era, albeit having its roots in the ancient, pre-modern societies of Greece and Rome, and a number of views on the concept of modernity are explored (Giddens, 1990; Sztompka, 1994; Kumar, 1988; and others).

Chapter four develops the notion of policing as a discourse and examines some of the influential discursive practices and pronouncements that have been used to explain and predict police activity. Howarth believed that this type of analysis was necessary as a consequence of the failure of the current modern frameworks to provide reasonable answers to questions posed by the Globalisation processes (1995:129). Promoting this discursive approach from 'the fringes of political science' (Marsh & Stoker, 1995:11) to mainstream enquiry is a logical consequence of the impact of postmodernisation, from which strategies and policies can be developed to cater for the risks inherent in this dynamic, fluid, non-fixed quick-fix society. Earlier chapters have sought to locate the current dissonance in policing practices and strategies within the concept of modernity. This chapter utilises the processes associated with Globalisation and with the movement from modernity towards late modernity (or postmodernity) to produce the theoretical considerations from which discourse theory emerged, especially in the work of Joyce (1991), Rorty (1991) and Laclau (1994). Chapter four is essentially a functionalist discourse analysis (Anderson et al., 1995), and examples of policing at the micro and macro-levels are utilised to assess the applicability of the new conceptual approaches to public policing.

Chapter five examines transnational policing as power and policy by reference to professional discourses and examples in the US and E&W. The use of policing as a formal foreign policy strategy is identified in the US, and as an ad hoc informal policy in E&W. There are a number of case studies that outline the operational outputs of policing at the extra-state level and that highlight the vacuum that is developing by the lack of the development of formal legal and structural responses to the challenge of accountability inherent in Globalisation. In addition, concerns are raised about the governance of the public police at both the local and extra-state levels.

Chapter six summarises the main impacts of Globalisation and postmodernisation upon policing; and it describes the emergence of the utility of extra-state policing (both for the state and global community at large). It is concluded that whilst physical structures of police in England and Wales, USA, and the EU still have their influences in modernity, there are developments in the superstructures of these organisations that reflect the impact of both Globalisation and postmodernisation. In actual terms of policing discourse, the physical structure is irrelevant and discursive practices prevail; however, as Kakabadse (1984) pointed out, strategy that has an

inappropriate structure to carry it out will ensure dysfunction. The decision-making processes needed to produce a new structure to provide security for the state both internally and externally, emphasises the notion that policing is inherently a political activity. These conclusions are then developed, as a result of the processes revealed in the thesis; these include a reconceptualisation of police and policing and the consequences for police structures and governance. The main conclusions to be drawn are that modern notions of bureaucracy and power, through the hierarchical structures of police organisations and the legitimate use of force, are no longer of prime importance when considering the key elements that make up the concept of police. They have been superseded by discourses, the police use of information, and professional knowledge.

As Sheptycki (1998:498) observed, 'police organizations around the world have had nation states as their nesting sites and, further, that the character of the nation state system is currently undergoing a significant transformation that is both visible in changing forms of policing and constitutive of those new forms'. Sheptycki now sets the scene for an analysis of the public police (and policing) that is central to the thesis that this transformation is brought about by the twin processes of Globalisation and postmodernisation. These processes are impacting upon the state's ability to determine the style, structure and policy that influence the way that the public police mandate is delivered throughout E&W, and the US. At the wider level of theoretical understanding, the modern insistence upon 'pigeonholing' research and methodologies within sub-disciplines of the political sciences will also be addressed. In a postmodern world, 'mix and match' may bring an element of understanding to processes in this area of research that strict adherence to meta-narratives has so far failed to achieve. As the editorial statement for the *New Political Economy* points out 'understanding this new world order will require new modes of analysis and new theories' (1996:i). This thesis engages these new theories and modes of analysis in respect of policing, and asks the question 'What has been the impact of Globalisation and postmodernisation on public policing in Western democracies, particularly those in E&W and the US?'. The subsequent results revealed during this process support the hypothesis that *police* and *policing* needs to be reconceptualised to emphasise the power dimensions of their use of knowledge/information, and the shift in governance from bureaucratic oversight to an ethical framework of control.

Chapter one

THE GLOBALISATION OF POSTMODERN POLICING

1.1 Introduction

This chapter challenges the modern contextual settings, predicated upon the territory of the sovereign state, within which public policing in E&W and US has been explained and conceptualised over time (Chapman, 1970; Bunyan, 1976; Bowden, 1978; Brewer *et al.*, 1988 & 1996; Bayley, 1985 & 1994; Klockars 1985; Huggins, 1998). It also challenges those who wish to reconceptualise policing as a regional, rather than a transnational development (den Boer, 1993; Anderson & den Boer, 1994; Anderson *et al.*, 1995; den Boer, 1999). It is the concern of this thesis that these contexts are too limiting in order to understand the current and future sites of threats to the state and, hence, the policing capability to contain or counter those threats. The limiting effects on the current body of research, policy making and practices, are bound up with the notion of a modern society and a state whose sovereignty has been unmediated by extra-state or supra-state considerations. Processes will be examined purporting to show a transition to a different era than that which witnessed the birth of modern public policing, and that the society to be policed is no longer the one for which police strategies, policies, structures and discourses have been developed over time it is now postmodern. Similarly, the nation state (which was the nesting site for that birth) is no longer the sovereign entity for controlling policing as a consequence of the structural processes associated with Globalisation. The objective is to emphasise the need to move from a uni-disciplinary approach to policing, to one that embraces a multi-disciplinary approach that utilises complementary concepts to explain and predict policing processes.

This chapter first makes the conceptual distinction between *police* and *policing*; it then identifies the key aspects of the public police that are derived from this conceptualisation of police and policing as a product of the modern era. The discourses driving the processes that are revealed during this thesis, have also produced a number of discursive practices that ensure a favourable allocation of scarce state resources to policing; the role of the media in this process is also examined. It is argued that, as a consequence, it is appropriate to engage with further conceptual synthesising by utilising the power/knowledge approach of Foucault; Sibeon's (1999) re-evaluation of

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the structure/agency debate; and the consequent governance issues that arise from the processes that take policing beyond the boundaries of the state. It is then argued that the debate concerning the impact on policing of the processes known as postmodernisation (Reiner, 1992 & 2000; Wright, 2002) and Globalisation (Johnston, 2000; Wright, 2002), has now been engaged; however, this debate is not fully reflective of the various schools of thought on these phenomena. There is then a short case study (the 11th September 2001 terrorist attack on the US) in order to contextualise the conceptual developments insofar as they relate to a concrete example in the US. The consequences of this incident may be observed in the change of police strategy in the US. The FBI have changed their mandate from a reactive crime-fighting role to a proactive information gathering/analysis one. The response of the US is then juxtaposed to the response from E&W in the form of the Police Reform Bill which received Royal Assent on 24th July 2002. The persistence with modern policies (in the case of E&W) is shown to be inconsistent with discursive practices that reflect the influences of postmodernity and Globalisation. The issues arising from these examples, and others revealed throughout the thesis, form the basis of the reconceptualisation of policing in the concluding chapter.

1.2 Key Aspects of Modern Policing

Most contributors to the debate on policing in Britain, as well as those examining the concept in other states, have not sought to differentiate between the police and policing (Cain, 1979:143, Reiner, 1989:4, Johnston, 2000:8) and assumed that the recipients of the research will equate the two concepts. In essence (and the concepts are examined more thoroughly later in this thesis), Reiner argued that 'policing is an aspect of social control' and the public police are but one of the many mechanisms of social control that 'have developed in particular as a key institution in modern societies' (2000:7). A consequence of the emergence of the theoretical developments of Globalisation and postmodernisation has been a renewed interest in political sociology the field of research that was concerned 'with relations between state and society' and with the dimensions of power as Weberian (Nash, 2000:1). This tradition identified that power was held at the state level, and with it 'the monopoly of the legitimate use of force within a given territory' (Weber, 1948 quoted in Nash, 2000:2). This element of power was the base point from which the conceptualisation of

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the police was taken by all the commentators reviewed by this thesis; from the new political sociologist's perspective, this definition of the use of state (institutional) power was no longer tenable. Nash argued that wider definitions of power and politics are now required to understand the 'transformation of institutions across the social field' if contemporary social relations are to be understood.

In addition to the problem of power, public policing is still predicated on the notion that the public police are wholly responsible for that policing, and that their control capacity is dependent upon the existence of an homogenous society to be administered by sovereign state structures that were in place when modern public policing commenced. According to Reiner (1992), manifestations of the reduced traditional role of the police of E&W has been observed in their declining popularity recorded in public satisfaction surveys. This has also been exacerbated by the escalating crime rate, the declining clear-up rate, and the perceived escalation of the use of force in the public disorders that commenced in the 1970s, involving industrial disputes (NUM, Printers, local authority workers), race disputes (Brixton, Tottenham, Toxteth, Blackburn, Bradford, Burnley), political disputes (National Front, Poll Tax) and single issue disputes (CND, Greenpeace, GM crops, animal rights, Globalisation) (King & Brearley (1996)).

A great body of research (outlined in the following chapters) attempted to explain and to address this problem at the macro level through comparative analysis, (Bayley (1985) & (1994); Brewer *et al.*(1988) & (1996); Mawby (1990) & (1999); Shelley (1996)), which examined structural problems to see what worked elsewhere. At the meso and micro levels, through criminological and sociological, ethnomethodological empirical research (Goldstein (1978); Findlay (1999)), it examined agency problems to produce tactical solutions. It rarely looked at the underlying concepts upon which modern public state policing was based, (Reiner (1992) & (1994); Sheptycki (1995) & (1998)), or at the move towards a new paradigm of policing as a consequence of Globalisation and postmodernisation (della Porta & Reiter (1998); Johnston (2000); Leishman *et al.* (1996) & (2000); Walker (2000); Wright 2002)).

In order to contextualise the problems associated with the perceived decline of public policing and, more importantly, with the response from both the professionals and the policy makers to address this decline, a number of key aspects of public

policing were identified to determine the impact of Globalisation and postmodernisation upon them. In seminal accounts of policing as a modern institution worthy of study, these aspects were identified in order to enable comparisons to be made between differing countries or time frames. It was not an easy matter to identify what constituted public police, or policing, and these aspects were utilised to set the parameters for institutions that had certain common characteristics that enabled them to be rendered capable of comparison or explanation. In list form, these aspects were the *public, specialised* and *professional* nature of the police and policing (Bayley, 1985:11), that had a *structure,* were *accountable* and had defined *functions* (Mawby, 1990:30). Contributors to the debate on the Anglo-Saxon or American traditions of policing also agreed on the *discretion* inherent in public state policing. There are suggestions, in both the discourse analysis and practices of policing in E&W and US, and reflected in other policing spaces, that these key components are under strain, or have been mediated, or disintegrated completely. It is the position of this thesis that Globalisation and postmodernisation are the processes responsible.

The key aspects outlined above have always been determined within the sovereign state and, usually, within the framework of that states legislature. The *public, accountable, structured* and *professional* nature of policing in England and Wales commenced with the Metropolitan Police Act 1829; many other police acts followed in the intervening years, but the legislation that directly impacted upon the current era commenced with the Police Act 1964. This Act amended the structure of police forces, following the Royal Commission on Policing in 1960, which was then further refined by the creation of metropolitan policing structures by the Local Government Act of 1974. The Police and Magistrates Court Act 1994 was consolidated with the Police Act 1964, into the Police Act 1996 as the latest piece of legislation to determine the accountability aspects and governance of policing, together with the ability to decide structures without any further need for legislation.

Two other key elements, *specialisation* and *functions,* were initially decided by the first Commissioners of Police for the metropolis. However, since then, there have been a number of pieces of legislation that regularised these issues through police regulations that allowed certain allowances for specialisations, determined common services, determined regional and national structures, and focused functions through the setting of national objectives and Home Office Circulars. The final aspect, *discretion,*

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has a long history of practice that was underpinned by a number of Common Law decisions, the latest of which was the 1968 R. v. Commissioner of the Police of the Metropolis *ex parte* Blackburn. This decision emphasised the police's independence from the executive with the *dicta* that 'no minister of the crown can tell him he must or must not keep observation on this place or that, he must or must not prosecute this man or that nor can any police authority tell him so. The responsibility is on him'. The police of continental Europe (Benyon *et al.*, 1993) and of the US (Gaines *et al.*, 1997) have similar structural arrangements, underpinned by legislation and legitimated practices. The processes revealed in this thesis seem to suggest that some, if not all, of these key aspects are under threat. The theoretical underpinning of the processes identified are discussed in the next chapter but are briefly introduced here to set the conceptual context within which they may be explained or understood.

Globalisation and postmodernisation introduced a number of influences on all institutions of the state, not just the police. Whilst they were manifold, they were essentially concerned with interconnectedness and interdependence of economies, technology, culture, environments and political processes (Held *et al.*, 1999:54; Nash, 2000:47); diminished ability to regulate at the state level for laws, policies, and practices (Walker, 2000:235; Nash, 2000:44); flows across state boundaries of goods, capital, people, information, ideas, images, and risks (Nash, 2000:47); transnational social links and spaces (Beck, 2000:102); time space distantiation, the compression of time and space (Giddens, 2000:92); and the countervailing tendencies of centralisation and decentralisation, and of uniformity and particularisation, with the tendency for globalised culture to provoke the resurgence of nationalism (Johnston, 2000:29). Observations recorded over the last decade, and produced in this thesis, highlight the existence of processes that may be associated with Globalisation and postmodernisation and are now used as a means of determining the impact they are having (or are likely to have) on public policing, and at what level. They are also utilised to question the ability of current sociological and criminological models to explain or predict public policing processes.

Policing has a number of discursive elements that inform and influence the current debate; they provide the start point for an analysis of the processes associated with policing during this thesis. The first policing discourse concerns the functions that it is engaged upon and is almost entirely driven by media images of the public police

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and the work they do. Wright observed that the public received their images of policing from the media, rather than from their own contacts with the police, and this image was influenced by 'documentary and fictional accounts of crime and policing'; essentially, 'tele-reality becomes the hyper-reality' (2002:174-175). In common with many other commentators on the power of the media (Hall *et al.*,1978;Reiner, 1992; Ericson, 1995; Mawby, 2002), Wright argued that this image then produced public expectations of policing that could not be realised and (following Mawby, 2000) the police themselves became immersed in their own search for this unattainable image. This particular aspect of Wright's argument will be engaged during the thesis as it tended to counter the notion of policing as 'knowledge work' and replaced it with policing as 'image work' (Wright, 2002:175). Given the influence that the media wields, in the formation of one particular aspect of the policing discourse, they are the source of many of the reported processes that are utilised during this thesis to assess the impact of Globalisation and postmodernisation on the public police, and policing, of a state. It is also appropriate to note that the opposing ideological positions on the power of the media, explained by Hall *et al.* (1978), are now marginalised by the proliferation of media outlets and the use of images for entertainment (such as the police) in the globalised postmodern society. It was the media, as well as other sources, that were scrutinised for signs of a police-based discourse of policing, affected by extra-state influences; the results of that scrutiny are outlined in chapters four and five. The theoretical positions underpinning this thesis are now examined in order to develop a conceptual theme for the discourses revealed in those chapters.

1.3 Discourses and The New Political Sociology - Power/knowledge

Nash has argued that there has been a 'paradigm shift in political sociology away from state-centred, class-based models of political participation' and was related to the general trend in sociology towards a 'postmodern turn' (2000:2). The theoretical perspectives utilised during this thesis, the neo-Marxist, Weberian, pluralist, and liberal perspectives are all seen to form the basis of the various conceptions of *police* and *policing*. However, it will be argued that they do not appear to account for the processes that are now being observed in contemporary society. The New Political Sociology privileged culture, and the role of agency, above most other variables in the drive for new paradigms to understand these processes, and pointed to the Foucauldian

definition of power as the 'single most important theoretical contribution to the new sociology' (Nash, 2000:19). The theory of power does not dominate this thesis and, as such, the reference to its development has interest only within the elements of power that reside in the police. Suffice to say that, at this level, Foucault rejected the juridico-discursive model epitomised by the law as being negative and residing in the state. For Foucault, power was productive, pluralist, and was exercised through a quasi-scientific application of knowledge through discourses (Nash, 2000:21). This assertion is crucial to understanding the developments in this thesis which chart the transformation of the police from the tactical to the strategic arena within the political process.

The empirical indicators revealed in this thesis, demonstrate that the police are no longer possessed solely of the coercive Weberian power of the use of force, they are now information workers (especially at the international level where their resort to force is through third parties if at all) producing discourses at the professional level that mediate a different type of productive power. According to Nash, Foucault viewed this discursive power as not necessarily about reality, but about constructing reality and 'involves statements uttered in institutional sites in which knowledge is gained according to certain rules and procedures, by speakers who are authorised to say what counts as truth' in the context of that institutional setting (2000:21). This Foucauldian view of discourse analysis was developed from the term that originated as a neutral set of methodological approaches to the analysis of language (written and spoken) at the turn of the last century (Fairclough, 1992:12-37). Howarth believed that Foucault used discourse analysis to explore beyond the purely linguistic and utilised 'discursive formations' to link the discourse to the social and political processes of which they were part (Foucault, 1972, in Howarth 1995:116). Nash further argued that discourse theory was developed by Laclau and Mouffe, (1985) to include nonlinguistic elements in the general understanding of discourse; signs, symbols and representations were also seen as discursive as a result of their ability to produce effects through their power (2000:28). Rorty also emphasised the power of discourse and rejected 'systematic, scientific, representational reality' in favour of discourses that constantly acknowledged plurality of meaning as a given, and that were post-structuralist in their application, in order to understand the multiple cultures of the new era and the complexity of the Globalisation process (1991a:1).

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Foucault argued that meanings were produced by the linkage of social context and language and determined that discourses produced knowledge dependent upon the social context within which they were used, the history of that society, and the institutional setting within which it was formed. He discovered that the powerful were able to dominate their particular discourses, and from this perspective he believed that discourses and power were interrelated; 'the exercise of power itself creates and causes to emerge new objects of knowledge and accumulates new bodies of information' (Foucault quoted in, Gordon, 1980:51). The relevance for this thesis lay in Foucault's work within state (disciplinary) institutions where he observed that the state now concentrated on conditioning the mind rather than the body (Gordon, 1980:44-48). Corporal punishment was superseded by surveillance and, following that surveillance, the power to determine what was or was not acceptable behaviour. In this respect, his work was an influence upon Beck and Ericson & Haggerty, who observed the ability of the private security and police to use information to deselect people for a variety of goods on the basis of information data, gathered by surveillance. To emphasise the link, Foucault argued 'it is not possible for power to be exercised without knowledge, it is impossible for knowledge not to engender power' (quoted in, Gordon, 1980:52).

Within postmodern uses of the term, knowledge itself becomes problematic. Whilst Mawby (2002) and a number of other contributors to the argument frequently conflate information and knowledge, the two are quite distinct concepts. For modernists, information possessed by the police is knowledge work and they are defined as 'knowledge workers'. The only ones left that are 'directly marshalling coercive power' are those in firearms units and public order units (Sheptycki, 1996:6). However, within two years Sheptycki had appreciated the problems of conflating the two and during an analysis of 'postmodernization' he constantly referred to information. Knowledge was not now associated with policing as Globalisation had produced an 'information revolution' (Sheptycki, 1998:496) that elevated the importance of information to policing. The postmodern concept of knowledge is wider than the elements associated with information and whilst this thesis subscribes to the view that power/knowledge (as constituted by Foucault) is an important consequence of postmodernisation, the reconceptualisation of police and policing is only concerned with information. Sheptycki associated the police with knowledge work, but only at the managerial level (1996:4). The postmodern notion of knowledge however, was

associated with 'circulating, pliable discourses' (Lyon, 1999:16), rather than the modern use which was associated with meta narratives that determined the ability of science to create truth. The problem with the use of the concept of knowledge is the problem of postmodernity itself; incredulity, uncertainty and fluidity. From the perspective of this thesis it is therefore impossible to define police and policing within the confines of knowledge. It is information that has been revealed as the main determinant of postmodern policing, not knowledge, and it is information that informs its reconceptualisation.

Foucault's critical thought was directed 'towards the analysis of the form of power that makes individuals subjects' (Simons, 1995:23); he achieved this through the historical critique of a number of discourses, one of which was criminology. These discourses are constructed in multiple, interrelated ways through law, competency of the professionals involved, institutional validity, and the status of those constructing the discourse within their own field of competence; what Foucault described as 'a totality, in which the dispersion of the subject and discontinuity with himself may be determined' (Foucault, 1972:54-55). He believed that power was constituted by an appreciation of those who possessed knowledge and not by the Weberian notion of the use of force, which Foucault dismissed as repression but certainly not power. He specifically criticised the 'para-Marxists like Marcuse' for reducing power to the ability to repress, which Foucault believed was 'very inadequate and possibly dangerous' (1980:59). In his historical, archaeological, review of the functions of power, he discovered that: it promoted war and peace during the Middle Ages as a consequence of the monopoly of arms, and judicial functions; maintained order and enabled enrichment from then onwards; and since the 18th century, the production of a healthy society. The latter three functions, 'order, enrichment and health' were achieved through a multiplicity of regulation and institutions which come under the generic description of 'police' (1980:170). What Foucault was describing here, was the Continental use of the term (described in chapter three by Pasquino and others). In this respect he observed that in all Western societies, up to that time (1977), power was believed to be prescriptive and negative and predicated upon law (1980:201). Whereas Foucault argued that power was actually positive and 'omnipresent in the social body because it is coterminous with the condition of social relations in general' (Gordon, 1980:246).

The development of his postmodern notion of power as productive, rather than repressive, included the observation that the state was not the only possessor of power and therefore, 'relations of power, and hence the analysis that must be made of them, necessarily extend beyond the limits of the state' (Foucault, quoted in, Gordon, 1980:122). In many of his essays, Foucault traced the history of the police (mainly Italian and German) and linked them to government 'Polizeiwissenschaft is at once an art of government and a method for the analysis of a population living on a territory' (Foucault 1988:83). Within these same discourses (of power/knowledge and of policing) he emphasised the difference between power and force. He gave the example of a man who was chained and beaten, but who held his tongue; he could not be forced to speak but if he did he would not have been subjected to power, but to force. The power that Foucault defined was that which enabled some men to determine the conduct of others, without force. For Foucault, power required resistance for it to exist, and in the example of the man in chains, there could be no power relation as he could not resist. For Foucault power required choices to be made without recourse to force; at this level violence was not supported 'within the Foucauldian ethical paradigm' (Barker, 1993:81). Foucault argued that prevailing theories of the social shared a number of assumptions about power: from the right, power was subject to law and sovereignty of the state; to the left, power reposed in the state apparatuses of the police, army, and the like. In both conceptualisations, power was exercised from the top down through an hierarchical chain of command; it was possessed by some more than others (Barker, 1993:77).

For Foucault this was untenable; for him, power was everywhere within the social domain. He saw it as inter relational, productive rather than just repressive, circulatory, and local in application but global in its effects. Power could not be possessed as it was not an object, it was transmitted as 'it only exists in action' (Gordon, 1980:89). The consequence of this relational view of power was that truth may only be produced through the integrated power/knowledge concept 'Truth is no more than the result of the rules in operation at the time and in the place that it emerges. It has no essential or universal component' (Barker, 1993:78). He acknowledged that each society constructed its own 'regime of truth...that is the types of discourse which it accepts and makes function as true'; he believed that it was characterised by a number

of traits that, it is argued by this thesis, are important for the development of the understanding of the power of the police:

> Truth is centred on the form of scientific discourse and the institutions which produce it; it is subject to constant economic and political incitement...; it is the object under diverse forms, of immediate diffusion and consumption...; it is produced and transmitted under the control, dominant if not exclusive, of a few great political and economic apparatuses; lastly, it is the issue of a whole political debate and social confrontation (Foucault, 1980:131-132).

In the analysis of a discourse, therefore, the political problems 'of the institutionalizing of scientific discourses' need to be addressed (Foucault, 1978:20). In Foucault's power/knowledge thesis he argued that 'power relations and scientific discourses mutually constitute one another' and that, by this mutual constitution, the social world is reduced to a form that 'is both knowable and governable' (Simons, 1995:27). What this led to was his assertion that the role for theory was not to seek the totalising nature of a theory, but to 'analyse the specificity of mechanisms of power' (1980:145). For the purpose of this thesis, where police power has been identified in terms of a number of discursive formations, it is argued that the specificity of that power has been located at more than one level; the consequences, for the reconceptualisation of police and policing, are that this process will need to reflect those levels.

The postmodernism of Lyotard (1984), with his rejection of meta-narratives; the anti-foundationalism of Rorty (1980), who rejected the notion of any fixed ideas from which knowledge and truth may be developed; and the anti-essentialism of Derrida (1981), who believed it was impossible to fix the identity of words or objects due to the ambiguities of the context within which they were uttered, all support the notion of discourse theory proposed by Foucault although not all agree with him. Where their conceptualisation of discourse theory differed from Foucault, was in the notion of ideology. Laclau and Mouffe, (1985), argued that in this area, 'all objects and practices are discursive' the relational argument that placed discourses within the particular social context within which they were created and, hence, subject to ideological interpretation (Howarth, 1995:119). The consequence was that all social systems may then be seen to be structured by the rules of particular discourses, which were themselves multiple in number. For the purposes of the thesis this was an important distinction to make; the Althusserian concept of ideology was very much based upon

the power of structure to determine agency by ideological practices and reduced the subject to the economic or societal power prevalent at that moment in time (Althusser, 1971). However, the postmodern notion of discourses accepted that at certain levels the subject may well have the ability to create their own identity within multiple subject positions; a person may not only be a citizen, they may be a man, a footballer, a Muslim, a worker, retired, at school and so on, the combinations are almost endless. What is apparent here is the importance of the contingency element to this agency development, as Althusser's structural determinism is found to have little validity within the postmodern world. However, that is not to dismiss the notion of structure at the level of agency formation, merely to contextualise the influence of the ideological nature of that structure.

The underlying nature of the influence of structure is still present within a postmodern discourse as all discourses are socially constructed within rules that govern those discourses. In respect of the police it was apparent that they had a major influence on all discourses to do with the plurality of their tasks. In a study undertaken within the British Police, Mawby discovered that, in a highly mediated society, 'the police are a regular and readily available source of information' and that they occupy a central position in popular culture (2002:37). He emphasised the similar views of Loader who argued that 'the police remain one of the principal means by which English society tells stories about itself' (1997a:2). What Mawby also discovered was that the police used their institutional position to construct a police vision of 'a safe ordered and law-abiding society' (2002:76). They control access to the information that allowed them to develop a discourse on policing that reflected the professional (and hegemonic) nature of the discourse. According to Mawby, the ultimate conclusion to these discourses was that the police moved from knowledge workers to image workers and he believed this was a possible future for the police of Britain (2002:184) the ultimate postmodern development, policing as image work, 'defining reality in terms of images of policing' (2002:191).

What Mawby observed during the research for his book was that there was a theme that ran through all the literature on the relationship that the police had with the media 'the police are the dominant party'. However, they did not control the editing of the information that they possessed and chose to release, which accounted for the interdependency of the police/media relationship (2002:192). The underlying thesis for

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Mawby's work was his belief that the image work of the police was both 'a means of acquiring and transferring information', as well as 'a means by which the police are scrutinised and held accountable' (2002:194). In these respects, Mawby added to the trajectory of policing as something substantially more than the use of force, based on their expert knowledge, their ability to create information, and their need to establish legitimacy for their activities. Given the nature of the developing postmodern notions of discourse, power/knowledge, and the public police's ability to affect the media construction of those discourses, it is now appropriate to examine in more detail, the structure/agency debate in order to complete the conceptual synthesis that drives this thesis.

1.4 Structure and Agency Considerations

What was most apparent, from the evidence gathered for this thesis, was that the scientific meta-narratives of modernity were no longer capable of any sustainable explanatory or predictability value in the postmodern globalised societies under review. From a post-Peelian perspective of differentiated public policing, the modern, hierarchical, militaristic state-model of police structures and practices has been replaced by a centralised, postmodern, hyper-differentiated, decentralised, and managerially organic structure that frequently operates outside the state at both the micro and macro-levels. The view of police and policing being constrained by structural considerations set by the state is no longer sustainable, with evidence of the power of agency at both the discursive and practical levels to mediate, transform and sometimes operate outside the structures entirely. The fixed classifications of empiricist and ontological enquiry within sub-disciplines of the political sciences is also unsustainable, with the New Political Sociology embracing a multidisciplinary approach to theorising in common with all the other major political science sub-disciplines (Nash, 2000). This was a view that Sibeon agreed with and that required the development of an interdisciplinary approach to the question of structure, agency, and social chance the contingency element that is a feature of this thesis (1999:139). The notion that all actors were relatively autonomous, or that they were passive automatons, summarised the agency structure debate (Hay, 1995:189). What this thesis argues is that none of the processes revealed can be adequately explained in terms of either one or the other. The two are interrelated and, as Sibeon pointed out, 'agency, structure and social chance

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have, potentially, mutually shaping influences one upon the other' (1999:142). What is important in this respect is to be clear about the ontological roots of this structure and agency in order to develop an appropriate epistemological framework of understanding of the processes of Globalisation and postmodernisation upon public policing.

The explanation of what constitutes agency and what constitutes structure are the start points for any appreciation of the parts played by either. In respect of this thesis, agency is seen as the capacity of an actor to act upon situations where the actor is defined as 'an entity that, in principle, has the means of formulating and acting upon decisions' (Sibeon, 1999:141). Structure, in this respect, is the 'relatively enduring...circumstances within which actors operate' and is viewed as an enabling, as well as constraining, mechanism (Giddens, 1993). The reference to social chance was in fact a variation of contingency theory, where it was seen as a 'fortuitous conjunction of discrete events' or 'an unforeseen consequence of action' (Sibeon, 1999:142). What this type of theorising on the structure/agency debate did, was to deny the primacy of meta-narratives and the deterministic views of both structuralists and interactionists. This was necessary for an appreciation that all agency was constrained, whilst being enabled at the same time, by the strategies inherently selected by structural influences and by the contextual settings within which they were selected.

The theoretical choice between either structuration theory or critical realism was the alternative within this postmodern perspective. As agents were seen as either socially constructed or sovereign actors, it was important at this stage to suggest that any view of the validity of reflexivity in the production of sovereign actors did not accord with the processes revealed during this thesis. Therefore structuration theory (Giddens, 1984:9) with its attempt to meld the elements of structure and agency by redefining them (Layder, 1994:138), did not contain the explanatory value required of the New Political Sociology. The problem was that the alternative approaches, critical realism (Bhaskar, 1975, 1979, 1986) or strategic-relational (Jessop, 1990), were overly reliant upon the overriding importance of structure. However, they appreciated both the constraining and enabling ability of that structure, which was itself given a relational (contextual) perspective, and that 'actions occur within structured settings, yet actors have the potential (at least partially) to transform those structures through those actions' (Hay, 1995:201). In fact, the position of Sibeon in this respect is believed to be enhanced by an appreciation of the historical nature of the structures within which

agents make their choices. His observation that 'political events require an examination of both structure and agency' does not conflict with the position of critical realists at all (Lewis, 2002:18). What Sibeon underestimated, according to Lewis, was the value of the critical realist position on the way in which 'social structures are pre-formed in the sense that they are the (often unintended) product of actions undertaken not in the present but in the past' (Marsh & Smith, 2000, quoted in Lewis, 2002:19) a position that Hay had also adopted 'people make their own history, but not in circumstances of their own choosing' (1999:36).

What is important to emphasise in this development of Sibeon's causality is that actors are capable of making intentional choices whereas structures have no such capacity. The relational aspect of this approach has explanatory value in the postmodern dispersal of power, where any ideas of structure and agency determine power relations; where policing is concerned, one person's agency (the police officer) is another person's structure (the sanctions). The strategic selection of the appropriate structure is contingent upon a relationship with power; where the structure is enabling, providing resources and opportunities, it tended to favour powerful agents at the same time that it constrained the powerless (Hay, 1995:206). This conceptualisation of structure/agency is therefore capable of explanatory value within the postmodernisation and Globalisation processes that have been revealed in this thesis as it is capable of accommodating discourse as relational, contextual, strategic and fluid.

As an aside to this review of police power *vis a vis* structure/agency considerations, and in considering the concept of state power in the light of privatisation, Wolfe explained that the traditional model of power as, 'the ability of one agent to triumph over another' was inappropriate to explain the state's ability to retain control over the exercise of that power (1999:891). In essence he suggested that there was as much control exercised through the indirect power brought about by deregulation, privatisation and the like, as there was by the direct power exercised through state monopoly. The relevance of this line of argument to the thesis lies in its ability to privilege state control over the decentralised or privatised elements of policing, that critics suggest will undermine the ability of the state to retain this control. It was a classical defence of the neoliberal reliance on the market to regulate behaviour and, hence, 'self-administering systems of social control'. Wolfe believed that Britain had given a lead (in the way it regulated privatised utilities) in order to reconceptualise

how the 'neoliberal policy programme changes the way that state power functions' (1999:895). Far from divesting itself of power through this market based strategy (the ultimate driving force of Globalisation), it retained it, albeit in a different form indirect rather than direct. Having introduced the conceptual synthesis required to address the impact of Globalisation and postmodernisation, it is now appropriate to conclude the theoretical exploration with an analysis of the current academic contributions to this debate.

1.5 Postmodernisation and Globalisation of Policing Introduced

As Reiner's scholarship has been so instrumental in the original interest in this area of research, it is now appropriate to examine areas of his work that embraced some processes of postmodernisation, with a passing reference to Globalisation, but that clung to modernity for its explanatory models and futurology. There are many references to Reiner however, the original (1992) work on postmodernisation, the subsequent attempt at futurology (with Sarah Spencer, 1993), and the current (2000) contribution on the impact of Globalisation and postmodernisation are those most pertinent to the object of this thesis. Reiner's prolific police scholarship (in 1997, there were 48 separate references to him in the police staff college library) moved away from empirical work and into theorising with his examination of policing in a postmodern society (Reiner, 1992) and the way that policing and the state were linked. The use of legitimate force (Bittner, 1974), or the monopolisation of legitimate force on its territory (Weber, 1968), convinced Reiner that 'policing is at the heart of the functioning of the state, and central to an understanding of legal and political organisation' (1992:762). He made the link between policing and control, and introduced the notion of the police in a postmodern society abrogating their responsibilities, and control (policing) being 'maintained by architecture, the technology of surveillance and informal social mechanisms' (1992:780). It was in this work that he posed the thought that policing was to be carried out at two levels; lower policing for the maintenance of the 'order of public spaces' and higher policing for the 'control of serious professional and international crime, and the maintenance of state security'. He concluded with a reference to the elements of postmodernism being reflected in policing 'the processes of pluralism, disaggregation, and fragmentation'. This thesis argues that these are consequences not just of postmodernism, but also of

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Globalisation. The production of knowledge, through the postmodern concept of discourse, acknowledges the power of discourses to develop images of policing rather than its reality; a phenomenon explored earlier in Wright's (2002) work.

Whereas Reiner's work on new conceptual developments affecting policing appeared to rely solely on postmodernisation, other commentators routinely referred to both postmodernity and Globalisation, but did not develop frameworks within these novel concepts to explain their impact upon policing (the contributions of these writers will be reviewed in Chapter three). The current lead in this field of conceptual development may be found in the work of Johnston (2000), inasmuch as he is the only contributor to link the processes of late modernity with the processes of Globalisation and then apply them to policing. Johnston examined the impact that Globalisation had upon all forms of policing, with a unicausal (economic) approach that produced a multi-causal effect, and what he called 'policing of communities of risk' (2000:52). There was no other current English language examination of policing that reflected the intricacies, complexities and consequences not only of Globalisation, but also what Johnston called 'late modernity'. Following Giddens (1990), Johnston did not believe that the postmodern had arrived, nor that the essential elements of the modern had departed (a perspective that will be developed in the next chapter). The value to this thesis derives from Johnston's examination of a number of processes, that were observed by other commentators, within the context of the Globalisation debate and during the transition from the modern to the late modern era. Other commentators, that acknowledged either Globalisation or postmodernisation (reviewed in chapter three), did not link any profound changes to public policing, in either structure or agency, arising from these phenomena; Johnston did. His concern, which is reflected in this thesis, was: 'to provide an analysis of the changing forms and functions of British policing; to consider the processes which have given rise to those changes; and to examine their implications for policing, society and governance' (Johnston, 2000:4).

Johnston believed that late modernity had fragmented policing into municipal, commercial, civil, and other forms, and that sociology had not reflected that by conflating the two conceptually distinct terms *police* and *policing*, an issue already discussed above. Building upon Spitzer's (1987) and Shearing's (1992) work on the role of security to produce order in societies, Johnston believed that the state used policing as a 'purposive strategy' to 'offer guarantees of security [to] citizens'. He

emphasised Shearing's view that policing was a governmental activity, rather than just concerned with criminal behaviour, but also emphasised that governance in late modernity was now carried out by 'corporate, commercial, and civil sites located outside, or on the periphery of, the state' (Johnston, 2000:10). This appreciation of the dynamics currently affecting policing is crucial to the understanding of this thesis; the historical processes, that are illuminated in chapter three, will argue that policing is, and always has been, a governmental issue. Governance lay at multiple levels in the pre-modern era, at the state level during the modern era, but is now moving elsewhere in the postmodern era. Johnston highlighted the complex processes that have contradictory outcomes; he traced the shift of governance from the centre to one of multilevel and multi-site governance; he introduced the managerialist discourse as a consequence of the globalising element of New Public Management (NPM); and explained some of the impacts of Information Technology (IT) development on police discretion.

In order to address these problematics, he attempted to tease out the true nature of public policing by examining a number of policing discourses. The professional discourse of policing was to be found in the assessment of policing functions by the Association of Chief Police Officers (ACPO), which produced a multifunction role for public policing:

> The purpose of the police service is to uphold the law fairly and firmly; to prevent crimes; to pursue and bring to justice those who break the law; to keep the Queen's Peace; to protect, help and reassure the community; and to be seen to do this with integrity, common sense and sound judgement (ACPO, 1990).

In contrast to this professional pluralistic discourse of policing, the political discourse attributed only one function 'the main job of the police is to catch criminals' (Home Office, 1993:para.2.3). This approach was emphasised by the advent of the Police and Magistrates Courts Act (PMCA), where performance targets were all crime based, and had its roots in the emergence of a professional (rather than local/self help) public police organisation. The complication with this discourse was that rank and file policing discursive practices were allied to the political rather than the professional, which highlighted issues of control that are emphasised in chapters four and five. Meanwhile, the public discourse was allied to the political, but with studies that consistently highlighted their calls for service rather than crime fighting functions

(Johnston, 2000:37). The discursive and contradictory nature of policing may also be evidenced in the advent of the (1998) labour governments support for the utilitarian approach, inherent in the 'zero tolerance' policing strategies embraced by some forces in England and Wales, but with a commitment to a rights-based approach contained in the Human Rights Act 1998 (HRA). The functionalist approach to public policing was contrasted to the agency variable where the key was not *what* the police did, but *how* they did it. In this conception, policing was about emergency responses to all the problems associated with societal interactions and was associated with Bittner's view that the police were there to distribute the coercive force possessed by the modern state (1991:46). In order to do this, they were authorised by law and legitimised by public acceptance of that potential for the use of force. According to Johnston, public police functions were changing as result of what he believed was the changing character of policing and the consequent legitimacy afforded them in the way they carried out their function.

This change of character was directly linked to the emergence of risk, as a consequence of Globalisation, and the response by the police mirrored the private sector's traditional actuarial approach to assessing and minimising risk. Johnston argued that the 'public police's growing orientation towards information gathering, anticipatory enforcement, proactive intervention, systematic surveillance, and rational calculation of results, demonstrated an ethos comparable to that found in the commercial security sector' (2000:57). This was policing which relied upon massive data gathering and management and the cultivation of informants a move that Johnston believed led to the formal involvement of the security services in policing by way of the Security Services Act 1996 and 'the conflation of civil policing and state security' (2000:61). Having briefly analysed the interrelationship of concepts that this thesis argues are essential to the reconceptualisation of police and policing, it is now appropriate to utilise a well-publicised case study in the US to determine the relevance of the need for this reconceptualisation. This case study examines the transnational potential for policing and the importance of police use of information in the development of that potential. It is then followed by the E&W response to the same Globalising and postmodernising processes that have provoked the US reaction.

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1.6 Discourses of Policing - Information

On 11th September 2001, a number of terrorist attacks were made on the cities of Washington and New York, and on Pennsylvania, in the US; these incidents caused almost 3,000 fatalities and were believed to have emanated from Muslim extremists launching suicide attacks. During the following seven days a review of the headlines and opinion columns of a provincial American newspaper (*St. Petersburg Times*) provided indicators of the media discourses that associated this terrorism with a number of policing discourses. There was: a lack of information sharing and intelligence processing 'US Spying Ability Questioned Anew' (12/9/01); a war (similar to that associated with drugs) 'The War on Terrorism' (14/9/01); a need to introduce new legislation to authorise the interception of computer mail, telephone tapping, and data collection 'Congress Nears Passage of Anti-Terrorism Aid' (14/9/01) and 'Wanted: More Power To Fight Terrorism' (17/9/01); a need for more security and police 'Can We Still Feel Safe' (16/9/01); a view of policing as heroic 'Heroism Is Nothing New To These Folks' (17/9/01); and policing was linked to the stability of economy 'A Jittery Wall Street Gets Back to Business' (18/9/01). Similar media discourses were to be found in every major city in the Western World that made the link between information gathering, policing, increased powers to gather that information, security of the state, and the public police role in the stability of economic markets.

In response to the attacks, the discourses and policy processes associated with media power and (predominantly) local fears, the President of the US announced the appointment of a new post to co-ordinate the information and intelligence capabilities of the fragmented Federal, state, local, special, and private law enforcement agencies the post of the Office of Homeland Security (CNN, 2001). This appointment carried direct Presidential access and had legislative power to ensure co-ordination of aspects that impacted upon Federal issues. Shortly afterwards, the President called for a large increase in homeland security budgets; this resulted in an extra $10bn for the year 2002 rising to an extra $18bn by 2003. In policing terms the normal yearly allocation for 2002 was budgeted at $291 million; this has now been boosted by an additional $651 million; this rises to $3.5bn by 2003 (Whitehouse, 2002a). At the European level, the EU agreed to share more information with the US not just in terrorist cases, but also in cases of slave trading and drug trafficking in fact 'serious international crime'; in an 'historical' agreement Europol was described as 'the European law enforcement

agency'. This information was circulated in a press release from the portal site of the European Union on 6th December 2001 (Europa, 2001).

When analysing the incidents of 11th September within the framework of Globalisation and postmodernisation, it becomes apparent that the ability of those processes to produce counter tendencies may be witnessed in that event. There is the view of the US as the engine for the centralising tendencies of Globalisation and the reaction of a fundamentalist religious group to counter that process; the ability of people to travel the world at will; and the potential for the use of (police) information to thwart or forestall such an attack, are all now apparent. In structural terms the decision to set up the Directorate of Homeland Security has centralised the capacity to oversee information that may have a terrorist connection. A review of the impact of that decision was undertaken in April 2002 with the publication of a report 'Strengthening Homeland Security Since 9/11' (Whitehouse, 2002b). That report highlighted the creation of systems for the collection and dissemination of information, through law enforcement; the deployment of 4,000 FBI special agents and 3,000 support staff to investigate the incidents surrounding 11th September; and the introduction of laws and grants to expand information sharing amongst Federal and local law enforcement agencies. The report also highlighted the changes in legislation to tighten border security; to require financial institutions to share information with the policing agencies; and to seize funds of suspected terrorists. None of the Homeland Directorate's remits refers to the use of force, it refers to the use and control of information to produce security as a direct consequence of a criminal act, not an act of war.

Shortly after the events of 11th September, interviews with a Federal and a state police official (October 8th and 11th 2001) revealed concerns within policing circles of the existence of prior information of the potential for these attacks, if not the attacks themselves. In recent weeks (May 2002) these fears were now being debated openly through the press and official government web sites. Both the *Telegraph* (18th May 2002) and the *Observer* (19th May 2002) carried stories behind headlines that indicated the President was not being truthful when he insisted he could not have prevented the attacks. This was despite information emerging that confirmed the existence of a considerable amount of information on terrorist groups in the US and their capabilities to attack the White house, Pentagon and other buildings by flying planes into them. The White House was reported to have been aware that the Al-Qaeda network was plotting

to hijack American planes, but denied hearing anything of a specific threat (BBC, 2002). This BBC report concluded that the FBI did not possess a 'central clearing house for the kind of intelligence that it received' and the CIA (which possessed the intelligence and information on this group) was not mandated to work in the US. In summary, there were warnings from the police in the Philippines; a report from an FBI agent in Phoenix Arizona; and the arrest of Zacarias Moussaoui at a Minnesota flying school of whom an FBI agent commented that he was the sort to 'smash a plane into the World Trade Centre'. All this information was in the FBI system and some of it passed to the White House. In order to correct this, the FBI has created a new 'Office of Intelligence' in Washington but headed by an ex CIA official who believes that 'smart intelligence agencies these days set up their own groups which are tasked to think like the terrorist and come up with threats and plans ways to counter them'.

Whilst this review had been carried by the BBC online, a slightly different perspective on the problem was being delivered by the White House web site. Its press briefing delivered on 21st May 2002 was in response to mounting media pressure upon the President to reveal why he had not acted upon a secret FBI briefing note that forecast the events of 11th September (Whitehouse, 2002c). What emerged from this briefing were a number of issues surrounding the use of information to develop intelligence the two are not the same. On 6th August 2001, the President received an FBI report, from the Phoenix bureau, about the activities of a number of young men who were receiving training on aeroplanes and who had connections to Osama Bin Laden. It also appeared that the INS (Immigration and Naturalization Service) had allowed a number of highjackers to enter the country and remain illegally despite known links to a suspected terrorist Osama Bin Laden. The Presidential spokesman denied the President had ever received such a briefing or a report and implied failings amongst the 'intelligence professionals' for not bringing it to his attention until it was mentioned by the media. The President has ordered a congressional inquiry into the existence or otherwise of this information prior to 11th September and whether systems could be improved to collate future information on terrorism. At this point of the briefing this process was linked to the role of the Homeland Directorate who was seen by some in the FBI as the source of funding for their expansionist tendencies.

On 7th February 2001, seven months prior to the attacks on the WTC, in his annual address the Director of the CIA briefed a Senate Select Committee on

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Intelligence, under the banner title 'Worldwide Threat 2001: National Security in a Changing World'. In this evidence, the director referred to the 'accelerating pace of change in...new communications technology...weakening internal bonds in states' and the 'high quotient of uncertainty' that the US had to deal with in terms of the threats to its security; the number one threat was 'posed by international terrorism'. Having already referred to many processes that are directly linked to the Globalisation and postmodernisation concepts (accelerating pace of change; communications technologies; weakening internal bonds; uncertainty; and international terrorism), he then widened the links by describing the emergence of transnational groups, without national affinities and without central controls, operating at the lowest levels. He described the link to fundamentalists (especially Islamic militants) who utilise the 'explosion in information technology to advance their capabilities'. His speech contained multiple references to the situation in Afghanistan, the Taliban and the role of Bin Laden and Al Qaeda in terrorist attacks against US interests worldwide. Given that there were six other major categories of threats to the US, which included the proliferation of nuclear weapons, the choice of international terrorism as the number one threat was a prophetic indication of the troubles ahead. The threats from narcotics and attacks upon their information infrastructures were also of concern to the CIA at that time, as were the threats from countries 'left behind by globalization and plagued by ethnic conflict' (CIA, 2001).

The following year, 7th February 2002, the Director's speech was again delivered to the Senate Select Committee on Intelligence (and repeated to the Senate Armed Services Committee on 19th March 2002) under the title 'Worldwide Threat Converging Dangers in a Post 9/11 World'. Unsurprisingly, it again listed international terrorism as the number one threat to the US; however, in this speech, the Director no longer spoke about the separate threats, but linked them as converging to further threaten the security of the US. The theme was that the US could not ignore destabilised states in other parts of the world and linked the need for co-operation with other countries and their information systems to pre-empt terrorist activity. He stated that 'these efforts have yielded the arrest of over 1,330 extremists believed to be associated with al-Qa'ida operatives in over 70 countries'. The inference here was that there was a need to counter these threats with the exchange of information and the efforts of law enforcement rather than military action (CIA, 2002). The theme of the convergence of

multiple threats was also taken up by local newspapers within the US, as a discursive element in the military's drive for more funds and public support for the expansion of their areas of operation beyond Afghanistan. The State Department political advisor to the US Special Operations Commander briefed the press on the threats from 'religious and ethnic fanatics...dealers in illicit commodities such as arms, narcotics, diamonds and humans, typically women or children enslaved for sex or forced labor'; he also linked those that were experts in weapons of mass destruction, and international crime syndicates. This was the convergence of the multiple threats that the US now faced (*Tampa Tribune*, 14 April 2002:1).

In terms of the use of this information in the 'war on terror', the Attorney General addressed the press, on 5th March 2002, and announced the setting up of a National Security Coordination Council that would include himself and key members of his staff, the director of the FBI, the commissioner of the INS, the CIA, the Department of Defense, the Drug Enforcement Agency (DEA), and others who may be of use in this information sharing forum. He observed that the most important lesson that the Department of Justice had learnt from 11th September, was that to counter international terrorism, 'requires unprecedented cooperation and coordination'. He also emphasised their ability to 'pursue every avenue within the law' in this fight against terror as the US had embarked on 'the most comprehensive criminal investigation in world history' (Department of Justice, 2002). In evidence to a Senate hearing on April 17th 2002, the FBI reported that they now had 'information sharing initiatives within the bureau and also with other government agencies for homeland defense purposes' with the creation of 'Joint Terrorism Task Forces that bring together Federal, state and local law enforcement investigative efforts' in the adoption of 'a new focus and priorities since September 11...to enhance the FBI's information sharing capacity'. In order to sustain an 'enhanced worldwide counterterrorism effort' there was a realisation that the main asset that underpinned this desire was 'information sharing...within the entire law enforcement and intelligence communities' and that since 11th September, ' the spirit of collaboration and willingness to exchange data has never been stronger'. There was, however, a caveat; this information sharing had to be conducted between approved policing agencies and within a structure of governance that protected the integrity of the information. The recent corruption purges of the Mexican and Colombian police were uppermost in their minds as well as the desire to control that information (FBI, 2002a).

In the next official pronouncement on the developing role of the FBI, and the importance of information rather than force, its Director addressed the Annual General Meeting of the Police Executive Research Forum in Phoenix, on May 9th 2002. He emphasised the change of priorities for the FBI, post 11th September, from crime and investigative-based operations to 'the ability to gather and share intelligence' and that Congress had approved almost half a billion dollars to update their IT systems. He referred to the 'global society' and the phenomena of cross-border 'international drug and organized crime groups', and on the creation of a new division of the FBI that will 'focus more squarely on cybercrime'. Given the organisation of society, and its policing systems in the US, it came as no surprise that despite all the centralising efforts of the FBI within the overall strategy of Homeland Security, he concluded his speech with an assurance that local FBI offices will still retain 'a great deal of flexibility to respond to local needs'. This was an acknowledgement of the needs of a postmodern society in a globalised world, something that European nations, especially E&W, appear incapable of addressing as they are still trapped in the modernist, centralising discourses of meta narratives (the current disquiet in Europe over these issues will be addressed throughout the thesis). The overall theme of the speech had been the pre-eminence of the information gathering priorities now uppermost in the FBI 's mission statement:

> information-sharing is the glue that holds together all of the government's many homeland security efforts. The military piece, the intelligence piece, the financial piece, the domestic preparedness piece, and certainly the law enforcement piece all require a seamless, two-way flow of information (FBI, 2002b).

The emphasis, that may be discerned within all the discourses surrounding 11th September, is on the ability of policing agencies and their institutional partners in the military, intelligence services, and Department of Justice, to gather and share information across the fragmented structures of the policing community in the US as well as worldwide. From the perspective of reconceptualisation of policing, the FBI Director's statement to Congress on 29th May 2002, concerning the details that he had outlined on May 9th 2002 to the Police Executive Research Forum, was very informative. Given that he had already linked the events of 11th September to Globalisation and determined that the FBI response was to be centred on better control of information, his proposals to shift the emphasis from detection to prevention has brought into question the modern reliance on force as a defining characteristic of *police*.

The new structure and mandate would involve the employment of non-police specialists as intelligence and information analysts, not in a support role, but in the field as agents; they may be police, but they will not be involved in the state's legitimate use of force. The Director explained 'We have to do a better job recruiting, managing and training our workforce; collaborating with others; and, critically important, managing, analyzing and sharing information...In essence, we need a different approach that puts prevention above all else' (FBI, 2002c). He then introduced the new structure that would be utilised to deliver their new mandate which would be to:

1. Protect the United States from terrorist attack
2. Protect the United States against foreign intelligence operations and espionage
3. Protect the United States against cyber-based attacks and high-technology crimes
4. Combat public corruption at all levels
5. Protect civil rights
6. Combat transnational and national criminal organizations and enterprises
7. Combat major white-collar crime
8. Combat significant violent crime
9. Support Federal, state, local and international partners
10. Upgrade technology to successfully perform the FBI's mission
    (FBI, 2002d)

This structure was accepted by the Attorney General and the White house and placed before Congress on June 21 2002. At his meeting before the Congressional hearing, the Director expanded on the priorities that the newly configured FBI would address. The issues at the forefront of his evidence to Congress were that they would be 'flexible, agile, and mobile in its capacity to respond'; 'prevention of terrorist attacks is our top priority'; and in order to do so, 'to continue to develop and maintain close working relationships with international law enforcement partners'. In order to achieve the change in priorities, there would be an added emphasis upon 'extensive coordination and collaboration with...international partners' and the requirement for the ability to analyse and exploit the information that it had gained from abroad during the current post 11th September investigation (FBI, 2002e). The whole of the speech was littered with references to the importance of information, the need to share information, and the need to act transnationally 'I cannot overstate the importance of building and maintaining effective international partnerships to combat terrorism'. He concluded with a need for non-police specialists to be enlisted within the police to provide the

expertise in data mining and analysis of that data. The need to move from fixed structures to flexible systems concluded his evidence to the committee 'The challenges facing the FBI requires a workforce that possess specialized skills and backgrounds, that is equipped with proper investigative, technical and analytical tools' this workforce would be required to deal with 'a complex and volatile environment'.

Whilst it has been a useful exercise, for the purpose of this thesis, to utilise the events of 11th September to examine the discourses associated with it (and with policing) there have been examples over many years of the use of this information sharing, and professional expertise that has had an impact beyond the borders of the state; some of those examples are examined in greater detail in chapters four and five. However, at this stage there are obvious links to the interdependence of the policing communities of the US with their non-police information sources and their transnational partners. This is not just evident in the terrorism sphere, but in organised crime and transnational crime generally. In addition, technological interdependencies are evident as are the complexities of the social aspects that now need to be addressed in this metamorphosis from the fixed structures and practices of the former FBI to the flexible processes and practices of the new model.

In contrast to the language of postmodernity and Globalisation that may be observed in the American example, the new Police Reform Bill in E&W is an example of the 'nihilism' associated with modernity. This Bill received the Royal Assent on 24th July 2002, and is expected to come into force (fully), following a number of trial periods in selected forces nationwide. Whereas the US example emphasised the importance of information, and the flexibility of structures and processes, the E&W Bill strengthens the centralising tendencies of successive Administrations this one driven by the modernist discourses of the 'Third Way'. This ideological construct is a multi-causal Globalisation discourse that is still based on the project of modernity; according to Lilleker (2001) the 'Third Way' is used by New Labour to acknowledge Globalisation without using the term. They have 'adopted a globalisation discourse that stresses a structural imperative' (2001:11) and 'Globalisation is the theory belonging to modernity' (2001:3). It is within this context that the Bill introduces a National Policing Plan; the Home Secretary will be able to intervene in the running of local forces; and there will be priorities set for local policing by central Government. The interesting aspects of this particular piece of modern legislation are the postmodern political

discourses that accompanied it with quotes from the HO Minister John Denham who believed that it will 'create a police service that is flexible' and one that is 'integrated, responsive and proactive' the actual opposite of the fixed, centralising measures that this Bill will introduce when it becomes law (Policereform, 2002). These discourses are reflected in the discursive practices of policing that are revealed throughout the thesis. They depict practices and policies that are inconsistent with modernist attempts at retaining control at the centre. In fact they reveal policing that is essentially out of control in respect of its accountability mechanisms that are no longer adequate to oversee a postmodern police organisation.

In contrast the American response to the multiple accountability problems that emanate from this increase in policing activity has been the introduction of the overarching Department of Homeland Security. This Department's strategy emphasises the importance of local policing and local accountability, but also values a central coordinating role for information gathering processes and operational control following a terrorist incident. Their strategy document is produced to provide a framework for the State to protect itself from terrorist attacks (Whitehouse, 2002d). In this document, there are references to 'terrorists as strategic actors' and ensuring greater accountability and 'unity of purpose among the agencies' (page, vii). There are multiple references to the language of Globalisation (systems intertwined; intergovernmental law enforcement coordination; and international cooperation) together with the postmodernising language of 'integrated information sharing'. There is an emphasis on information collation, sharing and dissemination to those in the law enforcement community; however, there is also an emphasis on the collection of information from the private sector 'the owner of 85 percent of our infrastructure'. In terms of budgetary strategy there is a prime responsibility to 'support first responders' mainly local police and coast guards. The US response is to support local policing whilst at the same time increasing the extra-state capabilities of Federal policing through the FBI, CIA and Military intelligence 'we will increase information sharing between law enforcement, intelligence, and military organizations...to counter terrorists everywhere, including in America' (page, 60). The will to 'intensify international law enforcement cooperation' and the use of information to 'freeze assets of terrorists' is one of many examples of power/knowledge that is revealed in this research.

The consequences of the attacks on the WTC, and other previous attacks on US interests by terrorists both inside and outside the state, have been the increased expenditure on public policing at both the local and state level and the increased capacity to centralise control of police information. There has been no macro-level organisational restructuring within the US but there has been a reorganisation of the structures of information collation and storage to increase centralised control. However, as the budgetary and political discourses within the US revealed prior to the 11th September attacks, increased expenditure on public policing has been apparent over many years with the numbers of both Federal and local police numbers growing exponentially. Despite these increases and the apparent success of public policing in the US to cut crime the discourses were still centred upon increased public policing. Under the headline 'Is That Enough', the front page of the City and State section of the *St. Petersburg Times* carried a story of the low numbers of police available for duty as opposed to the large numbers employed by the force (7/4/2002:B1-B6). This discourse echoed the E&W one of police officers not being available for patrol work through other, mainly administrative, pressures.

Within E&W, there was evidence of the centralisation of organisational priorities, rather than structural reorganisation, with the introduction of national objectives for policing that have their bases in modern meta narratives that elevate micro level criminological analysis and opinion, to a macro level strategic imperative. Parallel to this political discourse was an organisational structural acknowledgement that centralised structures would not work at the local level in a postmodern era, with the emphasis upon Basic Command Units (BCUs) rather than forces for service delivery. At another level it was acknowledged that decentralised structures were not appropriate for concerns at the state level and the National Criminal Intelligence Service (NCIS), the National Crime Squad (NCS), and EUROPOL, were formed. Structurally the police in the E&W were beginning to accommodate the impacts of Globalisation and postmodernisation and the numbers of public police also started to rise. The plural nature of public policing in a postmodern world was also addressed in the Police Reform Bill, 2002, with the desire to pay differing rates of pay for auxiliary police such as community safety officers (*Telegraph*, 26/1/02:1 & 12). This provision was introduced to formalise the *ad hoc* (but accountable) nature of local authority interest in providing security staff to patrol the streets or, in the case of Birmingham, to

employ 'ex-SAS men to combat crime' by using them and their covert surveillance capabilities to record 'nuisance neighbours, burglars, and troublemakers' (*Telegraph*, 23/2/02:5). The nature of American policing, with its history of reducing crime on a regular basis over a twelve year period, has driven the discourses on policing within E&W during 2002. The *Telegraph* has linked the successes in crime reduction within the US to more police officers and the zero tolerance approach of the New York Police chief ('New York crime-fighter lays down law to police chiefs' 30/1/02:6), under the direct control of a Mayor ('London needs a Giuliani' 14/2/2002). They followed this up with 'street crime cut by more police on beat' (14/2/02:12), in a reference to the Metropolitan decision to saturate particular areas of London with uniform police officers in an attempt to cut soaring crime rates.

In other areas of the EU, the centralised police forces of the continent have come under increased pressure to decentralise, despite Holland having centralised in 1990 from 148 municipal forces, and one national, to 25 regional ones (Jones, 1995:8). The centralisation of the Dutch forces was more to do with the discursive power of senior police officials rather than based on public or political demands, and has enhanced their independence within the policy-making arena (Jones, 1990:1158). The drive for this local influence has been evident during the elections in both France (*Financial Times*, 13/5/02:8; *Mail*, 23/4/02:10; *Telegraph*, 26/3/02:18) and Holland (*Mail*, 23/4/02:5), and in the increased terror campaigns in Italy and Spain (*Sunday Telegraph*, 24/4/02:31). The common denominator in all these respects is the call for law and order as, throughout the EU, there is evidence of a resurgence of nationalism and a rejection of many aspects of the multiculturalism consequent upon the project of modernity. Aspects of immigration (both legal and illegal) featured highly in these criminalising discourses that linked asylum seekers with crime generally, with violence, and with illegal immigration. Results of polls across Europe trace the rise of the right wing and fascist parties, in response to these discourses. The Freedom party in Austria (1999); Spain's Popular party winning a landslide, and Belgium's Anti immigration party wins 30 % of the vote (2000); Italy's neo-fascists win the election, Norway's anti immigration party joins a coalition to defeat the socialists, and Denmark's right wing coalition ends 80 years of social democrat rule (2001); and currently, in France, the far right polled ahead of the socialists in the presidential contest, the far right form a

coalition government in Portugal, the centre right win in the local elections in Germany and the far right make large gains in Holland (*Mail*, 23/4/02:5).

The response has been the same in every country the call for more public policing, for local control of policing, and control of immigration. Following the right wing, extremist, successes at the Presidential polls in France in 2002, there is now acknowledgement that immigration is producing racist undercurrents that do not accord with the project of modernity. The very epitome of centralised state-control and nationalism, France is having to concede the power of postmodernity in its drive for local as well as national identity. The incoming Prime Minister has promised 13,500 new jobs in the police and Gendarmerie to allay the fears of increased insecurity brought about by the fears from increased immigration (*Guardian*, 4/7/2002:14). He promised devolved powers for this policing and local government to build a 'republic of neighbourhoods'. The French are reflecting processes that have been observed throughout the Western world these processes are associated with Globalisation and postmodernisation. The centralising tendency of the European project, based upon the meta narratives of modernity, is clearly going through a period of rejection by the citizens of the EU. However the EU inspired, and United Nations (UN) supported, notion of centralisation of cultures, ideologies, and norms, carries on seemingly impervious to the structural and cultural dissonance that the modern project is producing.

1.7 Summary

This chapter briefly outlined the key elements of policing, Globalisation, and postmodernisation; it then introduced the role of the media in constructing policing discourses. The conceptual differences between *police* and *policing* were referred to and associated with Reiner's sociology as being the most influential in this respect; his definitions were arrived at through his appreciation of their history and bounded by the concept of modernity that gave rise to the new police. The need to acknowledge synergy of concepts in order to explain and predict policing in a postmodern globalised world was then addressed through postmodern perspectives on structure/agency, discourses, and power/knowledge. There were a number of commentators on policing that were prepared to advance the novel concepts of postmodernisation (Reiner, 1992 & 2000;) and Globalisation (Johnston, 2000) in an attempt to explain the processes that affected

policing. The chapter concluded with a reference to differing responses to pressures of Globalisation and postmodernisation in the US and E&W, and observations of processes within the EU that are not commensurate with the project of modernity.

There are now developments to suggest that public state policing in E&W and US has elements of unaccountability; accountability to an external Non Government Organisation (NGO); a crime mandate that it is unable to fulfil; a discretionary ability that is now circumscribed by national targets and international law; a professional and specialised structure that it is having to share with the private sector; and a growing internationalising and militarising discourse that is threatening to formally and informally restructure its practices outside the realm of the nation state. It is the contention of this thesis that the advent of Globalisation. or late/post/modernisation, or both, have produced conditions to undermine the role of the state in policing and policing in the state (Reiner, 1992; Leishman *et al.,* 1996; Lyon, 1999; Johnston, 2000; Wright, 2002). The challenge, therefore, is to establish the issues for public policing that are contingent upon the Globalisation process and which are incapable of explanation within the established social science research, for as Sassen (2000) has argued, the 'boundaries and scales at which categories are constructed and deployed the nation-state, the city, the group, the household do not easily accommodate the cross-border and cross-boundary dynamics of globalization' (quoted in Body-Gendrot 2000:xii). The next chapter will review the current perspectives of both Globalisation and postmodernisation and engage the differing schools of thought on their causes and consequences. The finer points of the arguments, within these various schools, will be developed during the later chapters. as the empirical indicators gleaned from discourses, case studies and further literature are examined.

Chapter two

GLOBALISATION AND POSTMODERNISATION AS CONCEPTS

2.1 Introduction

Chapter one introduced the argument that the public police, and policing, in
E&W and US have reached a stage where the concepts of modernity and state
sovereignty are no longer capable of describing their activities, nor predicting their
effects. In this chapter, the concepts of Globalisation and postmodernisation are
explored in order to assess the differing schools of thought on the processes involved
and to identify common themes or trends that may assist in the reconceptualisation of
public policing to accommodate the moves from the modern and from the state. The
widening acceptance of Globalisation as a concept in its own right is charted, followed
by a critique of the contemporary position, and then a framework for application to
policing is constructed. The link with postmodernisation is then examined and the
possibility that a third novel concept may be capable of explaining the processes that
are now associated with postmodernisation and Globalisation - namely the Global Age.
There is then a link with the consequent re-emergence of political sociology and the
chapter concludes with a revised framework of understanding to apply to the activities
of the public police of Western democratic states, especially E&W and US, and
policing discourses in those states.

The principle debates identified by this chapter are based upon the existence or
otherwise of the concept of Globalisation (the globalist versus the sceptics school) and
the processes identified with it (the unicausal or multi-causal school). This involves a
section on the historical background to the concept, followed by the contemporary
position. In terms of the postmodernisation debate there is an argument identified that
questions its actual existence (the modernist or global age position); there is an
argument that suggests that modernity has passed, or is in terminal decline, but that
utilises other terms for its successor regime (post-industrial, late modern and the like);
finally there is the position of the post modernists themselves. This chapter grounds the
thesis in its conceptual context: the finer points of the arguments that will determine the
future conceptualisation of the public *police* and *policing* will be developed over the
ensuing chapters as the historical and contemporary positions on the processes of
policing are revealed.

2.2 Globalisation - The Emergence of a Concept

Internationalisation is not a novel phenomenon, indeed it has been in existence since the middle ages when travel, Empire, and trade developed into the capitalist economic activity that is evidenced today. However, a number of events appear to have accelerated this process; the end of the cold war, the collapse of the Soviet Union, and the transition from modern to postmodern, have all combined to intensify the world wide interdependence of states in the areas of economics, ecological concerns, technological developments and financial dealings. It is this integration of activities that characterises a more advanced and complex form of internationalisation that constitutes Globalisation; the two terms are qualitatively different, although some observers use them interchangeably (Dicken, 1992:1). Whilst it is true that the term 'Globalisation' was not in general usage until the 1960s, the concept itself (the integrating consequences of the progress of modernity) was noted by sociologists and students of geopolitics from the 19th century onwards (Held & McGrew, 2000:1). There is an increase in fundamental religious groups that transcend state boundaries, as well as ethnic backgrounds that reflect the diversity of origins of citizens rather than confine them by their nationality. There is also a massive increase in transnational corporations and 'the emerging authority of institutions and communities above the nation-state' are all challenging the notion that the state is a cohesive, ordered entity (McGrew, 1992:63). The future of individual households and communities around the globe are bound together not by citizenship, but by communications, trade, finance and production in more than one state, the 'stretching' of relationships across national boundaries (Giddens, 1990:1). This intensification of global interconnectedness challenges the primacy of the nation-state in its current form and highlights the limit of the state's influence in many areas (Bauman, 1992:57).

Sociological inquiry tends to concentrate on society as defined by the modern nation-state; attempts to explain or explore activities that fall outside or beyond that state may be difficult to categorise (Featherstone, 1990:2) and hence difficult to respond to. Society and the state have become one and the same and although sociological studies were an attempt at becoming a universal science of human affairs, in practice they centred on the local or national societies of the state (Turner, 1990:343). Perhaps a

new, global, sociological framework is required if sense is to be made of these new studies; a framework that expands the world system theory (Wallerstein, 1990) and is central to Gidden's critique of historical materialism (Morrow, 1994:284). The irony is that the universal qualities that are possible through the emergence of a world order brought about by Globalisation and based upon liberty, justice and equality for all, is challenged by the postmodernist discourse that denies that there can ever be any universal truths or knowledge which allow a 'global social formation' to be studied (Archer, 1991). There are two distinct schools of academic thought on the activities at work in the Globalisation process; the single or unicausal logic and the multi-causal logic. Whilst no one explanation can be said to be wholly, or truly, representative of one position or the other, the prime cause can be isolated in each school.

There are three influential authors in the single causal school, Wallerstein, Gilpin and Rosenau. Wallerstein (1974 & 1979) introduced the concept of a world system based upon the influence of capitalism in the process of Globalisation. Basically, world system theory has its origins in a series of political and economic global connections designed to expand the capitalist world economy; they are based at three levels - on core countries, those on the periphery and those that are external. This particular theory is a useful tool, at the economic level, to explore global activities of societies and to analyse the world as an overall social system, rather than concentrating on the nation-state (Giddens, 1994:542). However, its economic determinism fails to accord any influence to individual state's actions, and it is difficult to imagine a scenario in which sovereign states do not have some impact on their own destinies.

The others, Gilpin and Rosenau, belong to the international relations discipline and stress the importance of power politics and technology respectively. Gilpin argued that the prime causal force in Globalisation was power; political power that was contingent upon an hegemonic state that imposed a form of world order and sponsored co-operation and interdependence at the level of international economy (Gilpin, 1987a:88). This approach was used to explain the long evolution of Globalisation as a concept and he provided examples of 'Pax Britannica' and 'Pax Americana', both underwritten by military might, as the evidence for this interpretation. A very important corollary of this view is that as the influence of the US declines, the Globalisation process will bring instability to the world order rather than the stability that one would assume would flow from such a development (Gilpin, 1987b). In the international

relations sphere of intellectual discourse. Rosenau has written extensively on

Globalisation and he believed the jet plane, the computer, and orbiting satellite were the

catalyst for interdependence of states on a far greater scale than previously realised

(Rosenau, 1990:17). The arrival of the post-industrial era meant that nation-states had

to 'share the global stage with international organisations, transnational corporations,

and transnational movements' (McGrew, 1992:71). It can be seen that Wallerstein,

Rosenau and Gilpin located their single causal logic in a specific institutional domain;

either the economic, the technological or the political. The problem with any theory that

situates itself in a unicausal formulation is the reductionism implicit in that process and

with the exclusion of others; it is either accepted or rejected (Waterman, 1993:11).

Giddens, Robertson, and Marsh & Stoker, reject this unicausal approach and are

convinced that Globalisation is multi-causal and located (in some respects) externally to

the institutional framework (McGrew, 1992:69-72). Giddens argued that there were

four distinct, but interrelated aspects of the Globalisation process: capitalism; the

inter-state system; militarism; and industrialism (1990:70). The processes associated

with the nation-state system (democracy, capitalism and alliances) were co-ordinated

through the networks of information exchange, military co-operation and the capitalist

economic order. They were distinct processes as such, but were co-ordinated and

developed unevenly to meet the needs of the 'universal nation-state' (Giddens,

1987:283). Robertson had certain areas of disagreement with Giddens's view of this

process, mainly in the co-ordinated nature of his approach. Robertson believed that

distinctly separate factors drove the Globalisation imperative: the spread of capitalism;

western imperialism; and the global media system (1990:22). He argued that this

distinctness produced dual consequences that were far removed from the world order of

sociological theory: there was a universal aspect to the process; and a particularising

aspect - centralising versus decentralising tendencies. The third proponents of the

multi-causal school also believe that the causes are separate and act independently of

each other. They argued that the processes of Globalisation were multidimensional and

complex, with four dimensions apparent: political integration; internationalisation of

capital; geopolitical; and global communications (Marsh and Stoker, 1995:295).

Increasingly, supranational organisations such as the EU have gained influence

in the economic and industrial policy arenas and political integration at such levels have

had a major impact upon the policy process. Transnational corporations also impact

upon the economic activity of states, with the internationalisation of capital, and are therefore influential at a political level. These corporations developed flexible financial markets world-wide in order to maximise their use of capital and to locate their production units in areas of the globe that suited their current strategies. The position of individual states within these areas relies heavily upon trading bloc tariffs and subsidies that are mainly beyond the scope of direct influence from the state. The geopolitical considerations of policy decision making has been in existence for many centuries, with examples such as the decision to engage in the Crusades in the middle ages or to engage in the Gulf war in the 20th Century. However the growing interdependence of states in strategic as well as economic terms renders decision-making more complex in all areas. The problems in the E&W economy may well owe as much to high levels of defence expenditure as a result of its inflated sense of influence at a world level, rather than any inherent problems with economic policy at a micro level (Taylor, 1989). A revolution in telecommunications technologies has had a global impact upon information retrieval and hence the potential to scrutinise government better (Marsh *et al.*, 1995:295). The accessibility of this information means that states' responses to policy problems may be influenced by others around the world, a process sometimes referred to as policy transfer, or policy drift. This is the area of the globalising process, more than any other, that has the potential to affect the culture of a state. The multi-causal school may be critically evaluated in similar fashion to the unicausal. Waterman argued that the determinism involved in compiling the list of causes was itself open to question; he questioned the manner in which each of the causes was valued or weighed, and whether the list was exhaustive. He also queried the absence of the roles of advanced technology, feminism, Islamisism, Orientalism and other global processes (1993:11).

Problems with understanding the true nature of Globalisation do not arise from a discourse on whether it is uni-dimensional or multidimensional in origin, but from trying to pinpoint evidence of its actual existence as a concrete entity; Dicken argued that it was characterised by its complexity and by postmodern plurality (1992:300). As McGrew discovered, the body of literature on the subject treated the process as 'dialectical in nature and unevenly experienced across time and space' (1992:74). It did not bring with it a uniformity of modelling that allowed for strict comparisons, as the whole process was contingent upon so many variables. What was identified was a set of opposing tendencies that could even deny the existence of Globalisation as a

phenomenon in the manner described. These dualities may be observed in the tendency to create larger political and commercial units such as the EU, which has been counterbalanced by the birth of environmental and peace movements, and the resurgence of nationalism and ethnic identity world wide (integration versus fragmentation). Additionally, the compression of time and space that located different civilisations next to one another highlighting their differences, also created a hybrid culture accepted by all e.g. advertising, mixed cuisine and world-wide support for various sports teams or sports stars (juxtaposition versus syncretisation) (McGrew, 1992:74-76). Whilst acknowledging subtle differences in each of these labelled categories, essentially there is only one major theme to be addressed - centralisation versus decentralisation; what can be, or is, done at the global level, and what can be, or is, done at the local. It is from this duality that the link between Globalisation and postmodernisation may be observed, leading to the production of two levels of inquiry for purposes of sociological modelling - the central and the local.

Giddens observed that complex global systems of communications, production and exchange, reduced the ability of people at the local level to determine their own destinies. The 'disembedding' of social relations, relocating them in another time and place, 'time-space distanciation', convinced Giddens that Globalisation was more than interconnectedness, it was a major restructuring of the social life of local communities. The example that he cited was that of a Scottish miner dependent for his livelihood on the cost of coal in South Africa or elsewhere (Giddens, 1990:14). The results of the processes of Globalisation were clearly this duality of the central and the local and challenged the ability of the state to provide for its contingencies at the economic level without recourse to supra state institutions. However, Rosenau argued that the political reality of global power still resided at a state as well as international level (1990:6) and the military imperative was transformed from the state level (if at all) to the supra state level (NATO, the UN etc.). This left the international scene to be fought over in economic rather than territorial terms, at the state level, and wars to be transformed into global intervention by peace-keepers from the UN. These changes of locations of power raised the profile of transnational and supranational organisations above state ones, and produced a crisis of legitimacy at the state level in areas of security and influence. The decentralising tendencies of Globalisation fragmented this power and ensured that the former state monopoly of such activity was now shared with the global and the

sub-national; with 'loyalties and legitimacy... tend[ing] toward subsystems and away from national entities' (Rosenau, 1990:98).

The nation-state must now share the political stage with its own bureaucratic agencies, some of which are not particularly confined to a strict policy arena and develop their own agendas over time (Gilpin, 1981:223). The impact of the processes of Globalisation on the issue of state sovereignty was the major area of discussion amongst critics of the legitimacy deficit inherent in the concept. Held argued that,

> Globalisation is a set of forces which combine to restrict the freedom of action of governments and states by blurring the boundaries of domestic politics, transforming the conditions of political decision making, changing the institutional and organisational context of national polities (1991:222).

However, according to Bell, Globalisation has always been associated with a 'crisis of the territorial nation-state' (1987:3); this particular analysis set out the other two positions of the paradox that is Globalisation - the state was too big for normal problems of life, but too small for the major challenges of the international arena and its sovereignty in key policy areas was under threat. Globalisation was observed to affect four critical areas of that sovereignty: its form, its autonomy, its competence, and its legitimacy (Hall et al., 1992:87). The first challenge to the state, in a global sense, was the internationalisation of businesses; the growth of a global economic system that moved capital and labour to the areas of the world where surplus value was achieved at the lowest cost. A new international division of labour (economic interdependence between societies) was created by transnational companies to such an extent that countries no longer controlled their economic policies as formerly they could (Kahn, 1986). This produced the greatest threat as economic power, and economic diplomacy, were seen by some analysts as the most relevant aspects of state security in the current age. Economic capacity may be transferred into direct influence, or power (Rosencrance, 1986), and that power shifted from the military to the economic (Nye, 1989). Gergan & Whitney argued that 'The entry of a foreign business into a local culture is little short of an invasion. Non-democratic, they reduce political problems to economic ones' (1993:337).

This economic influence, within the general understanding of Globalisation, appears to be the prime one amongst analysts of the sociological, political, and international relations schools; as Dunning observed, 'globalisation is a metaphor; an

economic one at that' (1993). It was a concept based on markets and controlled by the 750, or so, transnational corporations that dominated world trade by trading with each other rather than within, or through, countries. Bureaucracy was the essence of their organisational structure and had a synergy with the same bureaucracies at state institutions; 'there is no alternative - TINA' was a theme much heralded within organisational structure circles (Clegg, 1990). However, the interdependence of states was not just limited to the economic activities of transnational actors. There was an explosion in the numbers of intergovernmental organisations (such as the European Union) and International Regimes (such as the International Monetary Fund) set up to try and co-ordinate this globalising trend; they are sometimes referred to as 'non-state actors' as their activities are not bound by the policies of a particular state (Giddens, 1994:549).

These organisations would appear to have consequences for the democratic processes of the parent state and, in order to regulate the work of these regimes, it was necessary to set up bureaucracies to organise them. Keohane and Nye argued that bureaucracies were concerned with the international policy agenda rather than the domestic one and had a capacity to determine policy with minimal direction from the centre; policy outcomes were no longer determined by elected politicians, but by professionals (1977). Having undermined the competence and autonomy of the state to regulate its own economy, and having reduced its effectiveness through the internationalisation of bureaucracies, Globalisation was therefore seen to reduce the effectiveness of government; this undermined the legitimacy of the state and affected its authority (Rosenau, 1990:34). The structural fragmentation of civil society, evidenced by the creation of subsystems to regulate local problems as well as global ones, was seen as as much of a threat to the nation state as the external threats to its ability to regulate itself. At that level, there was an ethnic crisis countervailed by a rise in nationalism and the emergence of new loyalties that transcended state boundaries i.e. animal rights, environmentalism, religious fundamentalism etc. (Hall et al., 1992:92).

Conversely, the fact that in developed democracies major interstate war was averted for half a century should be testimony to the effect of alliances and treaties at the international level, that were only able to be concluded by sovereign states. If the nation state is able to be perceived in more pluralistic terms by its inhabitants, then the possibility of shared authority over them by both sub state and world authorities

becomes realistic. The creation of a 'new mediaevalism' will be achieved that no longer identifies only with a nation state, but also with overlapping global and local political communities (Bull, 1977:254). This reversion to Empire was a theme taken up by those of the new right who regarded the creation of political super systems, such as the EU, as a 'highly developed system for mutual interference in each other's domestic affairs, right down to beer and sausages'; a view echoed by some of those in New Labour (Cooper, 1996:23). The development of Globalisation as a concept in socio-political theory has now been charted, during the 1980s and 90s, and the contemporary position (which includes those who still deny its existence) will now be reviewed, before proposing a framework of enquiry to apply to policing.

2.3 Globalisation - From Fringe to Mainstream

From this early conceptualisation, definitions on the process have emerged. Held *et al.* argued that, essentially, Globalisation was about the 'widening, deepening and speeding up of global interconnectedness' (1999:54) and may be interpreted in a number of differing ways dependent upon the context in which it was used, e.g. the economic, the political, or the sociological. Regardless of the context, during the late modern and the emerging postmodern age the term was used to refer to the 'emergence and spread of a supra territorial dimension of social relations' (Scholte, 1996:46), these social relations were examined to determine the causes of interconnectedness at the supra territorial level. The orthodox approach to explaining political, economic, and cultural developments depended upon an assumption that the internal and external affairs of a state were distinctly different and analysed accordingly. Whilst there is a growing body of intellectual opinion that believes this to be an inadequate means of enquiry, there is no one school of thought on Globalisation, nor any agreed definition (Held & McGrew, 2000:3). However, a number of characteristics are associated with the concept (in addition to interdependence and interconnectedness) that are capable of analysis within the context of this thesis, and are known as the 'spatio-temporal' dimensions of Globalisation - what Giddens earlier described as 'time-space distantiation'. This is the stretching of social, political and economic activities across state boundaries so that decisions taken in one place and time may have an impact on another place in a different state and at a different time; interconnectedness is therefore seen to be anything but random. It is regularised, intensified, speeded up and its

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consequences magnified so that even local developments may have global consequences, and global activities have local consequences. Any framework utilised to explain Globalisation must therefore address the 'extent, intensity, velocity and impact' (the spatio-temporal dimensions of Globalisation) of the activity in question to determine its position on the local - global continuum. Held *et al.* argued that this may be encapsulated in a preliminary attempt to define Globalisation as:

> a process (or set of processes) which embodies a transformation in the spatial organization of social relations and transactions - assessed in terms of their extensity, intensity, velocity and impact - generating transcontinental or interregional flows and networks of activity, interaction, and the exercise of power (1999:55).

This particular definition assists in differentiating between the alternative concepts of internationalisation and regionalisation from Globalisation, whereby each of these concepts may be observed as complementary (in some cases) rather than oppositional; an acknowledgement of the existence of one is not a denial of the existence of the other(s). An historical comparison of processes associated with Globalisation over various epochs may lead to an understanding of the consequences for state institutions (in this case the public police); a conceptual framework is needed to encapsulate the 'extensity, intensity, velocity and impact' of interconnectedness. Impact, being (potentially) the most subjective area of this framework, needs to be further subdivided into 'decisional, institutional, distributive and structural' analytically distinct types. This may be observed where impact on decisions is high (major policy changes are the result), or where they are low (policy choices are influenced in an insignificant way); where institutions are reorganised as a consequence; where power is distributed differently; and where societies and polities reflect the impact of Globalisation through their structures (Held *et al.*, 1999:57). The phenomenon is observed as uneven in its impact and subjected to other dynamics which sometimes produce resistance or local adaptation. It is far from an homogenising process and is mediated by the postmodernisation processes described later in this chapter.

In addition to the spatio-temporal dimensions of Globalisation, Held *et al.* have also identified organisational dimensions; these were described as 'infrastructures, institutionalisation, stratification, and modes of interaction' (1999:58). Infrastructures are necessary to facilitate networks of global interconnectedness and may be evidenced in public policing by (for example) examining the extent of global policing

organisations; their capacity to collect and disseminate information; their regulatory constraints, norms, and procedures; their level of professional expertise and language through which they communicated; and the technical sophistication of their communication capabilities (Buzan *et al.*, 1993:86). Infrastructures also facilitate the institutionalisation of these networks at the global level, where 'relations become regularized and embedded in the practices and operations of the agencies in each social domain' (Held *et al.*, 1999:58). It is also linked directly into power (understood as both a relational and structural phenomenon that will be developed during the thesis) which Globalisation is seen to organise, distribute and exercise. Hence in differing periods of history, distinctive patterns of stratification at both the social and spatial levels may be discerned to identify where domination and control lie at any one time. These are identified as the dominant modes of interaction - 'imperial or coercive, co-operative, competitive, conflictual' - and their instruments of power e.g. 'military vs. economic instruments' (Held *et al.*, 1999:59). The framework to be utilised, in evaluating the observations presented during this thesis, will therefore consist of the four organisational and four spatio-temporal dimensions of interconnectedness and owes its origin to the work of Held, McGrew, Goldblatt, and Perraton (1999).

Whilst the concept of Globalisation has had many critics over the last decade, there is now a body of opinion that believes that (together with postmodernisation) it is a significant development in political sociology (Nash, 2000:43-44). There are those that agree on its existence, if not its constituent parts - the 'globalists', and there are those that disagree on its existence and are grouped together, as an heuristic device, and referred to as the 'sceptics' (Held & McGrew, 2000:2). It is pertinent to note that whilst a review of both positions now follows, the concept of Globalisation achieved sufficient intellectual 'respectability' to be the theme for the Political Studies Association (PSA) annual conference in 2001. Globalists include those of the multi-causal school and identify the fact that Globalisation is material in nature, with examples of flows of capital, trade and people around the globe needing differing infrastructures to facilitate these flows. These are classified as physical, normative and symbolic and emphasise the concrete (as opposed to the ephemeral) nature of the evidence that the phenomenon exists. In terms of public policing, these criteria will assist in determining the extent to which it has been affected by Globalisation, especially the normative elements. An examination of laws having their origins outside the state, and of treaties to assist

international investigations, may provide an indication of its impact at that level. The other dimensions, agreed by the globalists, are the compression of 'social time and geographic space' which removes the traditional modern barriers to 'social interaction or organisation'. The knowledge of this growing interconnectedness produces not a harmonious global society, but one which 'can fuel reactionary politics and deep-seated xenophobia' (Held & McGrew, 2000:3-4). Utilising these other aspects, it should be possible to adduce evidence at the public policing level to determine to what extent these impact upon the police of a state, and the state response to them, if any. Much of the Globalisation literature is in agreement about the uneven nature of the phenomenon, about its application in every area of the world, and therefore about its utility in political sociology. However, sceptics argue that unless the whole globe is included, the term is tautological and the real analysis should concentrate upon internationalisation or regionalisation (Hirst & Thompson, 1999). They also argue that the discourse is ideological rather than substantive, and that it justifies the global marketplace construct of the neoliberals, rather than being an actual concrete concept - it's a 'necessary myth' (Held & McGrew, 2000:5). These positions tend towards the Marxist or realist ontology, and include the unicausal school founded on the enduring and pervasive nature of modernity, and reject its eclipse by any other conceptual formation.

The concrete evidence to confirm the impact of Globalisation may be found in structural rather than purely discursive explanations: in the way that popular culture has spread and environmental considerations are transnational in nature; in the growth of global markets and multinational companies; and in the complexity of these relations rather than a single causal deterministic explanation. Globalists observe the evidence of the process within interrelated institutions of power: the economic, technological, political, military, cultural etc. (Giddens, 1990), rather than as a single power dimension. They tend to search for that evidence at the intercontinental rather than the regional level, in order to have a more precise analytical distinction between Globalisation and internationalisation, and use a socio-historical method of analysis to trace and compare flows over time and space. The existence of pre-modern world religions were cited as evidence of the utility of this form of enquiry into the progress of Globalisation (Held & McGrew, 2000:6) and demonstrate that society progressed historically towards the global, with the advent of the Moslem world in about 1000 AD being but one example (Modelski, 1972: Ch. 3). As Globalisation is dynamic it cannot

be explained by any historicist or determinist account and, hence, cannot be utilised for explanations of uniform effects. All the authors referred to by Held & McGrew, (2000:7) noted that it affected societies in many ways at the same time, engendering co-operation as well as conflict, integration and fragmentation, exclusion and inclusion, convergence and divergence, order and disorder (Harvey, 1989a; Giddens, 1990; Robertson, 1992; Hurrell & Woods, 1995; Rosenau, 1997). This position was arrived at by reference to a major change in the way that societies were organised around the world and of the way that political, economic, and social activities were seen to transcend not only national, but also regional boundaries.

There is now a challenge to the current ordering of political, economic and social organisations at the state level; the modern conception of power deriving from the state is challenged, as power is the major concern of this type of analysis. This aspect of the Globalisation process, the source of power when viewing its impact and consequence, forms an important part of the process in relation to the public police, as policing is about power and its consequences/intentions. Modern states were seen to regulate every aspect of the life of their citizens with the power to claim sovereignty over the regulation of activity within their borders and legitimacy to regulate that activity within a code of law (Held & McGrew, 2000:9). These modern states were also observed to create bargains with their citizens, seen largely as an homogenous group, in order to maintain their legitimacy. Of course the globalist position is fundamentally opposed to these assumptions and cite the growth of multiculturalism, the impact of transnational pressure groups, and the growth of regional and international law and treaties, that lead to 'extensive political interconnectedness' (Held & McGrew, 2000:12). This may be observed in the extended policy making forums which now exist e.g. the UN, G7/8 (the original group of 7 leading countries that determine global economic policies, with the addition of the 8th Russia), the International Monetary Fund (IMF), the World Trade Organisation (WTO), the European Union (EU), the Asia-Pacific Economic Co-operation (APEC), the Association of South East Asian Nations (ASEAN) Regional Forum and, in Latin America, the Southern Cone Common Market (MERCOSUR).

The result is a desire for more international co-operation as policies born out of national considerations alone are no longer sufficient, nor able, to deal with activities that threaten the state and its citizens from (for example) illegal immigration, terrorism,

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illicit drug dealing, ecological crimes and threats to the environment. Many of the traditional areas of concern for the state, which include internal security and order, can no longer be guaranteed without 'institutionalizing multilateral forms of collaboration' (Held & McGrew, 2000:13), which in turn undermine the legitimacy of the state itself. Because of a reliance on this increased interdependence at the global and regional levels, it is obvious to citizens that the state is no longer able to guarantee the security that they demand in this relationship; this results in the reconfiguration of the locus of political power away from the state (Keohane & Nye, 1972: 392-395). The impact of global considerations also produce an ideological liberal notion of universal human rights enshrined in international law that Kaldor argued would lead to the eventual formation of global civil society (1998).

Within the globalist position, as opposed to the modernist sceptical view, there is evidence that cultural and political identities are constantly being reconstructed and that there is no utility in privileging allegiance to a local, national, or transnational political community over environmental, racial or human rights issues. They are all capable of accommodation in differing emphases, dependent upon the individual interest of the citizen at the time and without prejudicing citizens' rights to vote at any or all levels. There are also indications that state institutions, of which the public police are one (Jary & Jary, 1995:651), are gradually losing their ability to produce results that citizens expect of them. This position arrived as a consequence of policy-making being increasingly dependent upon pronouncements from, and decisions of, supranational organisations such as the EU, WTO, IMF, NATO and the like. The supra-political institutions of the international community (Hoffman, 1988:55) are indications, perhaps, of a move towards statelessness that epitomises the globalising pressures of communications technology that brings together the citizens of nation states in ways that could only be replicated at the tribal level in the past. It is apparent that Globalisation is the catalyst for a new range of social and political forms and an impact upon the form of the state itself (Evans, 1995:247). This observation led to the conclusion that citizens now have complex identities and loyalties with communities of fate (rather than state), and governance being multi-layered from local through to global. It was also apparent that rights, duties, and the welfare of citizens were capable of protection only if underwritten at the global level, and with a realisation that the state was now less able to be the source of effective service delivery (Held & McGrew,

2000:35-36). Whilst the globalist view has been articulated throughout this thesis, to the detriment of the sceptics view, this approach is defended by way of referring to the aim of this thesis which is to test the Globalisation concept at the level of state public policing. However, what globalists and sceptics alike agree upon is the growth in economic interdependence amongst regions, and transnational challenges to the security of the state, from GM crops to money laundering. This questions the 'role, functions, and institutions of accountability of national government', and introduces global challenges to old hierarchies (with an expansion of global governance) which require 'new modes of thinking about politics' (Held & McGrew, 2000:38).

The globalist view should not be seen as the extreme end of the globalisation debate, which predicts 'the demise of sovereign statehood' (the hyper-globalists). Rather it should be seen as 'transformationalist', a position that still supports the notion of state sovereignty but a sovereignty that is reconceptualised and shared with multiple levels and sites of governance that reflect the 'overlapping communities of fate' they represent (Held & McGrew, 2000a:1-2). Models for this shared sovereignty may be found in global military alliances and developments, economic and political interconnectedness, and interdependence amongst western states. The diffusion of the threat to the national security of the state is no longer capable of resolution by orthodox military activity; it is now environmental, economic, narcotics, terrorist, cultural, criminal, and necessitates interstate co-operation to combat it (Buzan and Waever, 1998,). Military co-operation also produced technological advances and the globalisation of defence production (Bitzinger, 1994) and, contrary to expectations, this interdependence did not produced alienation - it was militarily reinforcing (Held & McGrew, 2000a:6); the potential for similar developments in policing at the transnational level is obvious. At the political level, considerations are no longer dominated by the modernist military discourse of defence and security, but by the transnational policy issue discourses that elevate the threats from pollution, drugs, lack of human rights, and terrorism to the global level (Held & McGrew, 2000a:17). There is an emergence of both regional and global law that has a profound effect on normative standards and exemplifies the growth of the phenomenon of globalisation (Held & McGrew, 2000a:18-19). Global law is a major element in tracing the emergence and intensity of this process on policing at all levels.

At the same PSA conference that Held and McGrew (2000a) were developing their understanding of the processes and consequences of Globalisation, Lilleker (2001) attempted to apply these processes to a political arena, the UK, in order to establish their impact on a sovereign state. This research was valuable for this thesis in the way that it applied the phenomenon to a concrete example rather than to theoretical models. What Lilleker discovered was that Globalisation was a multi-causal phenomenon, that impacted upon the economic, foreign and defence policies of the UK, and produced 'convergence of economic, political and cultural principles'; it was inevitable given the co-operative interdependence established in Western Europe following the last World War (2001:1-5). For Lilleker, Globalisation may have America as its economic hegemon, but Europe was its birth place and remained the engine for Globalisation in all other respects, especially in the promotion of human rights with the 'need for convergence around accepted normative values' (2001:8).

Held and McGrew's view that Globalisation was something that 'happens to a state', and over which it has little control (2000:11-13), was disputed by Lilleker who preferred Clark's (1999) Globalisation thesis that analysed the process as reciprocal, rather than unidirectional. In this conceptualisation, states were seen as actors that had the power to restrict NGOs, as well as other states, and they agreed to the restrictions on their sovereignty observed by Held and others in order to enhance their own interests (Lilleker 2001:6-8). The consequences of the globalising discourses of New Labour, through its 'Third Way' approach to policy development, were exemplified in the values that it promoted in order to interact with other states. The 'Third Way' becomes a 'synonym for globalisation' and 'New Labour is, therefore, a product of the globalisation thesis' (Lilleker, 2001:14). What this meant, according to Lilleker, was that any discourse analysis of the Labour administration would reveal the 'language of globalisation' and that these discourses were 'laying the groundwork for a convergent policy' especially as it related to European integration (2001:17). However, from the perspective of this thesis, it is apparent that this is a concept of Globalisation that is derived from modernity with the reliance on centralisation not only of structures, but of values, culture and citizens. The following chapters reveal problems with this conceptualisation.

The conceptual grounding of Globalisation has now been reviewed, and its principle processes of interdependence, interconnectedness, and time-space

distantiation, identified, together with its ability to provoke reactions to its centralising and uniform tendencies, by way of localisation and individualisation. Lyon argued that these phenomena may be observed at the societal level and queried 'does Globalisation logically follow from modernity?' or 'does it represent a new era beyond modernity?'; if it is the latter, then it 'will require the overhaul of all modern social theories' (Lyon, 1999:62). In any event, there was a requirement to examine the consequences for society of the Globalisation process if there was any sense to be made of the consequences for public policing. It was also apparent that Globalisation was 'closely linked to the periodisation of contemporary society' (Nash, 2000:56) and that whilst the features described above were largely acknowledged, political sociology was deeply divided over whether it signalled the demise of the modern and the birth of a new era, or merely a continuation of the modern. The nature of these social transformations was described in many ways, from postfordism, post industrialism, and late modernity to postmodernity with Giddens getting the prize for the most prefixes; 'late', 'high', 'radicalized' and 'reflexive' (Beck *et al.*, 1994). The term *postmodernisation* is utilised in this thesis and denotes a trend to a differing era than that which was modernity, without actually determining that it has arrived. This explanation will allow for the views of all contributors to the debate on contemporary policing, to be considered without the necessity to constantly interrogate their scholarship *vis a vis* their position regarding postmodernism or postmodernity.

The reason for this enquiry emanated from the search for the social dimensions of the dynamics impacting upon the public policing of societies; Globalisation is inherently structural in nature although, as already highlighted, there are elements of agency involved in the process. As Lyon argued, if Globalisation was a consequence of modernity then one would expect to find a direct link to the evidence of the modern project i.e. uniformity, standardisation, greater social, political, economic and cultural homogeneity, and westernisation of culture (1999:62). Whereas if a new order was emerging as a result of the Globalisation process, then the world would be seen to be fracturing and splintering into tribal fragments and ethnic identities, with heterogeneity the norm, local cultures, and flows moving in many directions (not just from west to east), and an intensification of cultural contacts (mainly through travel) (1999:63). For another commentator, however, the difference between the modern and the postmodern lay simply in the production process associated with modernity; when the needs of

consumers became central, rather than the needs of the producers, modernity ended and postmodernity began (Baudrillard, 1988b). With these initial thoughts in mind, the theories concerning societal changes are now examined.

2.4 Postmodernisation - The Emergence of a Concept

There have been many debates on the emerging concepts of postmodernism and postmodernity since the early 1980s (Lyotard, 1984; Harvey, 1989; Crook, Pakulski & Waters, 1992) and Reiner painted a depressing picture of the consequences for policing in the emergence of a postmodern society (1992). The following section will give a short review of the problems associated with these concepts and of the arguments surrounding the existence (or otherwise) of the 'Postmodern Turn' (Seidman, 1994). The first time the concept was referred to in the way that it is now understood was in C. Wright Mills (1959) 'Sociological Imagination', where he discussed the end of modernity with all its certainties and science. Since that time there have been many claims that the essential elements of the concept are merely extensions of modernity, rather than a new historical configuration (Crook *et al.*, 1992), and many sociologists do not consider postmodernity exists other than as a development of modernity. The use of the term postmodernisation, therefore, is intended to acknowledge that postmodernity and postmodernism are not universally acknowledged, nor felt universally (similar to Globalisation), and is used to denote a move towards the concept rather than an arrival at it. This then allows for the concepts of modernity and postmodernity to 'co-exist well into the twenty-first century' (Crook *et al.*, 1992:2) and enables an examination of some of the processes that can be said to produce change in society rather than declare that a society has changed. In order to do that logically, and continue with the theme of historical development as a means of understanding the concepts involved, it is first necessary to examine what is meant by modernity before examining the possibility of postmodernisation. As there has never been a total break from traditional society towards modernity (some traditions quite plainly still remain), it would be unwise to assume such a break from the modern to the postmodern (Lyon, 1999:89) - a theme that is much evident in the writings of Giddens.

Modernity referred to:- the social order that was developed, and emerged, following the Enlightenment (Lyon, 1999:25); the belief that progress and human reason would triumph over superstition and religious beliefs; and the acceptance of

scientific understanding rather than tradition. The challenge for sociologists at that time was to try to determine how and why tradition was replaced by the modern era which impacted not only upon the economic, political and technological, but also upon the cultural (Berger, 1975 - quoted in Lyon, 1999:26). As the following discourses on modernity will explain, there then followed a new social order that 'became the first mode of social organisation to achieve global predominance' (Lyon, 1999:34) and also required new forms of control. Modernity then, was grounded in the Enlightenment, foundationalism (the belief that knowledge is based on observable facts and is universally applicable), meta narratives, rationality and progress (Lyotard, 1984). It was identified with three theoretical approaches associated with their respective authors Durkheim (differentiation), Marx (commodification) and Weber (rationalisation) that, in the opinion of social scientists, accounted for changes in society over time (Crook *et al.*, 1992:3). Durkheim's differentiation examined the way that social structures were specialised in relation to each other in respect of their operation or function; this was mirrored in the specialisation of production (sometimes referred to as 'Fordism') which broke down units into their most basic parts to be manufactured individually and later assembled (Durkheim, 1964). Durkheim believed that this differentiation damaged cultural norms and introduced the idea of *anomie* - a process by which individuals felt rejected and worthless; in essence, modern society replaced the traditional, religious, familial, economic and political structures of the pre-modern era. Marx's economic reductionism produced the notion of commodification, which, in essence, was the reduction of social objects to that which can be bought, bartered or sold in a market - everything had its price - and these commodities were treated with almost religious fervour and reverence; Marx argued that modern culture was therefore 'afflicted by commodity fetishism' (Crook *et al.*, 1992:7). Rationalisation, according to Weber, was the process whereby social relationships were reduced to impersonal systems of rules, science and production in order to support international capitalism. He pointed to the development of production, law, administration through bureaucracy, and ethics through the 'Protestant work ethic', as evidence of this rationalisation process (Brubaker, 1984:10-19).

Apart from the assertion that postmodernisation was a development of modernity, it is as well at this stage to look at what constituted the process, according to differing interpretations and developments from intellectuals such as Lyotard,

Baudrillard, Bauman and Foucault, and their critics. Lyotard's view, that there were no more grand theories and that science had become too big and fragmented, was the pessimistic end of the scale - there can be no solutions as there are no truths anymore. In the postmodern era, individuals were disassociated from place by information technologies (the cyberworld), whilst at the same time trapped in place (the rich in their gated communities and the poor in their ghettos) (Davis, 1990). It is also fair to say that it is this definition that comes under most attack from sociologists who deny the existence of postmodernity. However, later observers have sought to examine the discourse on the subject with more critical and rigorous analysis. *Postmodernism* was believed to be emphatically cultural, whereas *postmodernity* was to do with the social (Lyon, 1994:6). *Postmodernism* attacked rationality, progress and especially foundationalism, as well as being anti-theoretic and with the potential for local interests to have greater autonomy than before (Cooke, 1990:338); it was the philosophical critique of grand narratives (Turner, 1994:14). *Postmodernity*, on the other hand, emphasised the change from production to services and consumerism (city centres that used to be sites of industry were now centres for shopping malls, museums and places of entertainment); towards the Globalisation of information technologies that increased control through surveillance; the celebration of the difference of gender, race and sexuality; and the new forms of centralisation and fragmentation (Hill, 1998:242). It is the social condition affected by 'information technology, fragmented lifestyle, hyper-consumerism, deregulation of financial markets and public utilities, the obsolescence of the nation state, and social experimentation with the traditional life course' (Turner, 1994:14-15).

Crook *et al.* identified six areas where postmodernity had an observable impact on society such as to prove its existence; these were its *culture, state, class/gender inequality, political process, work and production*, and *science*. In the era of modernity, *culture* was seen as having a stability that enabled one society to be recognised as different from another. Postmodernisation extended and intensified the three processes associated with modernisation to such an extent that they became fragmented; as Crook *et al.* argued, postmodernisation 'dissolves the regional stability of modern culture and reverses its priorities' (1992:36). Hyper differentiation fragmented what was regarded as culture into segments that were at one level global and, at another, local. The notion of popular music was modern whilst heavy metal was

postmodern; literature was modern whilst the increase in twentieth century women novelists was postmodern and so on. This hyper prefix was the mark of the post modernising process and may be observed in the other areas of commodification, 'we don't buy the thing; we buy the sign of the thing' (Baudrillard, 1988a), and rationalisation where art straddled the boundary between the gallery and the workplace or home; an example being the Turner prize exhibits - an unmade bed in the gallery may be considered art, but in the home it reverted to its former use!

The globalising processes of centralisation and decentralisation were seen to undermine the modern *state*. Its essential functions of external defence, internal order and protecting citizen's rights were increasingly undertaken by either regional, supranational or private concerns which resulted in the definition of the state as 'the organisation monopolising the legitimate means of violence' being challenged. Where this challenge was strong, the state influence declined and there was a 'decentralisation of military power to international policing and/or mercenary status' (Crook *et al.,* 1992:38). In modern society, social categories were defined by their *class* relationships which were predicated on their relationship to capital and which institutionalised inequalities at every level; however, whilst inequalities still prevailed in the post modern world, they were more fluid. The 'hyper' factor ensured that 'simulated power blocs' related to consumption rather than production and changed the emphasis from groups of people to types of people, unified not by class but by a sport, or a cause or religion, and which transcended the boundaries of the state or region where they lived (Crook *et al.,* 1992:133). The power that these blocs possessed was economic, cultural, and political, and status, formally reserved for class, was now gained through the patterns of consumption that emphasised the products used, places visited, leisure pursuits engaged in and the like.

In terms of the *political process*, class relationships, dependent upon their relationship to capital, were the starting point for political and social allegiances. The shift to consumerism moved those allegiances from the traditional class based parties towards 'third parties' and social movements that reflected global, rather than local or national, concerns (Crook *et al.,* 1992:39). Similarly, *work and production* was affected by these changes through the eras; the industrial revolution in Britain, and later throughout the western world, heralded the move towards modernity, based on mechanisation of labour; the technological revolution that enabled the move to

information technology was seen as a major signal that the postmodern age had arrived. The change was dramatic. During the modern age of industrial production workers went to a place of work where differentiated work patterns on the one site were responsible for the accumulation of capital ('Fordism'), with economies of scale and technological replacement of the human component. In the postmodern age, workers are frequently highly dispersed (even working from home) and capital is accumulated by specialised workers investing in relatively cheap electronic equipment, or information technology, to produce a quick return on their investment, referred to as 'flexible specialisation' (Harvey, 1989:121- 201). Modern *science* was organised on the basis of its relationship to either the state or major corporations. This relationship was increasingly strained, as science was believed to be the cause of global climate and environmental change and out of control. This same concern may be observed in ethical considerations that surround genetic engineering, nuclear energy, and food hygiene/safety, which are all beyond the control of either the state or the corporation. In the postmodern era, scientists are more comfortable with communications that are extra disciplinary rather than interdisciplinary, due to the fragmented and interrelated nature of many aspects of research (hyper differentiation). Material benefits are gained by registering results of research work by way of patenting that in the modern age would have been regarded as belonging to the state, or science in its wider community (hyper commodification).

Whilst Crook *et al.* were comfortable with the concept of postmodernisation and confident that the evidence they observed, in the categories outlined, proved that modernity had been eclipsed, Giddens still saw it as a distant transformation, albeit one that was worthy of analysis. He viewed contemporary society as a 'radicalising of modernity' and the postmodern society as a 'realistic utopia' to be found some time in the future; evidenced by the surpassing of markets, the humanisation of technology, multifaceted democratic participation, and demilitarisation (Giddens, 1990:164-166). Extrapolated to the global level, this implied a socialised economic system, planetary ecological care, a co-ordinated global order, and the transcendence of war (Giddens, 1992:56 - fig 1.1). What Giddens lacked in his account of the advent of the postmodern was the same deficit inherent in his belief in the modern. His classification of the essential elements of modernity were institutional (capitalism, industrialism, surveillance and the military) and had no place for other modern elements such as ethnicity, gender, culture and religion, that were not as rationalistic as the institutions

(Lyon, 1999:34); however, it could be argued that they were all equally influential in the development of modernity. Spybey argued that the concept of postmodernity was conceived with the sole aim of contrasting modernity with the evidence that revealed the existence of 'principles directly opposed to those on which the rise of the West was so confidently based' (1996:25). Other commentators believed modernity was still very much the current state of society, but with growing evidence of a postmodernisation of certain areas of that society, most markedly in the area of knowledge. The blurring of the boundaries between differing studies, especially in feminist, lesbian and gay studies, urban studies, ethnic studies, and cultural studies, meant that the 'very meaning of knowledge is changing' (Seidman, 1994:2).

Other contributors to the debate attempted to cut through the complexities, and nuances, of the arguments surrounding postmodernisation by simplifying the differences between what constituted *the modern* and what constituted *the postmodern*. According to one such commentator it was a question of reality, knowledge, consumerism and consumption; these were the defining differences (Lyon, 1999). In the modern world, reality was explained by solid scientific facts and permanence; in the postmodern world, reality was fluid, superficial, and simulacra abounded. However, this fluidity was foretold by modern philosophers 'all that is solid melts into air' (Karl Marx quoted in Lyon, 1999:2) and therefore any discussion about postmodernisation had to be told in the context of the progress of modernity if sense was to be made of the processes under examination. The Nietzschean (1888) concept of 'nihilism' was also a predictor of the end of modernity and the (eventual) commencement of a new era. What was real was again turned into multiple realities, and rationality was questioned (Lyon, 1999:11). Lyon agreed with Crook *et al.* that the modern epoch was presaged upon industrial production, with the use of muscle power linked to machines to produce goods. The postmodern was marked by the emergence of knowledge work linked to the growth in information and communication technologies (CITs) and the advent of the consumer society and consumption, rather than production (1999:3-4). Another important contributor to this particular aspect of the overall debate within this thesis, believed that the proper way of referring to the acknowledged transformation of modernity was by way of agreeing with Giddens' description of the new era as 'late modernity' (Johnston, 2000), a description that suggested its days may be numbered (Lyon, 1999:3). Johnston also proposed that Globalisation produced this late modernity

and he was the only commentator on policing that could be found to explain both phenomena in relation to each other (2000:19-22).

Mainstream political theorists and political sociologists are now examining the links and there are numerous current titles that explicitly link the two themes at the level of critical enquiry, some of which have already been referred to (Held *et al.*, 1999; Nash, 2000; Held & McGrew (Eds.), 2000), as well as those that believe that the processes discussed under the banners of postmodernisation and Globalisation are better understood under the one banner - the Global Age (Albrow, 1996). According to Kumar's book notes on Albrow's formulation, the Global Age was not clearly defined and was conceptually vague. Albrow's work charted the movement towards the global and the slipping 'of the lease of the nation-state' and was described as a 'Prolegomenon to the Study of the Global Age', rather than a conceptual development (Kumar, 1998:207). Albrow dismissed modernity as an invalid concept in the current epoch. For him there was no gradual transition from one to the other and there was no longer any utility in describing modernity (and hence postmodernity) as it stifled the imagination needed for an appreciation of the new (Lyon, 1999:64). Whilst it is clear that Albrow argued that the Global Age was a concept capable of describing and predicting contemporary society and its structural contexts, it was not clear about his position on postmodernity. What he argued was that as modernity had passed and Globalisation was now a fact of life, there was a need to describe the new era in terms of its future trajectory (the global age) rather than in terms of an extension of its past (postmodernity).

However, in a later (1997) contribution on the impact of Globalisation on locally specific culture, Albrow acknowledged that postmodernity (as an idea) was acceptable but that Globalisation introduced so many considerations that it 'takes us beyond ideas of postmodernity' (1997:118). The research for his paper on 'locality and globalization' (carried out in Wandsworth, London) informed Albrow's appreciation of the 'ambiguity in glocalisation' and formed an aspect of his concept of the Global Age (Lyon, 1999:64). The only utility of postmodernity, to Albrow, was in its ability to undermine and eclipse the concepts associated with modernity. Its inability to position itself as a positive alternative to modernity convinced him that postmodernity was not a concept capable of replacing it. Where postmodernity offered only pessimism, Albrow argued that Globalisation was conceptually capable of questioning theories based upon

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'nation-state sociology'. Moreover, Albrow believed these theories should be replaced with those that were capable of explaining the new values in society, the new technologies that enhanced those values, and the changing nature of institutional arrangements to accommodate them (1997:119-124). Albrow wished to consign modernity and all its derivatives to history and believed that Globalisation was capable of adaptation to the concept of the Global Age; however, this position was questioned by Lyon (1999:64). Lyon argued that whilst elements of modernity still existed the most sensible position to adopt was that of the postmodernist; he argued that 'postmodernity may be linked in illuminating ways with globalization, without taking that further step of exchanging the latter for the former' (1999:65). It appeared that Lyon believed the two to be distinct and complementary concepts. The important aspects of these arguments for this thesis is that they both further the theoretical development of Globalisation and they both agree that the age of modernity has now passed. A review of the potential to conflate both postmodernisation and Globalisation now follows.

2.5 Globalisation as Postmodernisation or Modernisation?

Given the theoretical issues that determine Globalisation, it is possible to deduce that Globalisation and postmodernisation are one and the same thing if approached from the perspective of the unicausal school. This is epitomised by Wallerstein's (1979) world system theory (already briefly outlined above) and by the world-wide expansion of capitalism. This perspective is probably the most traditional for sociologists and is Marxist; according to Waters, it was based upon 'the relentless search for low wages, cheap resources and the creation of new markets' and painted a picture of intentional relations at the economic level between 'relatively sovereign nation-states, each with its own relatively independent culture' (1995:25). Harvey dismissed the idea of postmodernism as nothing more than 'froth and evanescence' and not requiring of any new theoretical tools to develop it; he believed that it could be adequately understood from within traditional Marxist political economy (quoted in Nash, 2000:61). From a slightly different perspective, but also crediting Marxism as its base, Lash and Urry (1994) believed that postmodernity was global. However, their economic determinism was somewhat diluted by their continual reference to culture, signs and symbolic circulations of capital and their usage of reflexivity to explain the effect of culture on the economy. The problems with unicausal explanations for

Globalisation have already been addressed. From the perspective of this thesis, it is felt that these explanations are not sufficient to explain the differing processes involved in Globalisation and postmodernisation and therefore cannot be relied upon to conclude that Globalisation and postmodernisation are one and the same.

One other issue to address in this process is the idea that Globalisation is merely another aspect of modernity. The alternative to the Marxist unicausal position is the reflexive multi-causal positions associated with Giddens (1990) and Beck (1992), which have also been covered earlier but not in respect of their relationship to postmodernisation. Giddens' (1990) position on time-space distanciation introduced the notion of disembedding mechanisms that were of two types - symbolic (such as money) and expert systems (such as technical knowledge) which were the motors for the reflexivity of modernity. Beck's position was similar to Giddens but developed from the modern production of global risks. He believed in the reflexivity of modernity but constantly referred to knowledge as discursive in nature and believed it to be effective 'if it is carried in discourse coalitions' (1992:10). In this respect he was talking about the effect of both linguistic and non linguistic discourses on society, what Foucault regarded as discursive and non discursive practices. An example of this discourse coalition may be seen in the use of information technology between and within the 'economic institutions of radicalized modernity' and producing relations that 'might be quite different from those that have gone before' (Beck, 1992:215-223). In both Beck's and Giddens' multi-causal appraisal of Globalisation, the modernity that they referred to was 'radicalized', 'late', or 'high', and did not accord with the conception of modernity that was utilised in political and sociological modelling. As such, it is the position of this thesis that the concepts of Globalisation and modernity are not synonymous, and neither are the concepts of Globalisation and postmodernisation. What has been revealed, during the review and analysis of the these concepts, is a distinct set of processes that are attributable to Globalisation and a distinct set of processes that are attributable to postmodernisation. Where both concepts have an element of synergy is in the effects that they produce - centralisation and decentralisation. In terms of difference, Globalisation may be understood as structural, whereas postmodernisation may be characterised as social; Globalisation is the structure within which postmodern societies operate.

2.6 Summary

Globalisation has been seen to be about interconnectedness/interdependence of states, and is reflexive due to the ability of people to travel, to communicate and to share experiences; social relations have become 'disembedded' and relocated in another time and place - 'time-space distanciation'. There are two dominant schools of thought on the theories underpinning the reasons for Globalisation: the unicausal and the multi-causal. There has been an increase in transnational corporations, political groupings, single issue pressure groups, and fundamental religious groups, as a consequence of the fragmented nature of the postmodernisation of society and Globalisation, with an increase in the membership and power of regional political alliances, and of the power of Non Government Organisations (NGOs). These have combined with other elements of Globalisation to contribute to a 'crisis of the territorial nation-state' and the sovereignty of the state has been severely eroded. The areas of state sovereignty affected are its form, its autonomy, its competence and its legitimacy - state centred policing is similarly affected, however the state still remains a powerful player at the global and regional level. In addition, it is noted during this thesis that state institutional professionals, acting at the regional and supra state level generally, make decisions based upon their expert knowledge and connections rather than to carry out the wishes of their parent state. Globalisation is also about the widening, deepening and speeding up of global interdependence of states at the strategic and economic level with examples of this development to be found in the merging of internal and external affairs of state. The debates about the significance or otherwise of this observation may be found in the review of the Globalists versus sceptics positions, where the sceptics argued that there is no such phenomena as Globalisation, merely an extension of internationalisation associated with the advent of modernity. Held and McGrew (2000) have developed a framework that is concerned with analysing the globalisation process at two levels:- the organisational and the spatio-temporal.

Following the review of the literature on Globalisation, it was argued that postmodernisation was more than just an extension of modernity as it attacked the grand theories and reliance upon science emanating from 'the enlightenment'. These attacks concentrated on three theoretical approaches to modernity - differentiation, commodification, and rationalisation - and described the postmodern era as having produced a 'hyper' element that rendered these theories irrelevant. Within

postmodernisation there are two distinct elements, postmodernism and postmodernity, that may be viewed as differing concepts, with the former being concerned with culture and the latter with the social. In a search for indicators of the move from the modern to the postmodern (postmodernisation), six influences on society were analysed - culture, the state, class and gender inequalities, the political process, work and production, and science. They were considered sufficiently differentiated from the modern to satisfy one group of researchers that the postmodern had arrived. Not all contributors to the debate agreed that the postmodern era existed at all, or that it was anything more than an extension of the modern; most agreed, however, that there was a move towards the postmodern with one observer (Giddens) seeing it as a 'realistic utopia'. He also made the link between Globalisation and postmodernisation and predicted that there would be a 'socialised economic system, planetary ecological care, a co-ordinated global order, and the transcendence of war', due to the impact of both phenomena. Another contributor to the debate traced the emergence of (what he called) the late modern era directly to the influence of Globalisation (Johnston, 2000). Earlier in this chapter it was suggested that whilst modernity replaced the pre-modern, elements of the latter still existed today (religion, family ties etc.). In a similar way, it is argued in this thesis that whilst postmodernity may have replaced the modern, elements of modernity are still evident in Western democracies (the enduring nature of bureaucracies; meta-narratives of the legal and of the institutional aspects of the nation-state; and, for the purposes of this thesis, the concept of the legitimate use of force residing in the sovereign state).

Another term for describing the processes that have already been attributed to globalisation or postmodernisation, is 'the global age' (Albrow, 1996), and is one that dismisses the modern era as no longer relevant. The notion that Globalisation and postmodernisation are one and the same thing, or that globalisation and modernity are synonymous, has been reviewed within the theoretical considerations introduced in the first part of this chapter; from the perspective of this thesis, these positions are not considered sustainable given the processes observed. Issues for analysing the progress of the postmodernising processes emerged from this review of its theoretical developments. Comparing modernity's essential elements of reality, scientific knowledge, production, and class relations, with postmodernity's superficiality, incredulity, commodification and multiple issue relations are the final pieces of the overall framework for explaining the globalising and postmodernising processes on

policing. In order to determine whether policing has become globalised or postmodernised, therefore, it is necessary to examine processes to support or deny the interconnectedness of the structural or agency elements of the public police at both the spatio-temporal and organisational levels. It is also necessary to determine the existence of simulacra, the incredulity of meta narratives, commodification of police services, and the society to be policed having multiple issues rather than homogenous and class based. Having applied this framework of understanding to the police of E&W and US, it will then enable a reconceptualisation of the public police that should be capable of explaining the processes affecting their place within the overall policing of the state and the political economy in general.

The following rather contrived, but credible, example is an exemplification of the evidence to be found to support the dualities, interconnectedness and impact of both phenomena:-

> A cosmopolitan set of 250 passengers on an Air France Boeing 747 jet airliner watches an in-flight movie. It is a Franco-Russian film, *Urga,* set in Chinese Mongolia, in which a hard-drinking nomadic tribesman is showing everyone a picture which he claims is of his brother in America. It is, in fact, a picture of Sylvester Stallone originally intended for the promotion of an extremely violent film called *The Cobra.* A mile or so below, African villagers watch an episode of *Dynasty* in which the American ersatz aristocratic family suffer at the hands of a mythical and improbable central European dictatorship. They watch it on a black and white set manufactured by the Samsung Corporation in South Korea and during the commercial breaks are enjoined to keep up their consumption of Coca Cola. Elsewhere, across all five continents, a huge audience of television viewers watch, by satellite, Brazil beat Italy at football in the 1994 World Cup final in Los Angeles. In the outskirts of Rio da Janeiro, shanty town dwellers are ecstatic that their national team are world champions again after many years of relative failure. In the morning some of them will be making a creditable attempt to recreate on the beach the sporting skills that they have seen. But for the moment they celebrate with salsa dance rhythms that have been *de rigeur* in discos throughout the world. In Angola, United Nations representatives are ensuring that an election conforms to Western standards when there are known risks of cheating and threats of violence against electors. In a provincial English town the turnout in a local by-election is so poor that the result means very little in terms of national politics. In urban centres around the world people are eating McDonald's hamburgers. The restaurants are staffed by local workers, mostly young, who seek to produce fast food to the standard McDonald's formula. In fact, there are some localized variations in the reproduction of the formula, both in the organization and in the food. At the McDonald's in Moscow and Beijing there are still long queues. Other people at a variety of locations are working on assembly lines manufacturing the components which come together at a few centralized points as the Ford Escort motor car. In Sri Lanka young women are sewing together fashion clothing recently designed in

London. The garments they were working on two weeks ago are being purchased by other young women from chain stores in shopping malls across Europe. Outside Sarajevo, a Bosnian Serb sniper trains his AK-47 assault rifle on an exposed stretch of road where many civilians have been shot. In Somalia a US marine with an Armalite automatic rifle stands guard outside a food store, looking forward to his imminent return home (Spybey 1996:159-160).

It is now the role of historical analysis on the ontological and epistemological roots of police and policing that concerns the next chapter, in order to contextualise their development - what is it that is meant by *the police* and what is it that is meant by *policing*?

Chapter Three

POLICE AND POLICING

3.1 Introduction

In this chapter, the current political and sociological definitions of *police* and *policing* will be outlined, as will the history of policing as *the* social control mechanism within a state and the universality of the concept (or otherwise) across a number of time frames and spaces, and from a number of perspectives. The objective of this chapter is to carry out a literature review in order to firmly establish the modern, 20th century concept of policing within the historical processes of pre-state, city state, absolutist state, and sovereign state societies, and to build upon the idea that the concept of modernity itself is now under attack. This thesis argues that if a new era is in the process of formation, the historical processes that led to the current conceptualisation of police and policing need to be examined accordingly. Policing in its wider aspects will be touched upon throughout this thesis, but the need for 'limiting analysis to a few salient topics' (Bayley, 1985:13) is crucial to generate an explanation of policing that is conceptually focused.

There are a number of theoretical constructs and traditions to be addressed, broadly described as liberal, radical, and pluralist, in relation to the way that policing as control is perceived by contributors to the debate, and there are differing perspectives within each of these traditions. The liberal believes in the consensus model of policing, the radical concentrates on the conflict/coercion model, whilst pluralists argue there is an element of both extremes in most systems; these and other theoretical variations are discussed throughout the chapter that follows. There are also a number of time frames, that will be utilised in a broad descriptive narrative encompassing pre-modern, modern, and post modern eras, and that have proved crucial to the development of the concept of policing as a control mechanism within the state. These time frames are not universally applicable across all societies and their usage is restricted to the spaces occupied by what is commonly referred to as Western democracies in general, and E&W and US in particular. The modern era, for example, may well have commenced in the West as the transition from a traditional society to an 'urban, industrial, democratic, social order' (Sztompka, 1994:69) sometime 'between the sixteenth and eighteenth centuries' (Kumar, 1988:5) or 'about the seventeenth century onwards' (Giddens, 1990:1). Either

way, both Giddens and Kumar agreed it was a product of Europe and not any other social space and that it involved a change in the social life of the Continent that was completely distinct from the traditional, feudal, and ancient orders that preceded it.

3.2 The Pre-Modern Roots of Public Policing

There are a number of claimed sources for the derivation of the word *policing*, essentially dating back to the ancient Greeks and Romans, that produce differing uses and meanings dependent upon the societies concerned and the temporal and spatial context in which they are observed. *Polis* is the word used to describe the 'relatively small self-contained state based upon a city' in ancient Greece (Robertson, 1993:380), and provided citizens: with participation in the running of their state; with the provision of culture; and with moral and religious leadership. The citizen owed allegiance to the state in return for the security provided and this word was the etymological source for *politics (politeia)* and similarly rooted words. The officials responsible for this *polis* were ultimately 'responsible for the safety of the republic' and had the power to ensure internal security was maintained, food was supplied, public order ensued, and the morality and welfare of the citizens was catered for (Chapman, 1970:12).

This terminology was refined by the Romans, who developed the idea *politeia* from the Greeks, gave it its Latin derivative *politia*, and also gave it an all-embracing meaning to describe 'all matters affecting the survival and welfare of the inhabitants of the city' (Chapman, 1970:11), or 'all matters affecting the survival and well-being of the state' (Emsley, 1991:3). They also developed the notion of rule by citizens to be vested in the authority of the emperor as the public authority, not as a personal base of power but as 'the legal foundation for all acts of power' on behalf of the state. A number of concepts were then legally underpinned: *power* itself came to include the ability to regulate conduct and to use force by physical coercion if necessary, to require and compel citizens to obey the law; *sovereignty* was the base for all legislation, punishments and state activities and was vested in the state from which the use of power derived its authority. As part of this legal structure the police utilised their power to regulate the internal mechanisms of the state; the Romans regarded police power 'as lying at the very heart of state authority' (Chapman, 1970:13) and to describe 'the wider administration of the state' (Mawby, 1990:2).

Derivatives of the ancient Greek and Roman use of the word *police* were to be found next in mediaeval France, with the first signs of the advent of modern policing to be seen in Europe from the 15th century (Neocleous, 1998), having being revived by the jurists in medieval European universities to support the emergence of the absolute monarchs during the first half of the 16th century (Emsley, 1991:3). This body of men (the precursors to the Gendarmerie) evolved not as a civil force however, but as a military one for policing the countryside and derived their power from the sovereignty of the prince rather than the state. The Roman law had been hijacked by the absolute monarchs of the middle ages to accrue the power of the state to themselves as individuals. Sovereignty no longer resided in the states, it resided in the princes and legal interpretation divided various aspects of the state into distinctive areas of responsibility. Instead of the all-embracing *polis*, differing functions appeared of justice, finance, defence, and foreign affairs with policing taking on 'internal administration, welfare, protection' and later on 'surveillance' with the advent of the 'systematic penetration of all levels of society by spies and informers' (Chapman, 1970:15). It was also reported that policing had developed as a direct parallel to the ancient traditions that gave it all-embracing responsibility that preserved order in the state by ensuring the availability of food, welfare, lighting, fire fighting and the like (Stead, 1957:43-50).

As a result of the pre-eminence of France in this period, it came as no surprise to find the ideas of policing were adopted in other parts of Europe to a greater or lesser extent, with the Prussians developing the much maligned concept of the *police state (Polizeistaat)* in the mid seventeenth century, transforming from the feudal system of the pre-modern era, to the bureaucratic ideals of (what was later to be described) the modern (Hebenton & Thomas, 1995:9). The period of the thirty years war produced large tracts of Europe where the population was weary of conflict and appeared willing to surrender some of their freedoms and liberty for protection and order (Chapman, 1970:16). This protection was to be found in a strong military for the defence of the external borders of the state and a civil service to 'protect the internal peace of the country, to develop its internal economy, to provide law and order and to support the army' (Chapman, 1970:17); polizei was therefore concerned with the abolition of disorder. The notion of the police state was to ensure a strong state that had its own welfare, rather than that of the individual, as its primary concern; 'any problem of

polizei was conceptualised as the problem of the state', there was no distinction between *government* and *police* (Neocleous, 1998:2). As Chapman went to great lengths to explain, the first police state had the desire to promote the general welfare of its citizens, to preserve peace and security and to prevent its citizens from being subjected to danger whilst at the same time allowing them the opportunity to develop for their own benefit 'within the limits of the law' and through the auspices of policing (Chapman, 1970:19). The Austrians also developed a policing capability that had two differing mandates: the *high policing* activity needed to deal with the subversives within their society and the *low policing* capacity to regulate markets, fire fighting and other social controls (Brodeur, 1983 quoted in Hebenton & Thomas, 1995:9). These developments were replicated, to a greater or lesser degree, throughout central Europe by the mid eighteenth century and were directly linked to French influence (Hebenton & Thomas, 1995) that had resurrected the notion from the Greco-Roman era.

The conceptual separation of the state and civil society in the late 18th and early 19th centuries did not impact on the continental tradition of policing and the concept of the police (polizei) still carried connotations of the state; in essence the role of the police was the regulation of the market (the economy) and the production of wealth (Neocleous, 1998:3). This was not a view shared by the Anglo-American traditions of policing, based upon a public police; the English philosopher Adam Smith referred to them only a couple of times in his '*Wealth of Nations*', and then in a negative fashion. As Neocleous argued, Smith believed that in the context of government the police were an impediment to free trade in Europe and were responsible for favouring agriculture in China, Egypt, Indostan, ancient Greece and Rome (1998:4). As a consequence of the poor perceptions of the police within the British governmental processes in the 18th century, Neocleous also argued that for policing to be accepted by the British at that time it had to be 'stripped of all its negative connotations...and limited to the prevention and detection of crime' (1998:7). In contrast to Smith's economical use of the term, the continental concept of police and policing produced 3,215 titles under the heading 'science of police in the strict sense' in German speaking areas alone (Pasquino, 1978:48). Where Smith viewed the market as a system that would itself provide order and liberty for subjects of a state, Hegel believed there was a need for the police to regulate that market, to provide order. The themes of welfare, order, public happiness, regulated societies, the economy, and government, in relation to the concept of the

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police in continental Europe that Neocleous observed, were also noted by Pasquino (1978) and Knemeyer (1980). This was in direct contrast to the conceptualisation of the police in the Anglo-American tradition that is now examined.

During his study of police history, Bayley found evidence of public *policing* in the very earliest societies from Roman times through to the emergence of officials such as the Sheriffs in England who, whilst ostensibly being part of an unpaid system of volunteers for keeping the peace, received their reward from commissions received as a proportion of the amount they were able to raise by taxes or fines (1985:29). In a similar approach to Chapman, he also observed that public policing had been present in many spaces across differing time frames 'in societies as different as ancient Syria, classical Rome, absolutist France, industrial Britain, feudal Russia, and contemporary America' (Bayley, 1985:33). The point being made here was that there would appear to be no particular set of social or political conditions that pre-empted the formation of a public police, and he referred to a number of anthropological studies amongst primitive tribes that found evidence of public policing as a control mechanism within a 'sovereign community' (Schwartz and Miller, 1964, quoted in Bayley, 1985:28). However, another contributor to the debate utilised the same anthropological studies to conclude differently. Spitzer (1975) believed that the history of policing was to be found as a voluntary activity in most societies throughout history, whereas the police as a state institution was a relatively modern development and, therefore, a feature of the modern state to maintain its control within its borders. The most important result of this line of enquiry, in respect of this thesis, was the conclusion that the public police's main contribution to society was to maintain 'orderly, predictable processes of community life' that led to the concept 'public safety...the bedrock upon which all social processes rest' (Bayley, 1985:201).

The review of pre-modern policing has produced two separate models of policing. The continental, that linked police and policing to the central government of the state, and to the overall economy, welfare and safety of its citizens; and the British, that conceptualised it as voluntary, local and about crime - the move from pre-modern to modern is now reviewed.

3.3 The Historical Account of Modern Policing

Very few analytical studies of policing were published prior to the 1960s in the Anglo-American world, and most histories made no reference to police or policing when charting the development of the societies that they described e.g. in the 16 volumes and almost 10,000 pages that comprise 'The Oxford History of England' (1975), policing was never mentioned and the police as an institution merited only 10 pages, spread over 3 volumes; there were no headings for police in any of the 13 volumes that comprised the 'Cambridge Modern History' (1911), either. In purely historical terms the police were linked to the state on the continent of Europe, but to the locale in the Anglo-American world until the advent of the modern police in the early 19th century. Until this time, the state maintained order internally and externally by use of militias and the military and local crime was dealt with by 'thief-takers', despite the fact that modern life required an efficient police force (Woodward, 1985:465). This view was also held by another historian talking of the 'mob' coming into regular usage during the early part of the previous century and linking their activity with the absence of a police force (Clark, 1985:259).

As general histories did not introduce policing as a concept it is necessary, therefore, to refer to formal histories of the police in a number of English-speaking countries to examine the development and usage of the term *policing* and *police*. The consensus amongst police historians was that policing was 'what the public police do'; later criminological and sociological discourse disagreed with this definition. The authors of police history at this time were either government administrators (Lee, 1901; Radzinowicz, 1956; Reith, 1956; Critchley, 1967 & 1978), or former police officers (Fosdick, 1969; Alderson, 1979). Lee, like other authors of the liberal perspective, was concerned with showing police development in the modern era as one that was mutually beneficial to all sectors of English society, and was generally uncritical of the policing of the country during its transition from self-help to state sponsored. He traced the origins of 'our English police system' to many hundreds of years before the Norman conquest and essentially observed that it was 'always consistent with local self-government' (Lee, 1901:ix); he also observed that policing was about control of the population to produce security. This was achieved by enforcing moral codes of conduct, the regulation of public education and hygiene, and the control of the behaviour of criminals. He also believed that 'the term *police*...(is) in general merely a synonym for

Constabulary' and that the object of *police* was to achieve social progress through good citizenship (1901:x).

Critchley, a Home Office civil servant, acknowledged that policing was not just about what is now called police. He viewed the history of policing as synonymous with the history of local government and the Magistracy, with its origins in local self help schemes during Saxon times and military origins in Norman times; the Constable was associated (originally) with the Royal Court (Critchley, 1978:xix). Policing was quite clearly associated with keeping the peace, being a local activity, and carried out as a social obligation in order to maintain 'collective security' (1978:1-2), and he reinforced the connection between policing and local governability. He argued that this link with the state and governance was severed by the arrival of the 'new police' in 1829, as they were not concerned with anything other than crime prevention. 'Policing as a new science' (1978:38) was how Critchley (paraphrasing Colquoun) described the arrival of the new police for the Metropolis, and with it their primary objective - 'It should be understood at the outset, that the object...is the prevention of crime' (1978:52).

The uncritical nature of most police historians, journalists and commentators was to be replaced from the late 60s onwards, with a plethora of criticisms of police activity, a reassessment of their place in the history of society in England and Wales, and of predictions as to their future in the post war world; these contributors to the policing debate were either revisionist or pluralist in their perspective. It is argued in this thesis that the reason for this shift in emphasis may be found in a combination of both structure and agency considerations as a consequence of the advent of the postmodernisation of society, and Globalisation. This is in contrast to the agency arguments encapsulated in Reiner's (1989) view of the police (in England and Wales) as politicised and his (1992) view of them as deviant. Storch (1976) argued that the modern police were 'domestic missionaries' carrying the central government ideology and capitalist tendencies to the furthest parts of the empire, for the protection of 'a dominant conception of peace and propriety throughout the territories of centralised states'. Bowden observed that all 'Police forces emerged out of the demand for order in civil society' (1978:19) and that the police were inseparable from the state with the power to dispense violence on the state's behalf; this placed the very survival of the state on the ability of the police to keep order (Bowden, 1978:20). Alderson developed a different approach, but agreed with a lot of Bowden's observations in relation to the

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link between the state and policing and viewed it as a mix of: what the police are 'instruments of the legal coercive power of the state' (1979:11); what the police actually do (1979:159); the activity itself, 'being concerned, as it is, with power and it's application' (1979:14); and with its effect 'policing is concerned with social control' (1979:24).

By the late 1970s and 80s, both Cain (1979:143) and Reiner (1989:3) highlighted the need for conceptual clarity in police research. What Cain found was that the studies she analysed had not defined their subject matter; 'it has been taken for granted that we "know" what the police as an institution, really is' (1979:143) and she decided that the police must be defined in terms of their function which was primarily the maintenance of order on behalf of those who appointed them (1979:158). This functional definition was criticised by Reiner who believed there was a lack of 'specificity' in such a broad definition. He preferred Bittner's earlier description of the police as dealing with 'emergency order-maintenance exigencies' (Reiner, 1989:4) and his explanation of the police role as 'something that ought not to be happening and about which someone had better do something now' (Bittner, 1974:30). What appeared to impress Reiner was Bittner's development of the functional capabilities of the police to include the capacity to use legitimate force and the uniqueness of that capacity. All of Reiner's earliest references pay tribute to the pre-eminence of American police research (Bittner, 1971; Skolnick, 1972; Manning, 1977; Bayley, 1979; and Klockars, 1985); however, he also cited the sociological work of Banton (1964) in England, as having a great influence on these early American studies. The definition that Reiner first arrived at owed its formation to Skolnick (1972) and Bittner (1971) & (1974):

> The civil police is a social organisation created and sustained by political processes to enforce dominant conceptions of public order. Their specific role is as specialists in coercion (and) ultimately the capacity to use legitimate force (Reiner, 1985:2).

What Reiner then did, that few other researchers at that time had done, was to differentiate between the police and policing with his start point being that 'policing and social control need not necessarily be undertaken by those designated as "the police" (Tomasic, 1985:86). This wider concept of policing was still separated from social control and Reiner built upon this fact in an attempt to differentiate between concepts of *ordering, controlling* and *policing. Ordering* was to do with reproducing

social order through socialisation, culture and institutions, as well as constraints; *controlling* was to do with regulating order by the application of sanctions; *policing* was about 'monitoring potential breaches of order with the capacity to respond with legitimate force if necessary' (Reiner, 1989:4).

In the introduction to his pluralist perspective on the history of police in England and Wales, Emsley referred to *policing* as separate from what the police did, and referred to the work of gamekeepers, and security guards as examples of what was involved in policing, and acknowledged the existence of private police as well as the state police. He also described the work of earlier 'local agents of law enforcement' under the heading 'policing before the police' (Emsley, 1991:8-9), a clear reference of the need for *policing* to be conceptualised outside the constricts of the state's *police*. By the late 17th century the suppression of riots needed the help of the militias and military, although the use of these units in policing actions was unpopular with both officers and men. By the 18th century, policing (especially through the influence and activities of the Justices) became central 'not only to the maintenance of law and order, but also to the entire system of local government in the county' (Emsley, 1991:13-14). As a consequence in 1829, and following an experiment in Dublin, the first state sponsored police were introduced to the London Metropolitan area (minus the City of London) with policing believed to be about maintaining public order, preventing theft and for detecting and apprehending offenders (Emsley, 1991:21).

The final contributors to this historical concept of policing were those academics who used comparative methods of inquiry into the policing of a state and those who considered policing to be regional or international. Fosdick's (1915 and 1969 reprint) work was viewed as the definitive international study of police by Bayley (1985:4) who used Fosdick's findings as the reference point for his own work. Fosdick believed that policing was about the maintenance of order, the pursuit of criminals, and the regulation of traffic - 'the objective point is public security, and the police are, generally speaking, concerned with nothing else' (1915/1969). The American observer Smith argued that policing was not connected to the state and, in addition to their regulatory duties, he also viewed the police as crime fighters - 'police connotes a body of civil officers charged with suppressing crimes and public disorders, and regulating the use of the highway' (1949:16). This always appeared to be the case when reviewing the American concept of state policing, and had its roots in the American distrust of

government in general, and Federal government in particular. Other American commentators then commenced to tease out a conceptual start point. Skolnick & Gray, observed 'how certain concepts of policing have emerged' and argued that accountability and professionalisation were the defining elements (1975:xii-xiii). Apart from Fosdick, Bayley was also influenced by another American, Walker, who believed that 'American policing is a product of its English heritage' (Walker, 1983:2) and that this was reflected in the local control, limited authority, and fragmented nature of the American police.

In common with Walker, and with most other commentators on policing, Bayley did not see any substantive difference in the concepts of police and policing. He began with a definition of the *police* as 'People authorized by a group to regulate interpersonal relations within the group *(a community)* through the application of physical force' (Bayley, 1985:7 & *215*) - the italics above are mine, as his definition of police differed slightly depending upon the page referred to. He expressed his bewilderment at political scientists' inability to study the central role of government - the maintenance of order - in favour of the 'outputs' of government. He reasoned that the political scientists' oversight was the result of police work being a 'morally repugnant' activity (Bayley, 1985:6); this was a theme taken up by Reiner (1992a) in which he described policing as 'a dirty work occupation'. Bayley linked policing with the use or threatened use of physical force, following a number of earlier commentators (Chapman, 1970; Bittner, 1974; Shearing and Leon, 1976), who seemed to suggest that only the public police of a state were able to use force on the state's behalf in order to maintain order. The third leg to his definition on what constituted police, rested on the authority to act as police and whether the application of force was regarded as legitimate by the community to be policed (perhaps the most problematic area of his concept and one which will be returned to later). To be classified as police, they need to be *public, specialised,* and *professional* (1985:10-11).

Contrastingly, and following Bowden, the British comparative texts examined police/policing from the point of view of their support for the *status quo* within a state, especially when the state was under threat from public disorder. Brewer *et al.* compared the role of the police in Great Britain, the US, the Irish Republic, Israel, South Africa, and China, especially in their capacity to deal with public disorder. They did not define police or policing at any stage of their inquiry but they inferred that they may be

different concepts during their introduction - 'research on both the police as an institution and policing as a set of functional activities' (Brewer *et al.*, 1988:1). They utilised the liberal versus radical perspective of the use of the police and posed the question, 'are the police an instrument of coercion?' (the radical) or, 'do they operate with the consent of the public?' (the liberal). They acknowledged that both consent and coercion existed in all states (the pluralist perspective) and they found that there was a degree of convergence of policing styles in all the states studied. They were critical of the adequacy and applicability of Bayley's typology as a process to assist with meaningful comparisons of police at the international level, and introduced their own variation which included two features; 'differences in the police - state relationship' and 'styles' that states deploy to maintain order.

Mawby also developed Bayley's earlier typology, *public, specialised*, and *professional*, and added what he described as 'the three key features of policing' when he considered policing in differing societies - 'we mean by the police an agency which can be distinguished in terms of *its legitimacy, its structure and its function*' (Mawby, 1990:3). He dismissed both the radical and traditional explanations of increased public disorder and crime, and cited the mobility of the population, industrialisation and urbanisation, and the demise of community based systems of control, as the catalysts for the emergence of the police; he clearly linked them with the advent of modernity. The need to bring policing under the control of the state in order to maintain order in this rapidly changing situation, became apparent. Mawby agreed with Bayley (1985) that policing was to become public, professional and specialised (1990:23), and produced a model of police systems (table 1, overleaf).

In this review of the development of the concept of policing in Western democracies during the modern era, it became apparent that policing, and the police, was a state centred activity based upon a wide range of features from control, to welfare, to crime prevention and detection, regardless of the locality. The only exception to this generalisation was the United States where policing was seen as locally based, and crime oriented. In all jurisdictions, however, police and policing was characterised by the ability to use force on behalf of the state. The next era challenges these modular assumptions with indications of the convergence of models of policing, the move to transnational and supranational policing structures, practices and discourses, and the re-emergence of the use of private police in public policing.

Table 1. Models of early modern police systems

	England and Wales	United States	Continental	Colonial
Legitimacy	Local Government; based on law	Local Government; based on law	Central Government, ultimately the ruler	Colonial Authority
Structure	Decentralized, unarmed civilian force	Decentralized, armed, civilian force	Centralized, armed, military force	Partly centralized: military force, using armed, alien personnel
Function	Crime and some welfare and administrative responsibilities	Crime and some welfare and administrative responsibilities	Crime only one function: emphasis on political and administrative functions	Crime subsumed within wider concern for political/ administrative functions

Source: Mawby, 1990:30

3.4 Policing Towards the Postmodern and the Global

In Bayley's (1985) summation, he predicted that the need for policing would be intensified, because of increased crime and the erosion of traditional informal discipline systems (1985:219). Walker (1996) and Shearing (1996) developed this argument and observed that state policing was a historical phase and that supra state police forces would emerge as the states authority and legitimacy declined (Marenin, 1996:309). What both Walker and Shearing agreed upon was that policing would ultimately be determined by its effectiveness and legitimacy, as there was no reason for the state police to predominate if their activities did not produce results or they were not deemed to be legitimate. Bayley's later work argued that there may be a possibility that the police could be replaced (presumably by private agencies) but that the state was crucial to the concept of policing:

> While it might be possible to reduce the police role in policing, it is not possible to remove the state from policing....The maintenance of domestic order is as crucial to the legitimacy of government as defence against external enemies (Bayley, 1994:144).

Marenin was one of many who observed the convergence of policing styles, 'We may be observing the emergence of universal norms of policing, even as the particular forms of policing become more varied' (1996:312). What he noted in his research, covering many differing regimes across the world, was that there was 'an emerging universalistic standard of good policing'. In addition, the growing number of professional interactions, professionalisation, and informal contacts, produced the emergence of an 'international brotherhood of the police', but that policing was still a state centred concept and that state policing forms were forged owing to the interaction of policing, the state and society (Marenin, 1996:312).

In carrying out research at the European level, Anderson found that more and more of the states' police were being sent abroad on a regular basis for a whole range of reasons, and beyond the control of the state, as a result of 'economic interdependence and the internationalization of society' (1989:4). He also noted that in professional matters the police had 'considerable independence from direct political control'. The impracticability of formal interstate police activity, due to the notion of sovereignty and lack of common legal procedures, would make this informality a growing phenomenon (Anderson, 1989:150-151). The contribution that he made in the arena of supra state policing was the wealth of evidence he presented about policing at a global level, the fear of an 'international police conspiracy or Mafia', and the professionalisation of policing (Anderson, 1989:181); however, his only concern at the international level was crime. The need for legitimacy within the nation state ensured that the police acted properly, however there were no such mechanisms at the transnational level and Anderson warned that 'policing involves coercion, a degree of confidentiality or secrecy' and that there was a need to keep a tight control of the police, as it was 'imprudent and unrealistic to regard the police as invariably benign' (1989:193).

In later work with den Boer, Anderson defined the police as - 'the guardians of internal tranquillity, order and security; just as the armed forces are the guardians of security from external military threats, they are seen as an essential part of state sovereignty' (Anderson & den Boer, 1994:x). The term *Euro-policing* was introduced to describe 'forms of policing which have been developed within or coincide with the framework of the EU, such as Trevi and Europol' and the expansion of criminal justice activities within the EU gave rise to a greater interest in these activities outside the 'traditional realm of state-sanctioned policing' (Anderson *et al.*, 1995:38). They

reviewed Marenin's study of the role of the police and his identification of their protection of both 'general order' and 'specific order' (Marenin, 1983:258), and the 'high policing' and 'low policing' concepts identified by Brodeur (1983:513). Anderson *et al.* saw no such differences and argued that to enforce either specific order or to engage in high policing would inevitably result in general order or low policing functions being impacted upon. They then posed the question 'Can we have either a police force without a state or a state without a police force?' and argued that 'policing theory and state theory refer to old institutions and an old relationship' (Anderson *et al.*, 1995:93). This positioned them at the forefront of the authors reviewed who are attempting to determine whether the concept of policing can be developed outside the boundaries of the state. They reviewed the theoretical approaches to European integration which, whilst manifold, were reducible to agency, 'the autonomous actions of individuals', or structure, 'determined by external mechanisms of a social, cultural, or institutional nature'. In keeping with their positions throughout the text, the authors refuted both approaches and suggested that both structure and agency were important to describe the development of European policing institutions. They returned to their preferred neo-functionalist approach for an explanation of the importance of police co-operation as a functional requirement to counter new criminal activities - on this basis, they believed that *functionalist discourse* may be important in analysing police co-operation.

The need for a European policing capability (Birch, 1989; van Reenan, 1989; Benyon *et al.*, 1990 & 1993; den Boer, 1993: Walker, 1993), was very much predicated on criminals disregarding national boundaries after internal European borders were abolished; this, of course assumed that they had due regard for the boundaries when they were in place! In any event the formation of Europol within the framework of the Justice and Home Affairs pillar as one of the steps to address this threat, was seen as a 'significant transformation in the political recognition of police co-operation' (Anderson *et al.*, 1995:97), and criminal justice policy-making shifted from 'intergovernmental' to 'supranational' and autonomous from the individual states. There were some observers who believed that 'Americanization of foreign criminal justice systems' (Nadelmann, 1993:11 & 136) was a more appropriate description of policing developments in the EU. He believed this to be a block to the development of a purely European dimension for policing the EU to provide its security.

It is argued in this thesis that the concept of security, whether internal or external, is central to the understanding of the concept of policing as it defines the role of other actors (in addition to the public police) in the production of that security who could be described as engaged in policing. Pre-1989, the external security of all states was very much in the hands of military personnel as the threat to that external security was based upon an attack by a foreign power. Since the end of the communist 'threat' and the disbanding of the USSR, the military challenge to the state has receded and the threat now emanates from international crime and drug traffickers, money laundering, mass illegal immigration, and terrorism. In addition there is a need to re-employ military intelligence and counter espionage personnel in other areas of business. Security threats may be military, political, societal, economic, or ecological (Buzan, 1991), but as all of these may occur at both external and internal levels, the merging of the response should be evident. The possible inclusion of the police, immigration, customs, and intelligence in the overall policing process (Walker, 1996) supported through 'high policing discourse' (Anderson et al., 1995:164) in the shaping of an 'internal security continuum' was emphasised by connecting terrorism, crime, immigration and asylum seekers - the securitisation debate (Bigo & Leveau, 1992). The various contributions to the debate by Anderson and others, specialising in the conceptualisation of police, and policing, at the European (rather than the state) level, produced observations of aspects of policing that have now moved out of the control of the state and given it an extra-state role that was incommensurate with its modern formulation. Brewer et al. (1996) also reflected the changing nature of the society within which policing was to be carried out, and amended, developed and reconceptualised their earlier (1988) comparative study.

Contrastingly, contemporary American comparative policing commentators (especially Ebbe, 2000; McKenzie, 2000) described public policing within an overall appreciation of the criminal justice system of the state being compared, rather than a discrete entity; policing had no value outside the state criminal justice system within which it was located. However, as these studies were not concerned with conceptual grounding, they are of value only as a means of fact finding in the countries studied. They explained the effects (a descriptive review), but not the causes (a conceptual analysis). Additionally, there was no framework of analysis for this research as each country studied had its own author with their own view on the appropriateness or

otherwise of the variables to be described. For example, Bullock's description of the policing of E&W was contextualised to a comparison with the US and confined to issues, events and community only (2000:157-170); whereas Wang's appreciation of policing in China was confined to that country and had variables such as history, structure, types, functions (both judicial and social) and dynamics (2000:171-182). How these two accounts may be utilised for comparative analysis was difficult to assess. What these later studies in America confirmed, however, was that public policing strategies and structures were increasingly similar and, despite the diversity of continents observed (Africa, the Americas, Asia, and Europe), they all purported to support the ethos of community policing; and, with the exception of Argentina, E&W and US, all had a centralised system of policing (Ebbe, 2000:283). The following sections review evidence of the move from the modern, state-centred notion of policing towards the post modern, supra-state capability of the emerging forms of police and policing, that this thesis argues were contingent upon the processes of Globalisation and postmodernisation. The literature that heralded the decline of modern policing is also reviewed.

3.5 Beyond the Modern and the State - Policing the Postmodern and the Global

Reiner argued that postmodernity heralded the advent of social restructuring and police malpractice had eroded public confidence in their ability to such an extent that they were no longer able to command public respect; in essence, public policing was in decline and would be replaced. Postmodernity also brought about a 'qualitative transformation from one kind of social order to another' and changes in knowledge (post-structuralism), popular culture (postmodernism) and social order (post-industrialism) (1992:774-775). He deduced from this conceptual shift that the nation state was no longer an important site of authority as it had been superseded by internationalisation and fragmentation of the sites of production. The 'themes of pluralism, contingency, and the undermining of absolutes', combined to defy any government attempts to rectify the problems associated with them. The 'deepening social divisions and a less deferential culture' were now 'deeply rooted structural trends' and, consequently, there was no likelihood of the return of the status of the police to that which they achieved during the war and immediate post-war years (1992:777). Reiner believed that the rise of the police was centred on a single cohesive

idea of order and based upon the project of modernity which was symbolised by the police. However, in a fragmented and pluralistic order 'there can be no symbol of a unitary order' and neither can the functions of the modern police cope with this pluralism - architecture, technology, and private security will fill the gaps.

Reiner's own development of this work commenced in the (1993) contribution, with Spencer, which utilised the new aspects of postmodernity to predict policing outcomes in an edited volume on police accountability in Britain. Public policing in the context of this contribution to the debate, was defined as 'the regulation of social conflict and the representation of social authority', but at the state level only. However, in a postmodern world, an examination of the activity of the public police of all democratic countries, external to their own borders, revealed that they were not regulating social conflict nor representing authority. As observations on policing in E&W and US revealed, transnational policing was about knowledge work (Sheptycki, 1996); informal professional contacts to facilitate this knowledge work (Anderson *et al.*, 1995); and the quasi-military process known as peacekeeping, carried out by both military and state police units. The *Police Review* reported a 60-strong British police contribution to the two thousand-strong international police task force from 42 nations stationed in Bosnia (4/9/98:15-17).

Reiner and Spencer's (1993) edited volume also contained a contribution on international policing by Walker (1993) (albeit at the European level only) in which he took a discursive approach to analysing the development of policing at that level and queried the expert facts that produced the demand for international security. This was a concept referred to earlier as 'securitisation' later to be developed as 'the internal security ideology' that Bigo believed to dominate European policing discourses (1994). What concerned Walker was the lack of accountability mechanisms available for policing in the European arena. In Reiner's most recent (2000) contribution to the debate on the effect of postmodernisation on policing, he believed that the ethos of the free market and deregulation associated with Globalisation further alienated those members of society that were excluded from this growth in wealth, creating 'a rapid increase in inequality and socio-economic polarization' (quoting Hutton, 1996; and Levitas, 1998). The processes described here were to be 'found in other jurisdictions too', 'are clearly global phenomena', and there was convergence to be found at the global level amongst police organisations, styles, and adaptations to threats - the result

of 'conferences, exchanges and increasing collaboration' (Reiner, 2000:202). In this respect, Reiner emphasised the impact of agency in this process, a theme that he continually adopted when explaining the demise of public confidence in policing in Britain, with his view that police (mal)practice was the motor for this process.

It is difficult to assess police deviance in the pre-1960s policing of England and Wales due to a number of factors, not least of which was the reluctance of people to complain during this period; the lack of a formal complaints procedure before the Police Act 1964; and the existence of (for example) non-public courts for police malfeasance. In the Manchester City magistrates courts system, court 12 had no number on the door and was used exclusively for police officers accused of offences; the press knew of its existence, but chose not to attend and report their findings. Studies of old court and police force records revealed the extent of police drunkenness, abuse of authority, bribery, and larceny stretching back to the formation of the new police (Emsley, 1996;61-62; Rawlings, 2002:155). In his review of agency problems post-1964, Reiner also believed 'the use of more coercive tactics in crowd control and crime fighting, were largely reactive, ad hoc, and unimaginative responses to pressing problems' (2000:203); deconstructed, this unreferenced statement is able to be refuted at both the historical and empirical levels. Histories of both the liberal and pluralist commentators on policing attest to the violent nature of policing at the advent of the new police, both in their treatment of crowds at demonstrations and labour disputes, from Cold Bath Fields in 1833 (Rawlings, 2002:121) to the General Strike of 1926 (Emsley, 1996:143) and the black shirt riots of the 1930s (Emsley, 1996). At the contemporary level, there is an interesting debate between Waddington (1993) and Jefferson (1993) on the para-militarisation aspects of policing in Britain which involves an appreciation of the multi-causal nature of this development.

From the viewpoint that modernity had not yet been eclipsed, but that Globalisation had now arrived, Johnston argued that 'the problem is that over time the concepts of 'police' and 'policing' have been conflated, historians and sociologists assuming that the two mean the same thing' (1992:4). He believed that policing was a 'broad social function' and that the police were relatively new at carrying out that function. Marenin used both concepts in the title of his edited work 'Policing change, changing police' and constantly referred to the need to clarify the distinction (1996:16) - a theme exemplified by the case studies, interviews and discourses in the following

chapters and one that rejects the structuralist view of policing. Like Walker (1996), he argued that the dominance of public policing may be an historical phase (Marenin, 1996:309) and agreed with Shearing (1996) that the state was declining in authority and acceptance. It may now be worth noting trends in population attitude surveys to determine the truth or otherwise of Marenin's assertion that the state is losing out to supra and extra-state institutions *vis a vis* its acceptance by the population. In February 2000, the Adam Smith institute published the findings of numerous MORI polls undertaken during the previous 20 months amongst young people and their elders. In respect of their feelings towards their respective countries - England, Scotland, or Wales - the majority of young (77%) and elder (84%) feel a loyalty to their state, whilst only 32% (young) and 35% (elder) feel any loyalty to Europe. For a state-centred society in decline these are impressive figures for the continuation of the relevance and authority of the state, well into the future (MORI, 2000a).

Given the tendency to localisation as a consequence of both Globalisation and postmodernisation, this dynamic should not come as a surprise. Walker concluded that there was no 'sacred' situation that determined that the connection between the nation state and policing was immutable and that there were no insurmountable hurdles to overcome to remove policing from the state to the supra state level (Walker, 1996:273). Whilst not directly contradicting this assertion in an earlier paper he had doubted the ability of a 'robust policing' capability at the EU level to accommodate accountability and human rights; this was a direct consequence of the discourses of 'functional spillover and internal security' (Walker, 1993:37-46). Following Meehan (1993), he posited that the best route to making the EU an attractive political unit that would sustain an effective policing institution, would be to offer an 'advanced form of citizenship' based upon civil, political and social rights, that would need policing to monitor and enforce (Walker, 1994:38-39). His reference to the internal security deficit and levels of crime as the two policing discourses driving the imperative, was a functionalist approach that did not account for the wider forces at work to drive these discourses. There was no evidence of major Euro-crime at that time although the categories used to drive the discourse (terrorism, organised crime, fraud, drugs, and mass illegal immigration) were all to be observed at the global level.

The move towards the commodification of policing was the point at which Shearing believed that *policing* ceased to be what the *police* did and became 'any

activity that promotes security' (1996:291- original italics), adding the rider that 'what security is, is a contested question'. In an earlier paper, he asserted that security varied across societies as security was ultimately about preserving the peace and that *policing* 'refers to the preservation of the peace' (1993:203). In this work he quoted Spitzer's definition of the concept of security as 'an established order against whatever seems to threaten, disturb or endanger it from without or from within' (Spitzer, 1987:48). Shearing was essentially equating security with the ancient (British) notion of 'the peace' and then refined it further by arguing that 'peace refers to a reduction of, or absence of, risk'. In both forms he believed that policing was wider than what the state police were engaged in and distanced himself from his earlier views that denied the link between policing and governance (Shearing & Stenning, 1981). He now acknowledged that the 'foundation of order' was necessary for governance to be possible and cited the order of financial markets as one example (Shearing 1993:204), and again quoted Spitzer (1987:43) to confirm the link to governance - 'security is the supreme social concept of civil society'.

What Shearing described was the impact of what was termed 'the risk society' (Beck, 1992) in which dangers brought about by the modern society were commodified to produce the need for security; this commodification was linked to Globalisation through the workings of the market. For Shearing Globalisation was merely an economic imperative from which all societal and structural developments could be traced. It was this market that provided the solution for the economic restructuring of states (South Africa specifically) to enable the disadvantaged and poor to become consumers of policing services in the same way that security was purchased by wealthier people (1996:297-300). In summary, he adopted a unicausal (economic) approach to Globalisation and supported the juridification of solutions that involved redistribution of resources and control over policing - an approach that can be located in the Marxist realist tradition. His recommendations to the (Marxist) South African Government to adopt this model of policing has not been acted upon. In fact the expenditure on the public police has increased from 11.6bn Rand in 1997, to 14.6bn Rand in 2000 (Department of Finance, 2000), which may be seen as a vote of confidence in the current model of policing. The value of police knowledge, the commodification of *risk* and the production of *security* will now be addressed, in order

to analyse the globalising nature of these concepts and the postmodern policing response that they generate.

3.6 Policing Through Knowledge and of Risk

Developing the theme of the privatisation of policing, and building on the work of Shearing, Stenning, and others, Ericson and Haggerty suggested that public policing was no longer concerned with crime control and order maintenance. It was now about providing security through surveillance, especially the use of technology to carry out that surveillance, in order to 'identify, predict, and manage risks' (Ericson & Haggerty, 1997:xi). They believed that the current research literature on policing was 'increasingly redundant and stagnant' and that there was a need to understand the 'purposes and consequences of policing'. This should produce a 'comprehensive theory of policing', and should take place in view of the fact we now live in a 'risk society' (1997:3). Where they disagreed with others was in the relationship between the public police and other agencies. Previous contributors, and Johnston (2000), believed that there was little or no place for public policing by the state as the future of policing was now in the hands of the private sector. Conversely, Ericson and Haggerty believed that the relationship was one of mutual benefit with the public state police 'coordinating their activities with policing agents in all other institutions to provide a society-wide basis for risk management (governance) and security (guarantees against loss)'. They defined *risk* as referring to external dangers such as natural disasters, man-made disasters, or the behaviour of humans that could be considered threatening 'the risk communication system is thus a key locus for our analysis' (Ericson & Haggerty, 1997:3-4). They emphasised the value of public policing to the state in the symbolic nature of their public appearance:

> They are featured in full-dress uniform on postcards and souvenirs, standing for what is noble about the community and nation-state. In all of these manifestations the police simultaneously reproduce and represent order. They embody central authority as peace, order, and good government. (1997:3).

In the risk society police constantly sought information through surveillance and were considered to be knowledge workers - the risk society was also a knowledge society. Ericson and Haggerty referred to the use of information *via* computer technology as collapsing 'time and space among institutional actors' and that these

actors 'become disembedded from their traditional territorial spaces'. It was a space without boundaries 'except those posited by the computer's formats and by the telecommunications infrastructures' (1997:431). They attacked current criminological and sociological research on policing for neglecting, or ignoring the centrality of communications systems within public policing (1997:426), and offered a different approach for research on the police:

> Our paradigm transforms existing research on police in seven key areas: mobilization, the locus of knowledge work, visibility, the role of criminal law enforcement, the role of compliance-based law enforcement, the types of security offered, and the basis of community policing (1997:435-436).

They continued their critique of current researchers with a view that crime control was displaced by crime risk management and that knowledge was now preferred to coercion. Ericson and Haggerty found that the public police dealt with many 'extraterritorial forms of security' that required 'sophisticated surveillance mechanisms not tied to territorial boundaries' especially in respect of securities, identities and careers (1997:440). The sociology of deviance and control was no longer relevant in a society organised in terms of risk, surveillance and security. Order in communities was no longer based upon consensus, but contingent upon rules of communication, formats and the technology to connect them. These observations were criticised by a number of academics, for the small sample size from which they derived their thesis (Mawby, 2002:182).

Whilst not directly related to the work of Ericson and Haggerty, but dependent upon police knowledge, della Porta & Reiter (1998) utilised a framework forged in the modern era (police organisation, style, legal rules, accountability etc.), but then they added important variables for the postmodern age (public opinion, the media, and police knowledge). In this edited volume, they examined public order policing in a comparative vein (predominantly in European forces). They cited the 1984 miners strike in the UK (that is seen in negative terms for policing by most academics, miners and political commentators) as an example of how public opinion can be important for public policing - 'the police's hard line improved the image of the police among non-strikers' (Green, 1990 quoted in della Porta & Reiter, 1998:18) - and linked it to moral panics that generated demands for law and order (Cohen, 1972). della Porta and Reiter concluded their methodology outline with the assertion that no matter what the

changes over the previous three decades (and these have already been outlined earlier), the public police were still the state agency to protect order and produce security, by force if necessary (1998:30). The contributions from this work were important for this thesis in a number of ways, not least of which was the use of interviews with police officers to determine how they constructed their knowledge of the world and the society (ies) that they policed. There was also confirmation of earlier observations (Bayley, 1996; Shelly, 1996) that reported a convergence of policing styles across countries, and even continents. It also asserted that the 'policing of protest has become more normalized' (G. Marx, 1998:254) as a consequence of the rise of civility in society (Elias, 1982) and with the development of rights implied by citizenship (Marshall, 1950). What was interesting from the point of view of this thesis was Marx's assertion that most work on policing was descriptive and that even comparative work was done in parallel rather than integrative (with Miller, Punch, Brewer, Mawby, and della Porta excluded from this critique).

At the transnational level Johnston relied upon Sheptycki (1995:616) to confirm the Globalisation of policing - 'transnational policing has reached a certain mass which makes it qualitatively different from what has gone before'- and went on to declare that there was 'little ground for dispute' that late modern policing was globalised and that the only area for enquiry was about the form of that Globalisation (Johnston, 2000:107). These conclusions were linked to 'the future of policing' (2000:157) on the basis of a late modern society, differentiated by religion, race, gender, region, nationality, ethnicity and age, and having developed mass consumption and risk as the key dimensions of this social plurality (Johnston, 2000:22). The analysis of risk was predicated upon modernity in Johnston's sociological (Giddens, 1990; Beck, 1992 & 1996) and genealogical (Rose, 1996) accounts, and was the main influence for the increasing adoption of 'risk-based forms of policing' (Johnston, 2000:157). Johnston did not believe that risk-based forms of policing were the only models to arise out of late modernity. He also believed these neoliberal forms were modified by neo-Conservative, discipline-based, forms of policing (Johnston, 2000:56) such as zero tolerance. Johnston rejected both empirically tested and theoretically grounded conceptions of policing dominated by the public police, preferring Loader's (1997) futurology. Loader argued that the demand for policing and security was insatiable and rather than being met the policy should be aimed at dissolving that demand. Johnston

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was striving for what he termed 'optimal policing' and Loader's drive for the

development of security networks as a 'public good' was consistent with Johnston's

aspirations, which would be arrived at by the advent of 'democratically governed

security networks' (Johnston, 2000:181). In the conclusions, optimal policing was

defined as:

> a system of security which is neither quantitatively excessive (to the detriment of
> alternative social values and objectives) nor qualitatively invasive (to the detriment
> of public freedoms) and which satisfies conditions of public accountability,
> effectiveness and justice for all (Johnston, 2000:180).

Johnston concluded with references to Crawford's (1997) work that demanded

that 'policing policies are integrated with wider debates about social and economic

security, rather than ghettoized under the rhetorical banner of "law and order"'; a return

to the political economy of policing. The problems with Johnston's thesis lay in his

ambivalence towards policing as being controllable at some levels but not at others. In

the contemporary world it was out of control and unaccountable but in the ideal society

that produced 'optimal policing' it was a 'public good'. His extensive development of

the Globalisation concept, within policing and the police, now required frameworks to

apply to contemporary police and policing practices, structures and discourses. His

discourse of policing as intelligence-led was itself questionable as the following chapter

will reveal; it was more aligned to the information-led model, as public police need

information more than intelligence. What Johnston no doubt referred to was the

importance of intelligence to public police at the national and international level.

However, as he limited his comments to the local and micro-levels of policing in

Britain and the macro-level in Europe there is scope for his Globalisation thesis to be

extended to the transnational and global levels of policing. The final part of this review

will now analyse the perceived decline of public policing in Britain as a consequence of

the processes of Globalisation and postmodernisation.

3.7 The Decline of the Police in Britain

Whilst neoliberal discourses and practices have highlighted the risks inherent in

contemporary society and the need to produce security to counter those risks, other

contributors to the debate have been more conceptual and explicit in their analysis of

the fundamental structural and societal pressures that have produced these risks, and the

changes brought upon state public policing in order to respond to them. Leishman *et al.* clearly identified Globalisation as a structural pressure upon the state and upon one of the institutions of the state, the police, and argued that 'police studies are going global' (1996:9). They concluded that Globalisation was unicausal (economic) in nature and defined Globalisation, following Giddens (1993:37), as 'the increasing interdependence of world society' which was brought about by internationalising or regionalising activities that had traditionally been carried out within a state. NPM was seen as a blurring of the distinction between public and private provision of services and was distinctive for a number of traits that were ideologically aligned to 'private good, public bad', and the 'superiority of the market over the state' (1996:11); these traits were listed as competition, centralisation, decentralisation, and fragmentation. They were unsure of the direction of policing as a result of Globalisation, but were concerned that a fundamental change was taking place which was 'heralding a new policing order' (Leishman *et al.*, 1996:25).

Johnston (1996) contributed to Leishman *et al.*'s work, and argued that the police officer was the 'personification of the state at street level by virtue of his or her monopolisation of the legitimate means of coercion' (1996:59); his arguments in relation to the impacts of Globalisation and postmodernisation have already been reviewed earlier. Other contributors to this work included a serving Chief Constable, Butler, who championed the cause of policing by objectives (Butler, 1984) which he adapted from a management concept during the advent of the managerialist approach in the 1980s. He later became disillusioned with an approach that threatened funding, threatened the tenure of Chief Officers, privatised police services, attacked the democratic membership of police authorities, and he was suspicious of the future role of the Home Secretary in operational policing decision-making, following PMCA (Butler, 1996:220-223). However, Leishman *et al.* argued that police reform was just as much the product of agency agendas and cited the role of the treasury, ACPO, and the HO in this agenda setting (1996:231). Leishman *et al.* produced a second (2000) edition of their work and some of the contributors were very much concerned with the postmodern era (or in Johnston's case 'late modern') within which policing was now carried out, and with micro level analyses of police behaviour, culture and management. The conclusion to this edition was delivered from two differing perspectives; a police Chief Constable (Butler) who was also an academic, and an academic (Wright). The

Chief Constable delivered his view of the future based on the modernist, technological discourse of the managerialist, and the professionalisation of policing that he had adopted in the first edition. Although he began to introduce the strategic dimension of policing to government during his attack upon the Audit Commission 'This rather limited and unimaginative view of the contribution of policing to the social fabric of this country...' (Butler, 2000:314) he didn't develop this issue and blamed structural problems for police inadequacies.

Conversely, Wright developed Reiner's (2000) pessimistic, deterministic, view of public policing at the cross-roads and of the criminologists' challenge for the rationale of the public police as an institution. However, Wright then went further and identified that the key to the future of public policing lay not in the hands of the police chiefs, politicians or the HO, but in the key relationship 'between policing and the ever-changing political, economic, social, and technological environments'. He believed that simple explanatory models cannot be produced to predict it (Wright, 2000:289) - the contingency approach (Lawrence & Lorsch, 1967). Wright criticised the 'modern' nature of public policing, and cited the 'shattered relationship between police and some parts of society' as evidence that questioned the 'status of policing as a 'modern' organisation' (2000:290) and linked this with a failure by police managers to address these environmental issues and to respond contingently. Wright's answer to these problems was again managerialist and structuralist, with a futurologists' approach based upon environmental scanning and the production of a 'two scenario' predictive model that embraced unicausal Globalisation, and social and political fragmentation (2000:296-7). He distilled the difference between the modern and postmodern as being the difference between there being no problem too difficult for science to solve, and the scepticism of such a claim. His conclusion was that the evidence as it related to current public policing supported the move to the postmodern (2000:298), and he endorsed Ericson & Haggerty's (1997) view that policing was now about managing risk.

As already argued by this thesis, postmodernisation was a consequence of Globalisation which was itself a consequence of state strategies and activities. Whilst the form of the state was undoubtedly changing by 'hollowing out' (Rhodes, 1994:138-151; Foster & Plowden, 1996) or establishing 'sub political centres' of government (rule from a distance) (Beck, 1992), it still existed as the legitimate authority for forceful intervention within its territory. Depictions of the police as

national totems endure throughout the World, despite Reiner's view that it is purely a British phenomenon; one only has to think of America to visualise a cop, a sheriff, or the FBI; France a gendarme; Italy a carabiniere; Canada a Mountie; and so on. Bennett argued that the Royal Canadian Mounted Police (the RCMP or 'Mounties') was 'The Face of the State'. His review of the evidence pointing to the role of the RCMP in the state building of Canada was overwhelming and 'is an emotive symbol of the country and its history...an internationally recognised symbol of Canada' (1999:677-678). The modernists' uncritical acceptance of the public police as deviant and in decline now needs to be contextualised.

In order to support his criticism of public policing in England and Wales Reiner used MORI polls to trace their decline from an 83% approval rating in 1959 to a 43% approval rating in 1989 (2000:207) as a consequence of the 'vintage years of police scandals'; the problem with this type of reductionism is that the poll of 1959 was a national poll whereas the poll of 1989 was a poll taken for the BBC television programme 'News night'. There are more recent national polls, such as the yearly British Crime Survey, whose results for 2000 revealed a slight decline from the previous year, where the police registered a 78% approval rating (Sims & Myhill, 2001). In a similar vein, the MORI organisation released another National poll on 15th March 2002 in which the police of Britain were subjected to an opinion poll; this was a poll carried out annually over the previous twenty years. They found that the police were well respected by over two thirds of the population - second only to doctors - despite the constant criticism and the view that 'from the British media one often gets the impression that there is a widespread consensus of dissatisfaction with the police and distrust of their proberty. That's not what we find when we ask the public' (Mortimer, 2002:1). This poll revealed that police standing remained at that level for at least twenty years; long before Reiner began to develop his theories of the demise of public policing premised upon localised (London) polls, extrapolated to the national level. The agency argument, proposed by Reiner, is undermined by these national level polls which are reflected throughout other societies in Western democracies. This fact is emphasised at an even greater level if the approval ratings of a poll of other 'totems' of national pride such as teachers, doctors, nurses and similar state professionals is compared. Multi-profession polls carried out in Britain by MORI in 2000, referred to the decline in the standing of teachers, politicians, the media, lawyers, and many others 'who show a decline, some of

them significantly so'- the police were not one of these professions (MORI, 2000b). What was shown by these polls over the last forty years, was that there was an overall dissatisfaction with authority figures that could not be related to either individual or corporate malpractice. Whilst the police certainly lost the overwhelming admiration of the great majority of the public, these polls consistently showed them to be amongst the most trusted, respected and (as an occupation) sought after positions within society on both sides of the Atlantic - only ministers of religion and health service staff were marginally more favoured in the US.

In the European Union as a whole, there are annual polls on both state and private institutions, based on the trust that the public have in them; the latest poll has the following institutions rated in relation ship to each other in answer to the question 'For each of the following institutions, please tell me if you tend to trust it or tend not to trust it' - the legal/justice system; the police; the army; the church; the trade unions; big companies; the UN; non-governmental organisations; charitable or voluntary organisations - 9 in all. The 15 EU nations (as a whole) trust the police more than any other institution: in 8 states they are the most trusted; and in the other states they are 2nd in three; 3rd in two; and 4th in two (Europa, 2002). Relative to the institutions with which the police have been compared over this period, they have held their own. It is the contention of this thesis that the reasons for their decline must be due to the result of other processes (other than malpractice); these must be the same processes that have seen the standing of all other professions and institutions fall over the same period - the processes of postmodernisation and Globalisation.

3.8 Summary

This chapter has reviewed the theoretical perspectives (radical/revisionist, liberal, and pluralist) of police and policing and the time frames for dealing with this review (pre-modern, modern, and postmodern). This process produced a number of core elements that go to make up the concept of public state policing and showed that policing has always been concerned with control of the population within the borders of a sovereign state, regardless of the perspective from which it was gained. This control was initially predicated upon a symbiotic relationship between the citizens and city-state elite in Greek times. However, the Romans then incorporated this authority to exercise control through the development of Roman law - the process of juridification.

Control was achieved through a number of differing policing functions, observed throughout the history of policing, which have included the total control of all civil matters of administration within the state (finance, markets, welfare, religion and public order) and with the ultimate sanction of the use of force on behalf of the state. Basically, policing was a method employed by the state to ensure stability in order that the commercial and social life of the state could be carried out in a stable environment. Whilst there were divergent views about the unbroken nature of this concept there was general agreement that policing re-emerged in a more visible form in the middle ages. This was the result of the consolidation of the power and territorial areas of the absolute monarchs that then paved the way for the modern public policing systems that are observable throughout the developed world today.

A number of other observations were relevant to public policing: it was found to be universal over both time and space; it was about social control with the sanction of the use of force; it was about ensuring stability and public safety; it was not of interest to political scientists in their historical recollections or theorising; it needed to be accountable at (preferably) the local or national level; it was a reflexive concept with differing societies adding to its development over time; and its forms and functions were converging to complement the universality of its concept. There is evidence of universal norms. Globalisation of law enforcement professionals, and universal standards of policing are appearing in all societies in a move from the modern to the post modern era. Policing in Europe is developing towards regionalisation and away from the state as 'Euro-policing' evolves as a new concept and a new discourse. Public policing is believed to be in the process of being replaced by a mixture of public and private policing to meet the demands of the new era that has produced a risk society, more interested in security than crime prevention and detection by the state. During the early 1990s a number of contributors to this debate noted a radical change in the concept of modernity that gave rise to the (contested) emergence of the late or post modern era; this era is qualitatively different to the modern. Other writers noticed a globalising trait *vis a vis* the sovereignty of the state and, together with the move to the post modern, developed theories to accommodate the changes reported in the perceptions of state policing.

The problem associated with the plurality of both society and policing provision has been the need for, and lack of, accountability for policing at the local level. Did this

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mean that 'policing is unmanageable, indeed uncontrollable?' - according to Waddington, the answer was yes (1999:242). Reiner deduced that the police would no longer be totems of state cohesiveness. His nihilistic account was based on the view that postmodernisation was responsible and he preferred structural transformations to make them more accountable. Marenin, however, viewed the police themselves as powerful agents in this process with the ability to determine the policy agenda and outcomes. The differences in these positions can be distilled to the differences in conceptualisation of the police. Reiner still clung to the Weberian, modern influence that privileged the monopoly of the legitimate use of force in any conceptualising on policing, whilst Marenin alluded to the postmodern discursive nature of policing as having an influence in this conceptualisation. In this respect he referred to their ability to influence police structures at the EU level as proof of this power output.

At a different level, Leishman *et al.* argued that the decline of the police, in policing within Britain, was a consequence of the Globalisation of the economy; a unicausal analysis that traced economic interdependence and interconnectedness as the culprit. Other contributors to their volume emphasised the importance of police policy networks but cautioned against any simplistic modelling to explain the phenomenon. The complexity of structure and agency considerations within the contingency of political, economic, social and technological variables, all added to this difficulty. The opposition to Reiner's sociological fatalism was evidenced by the North American (Canadian) sociologists who argued in support of the enduring nature of public policing as totems of statehood (Ericson & Haggerty; Bennet); they also argued that policing was essentially about risk and, contrary to the later contribution by Johnston (2000), that this risk would be managed by the public police in partnership with the private sphere rather than the private sphere dominating. In this process the importance of the police as knowledge workers through their surveillance capabilities and ability to control information, is established but their discretion is restricted through technological formats that determine the type and scope of the information to be controlled. In this conceptualisation the authors (Ericson & Haggerty, 1997) criticised current police research as redundant due to its inability to explain the police in anything other than coercive terms. In the new conceptualisation the police (as knowledge workers) were more likely to utilise the information at their disposal to deselect and exclude individuals and groups from social activities, and access to goods and services,

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than to resort to their monopoly of the legitimate use of force. The problem with this type of analysis, however, was that it was incident and process based, rather than conceptually informed, and the sample size was so small as to be insignificant for generalisation of application (according to some critics); the authors had no conceptual developments to account for these processes - it was novel activity in a vacuum.

The next chapter explores examples of a number of discourses at both the national and global levels before subjecting a number of case studies to detailed analysis based on the essential elements of Globalisation and postmodernisation identified by this thesis so far.

Chapter Four

POLICING AS STRATEGY THROUGH DISCOURSE

4.1 Introduction

In this chapter discourses that determine public, professional, and political perspectives on the police and policing are revealed. The emergence of a political sociology that takes account of the impact of Globalisation and postmodernisation, rather than one trapped in the modernist conception of the relationship between the state, society and the Weberian concept of power, enables these developing concepts to have a meaningful role in understanding the policing processes revealed in greater detail in this chapter. These processes emphasise Waddington's pessimism that 'policing is intrinsically difficult to control' (1999:183) and also the concerns of constitutional lawyers attempting to remedy this aberration (Walker, 2000). In order to structure this task the chapter will firstly evaluate some aspects linked to this New Political Sociology: discourses, the media construction of those discourses, and a Foucauldian rather than Weberian concept of power. The chapter will examine policing discourses that address Johnston's (2000) Globalisation thesis and then develop examples of his concept of 'late modernity' at the local, micro-levels of policing. In the second part of the chapter the international, global and macro-levels, of this examination will be similarly evaluated by an analysis of discourses, structures, and case studies at each level. At both the micro and macro-levels the results of elite interviews, case studies, discourse analysis, and literature reviews are all utilised to assess the impact of the processes associated with Globalisation and postmodernisation. This chapter is, essentially, a functionalist discourse analysis that Anderson *et al.* (1995) believe to be an appropriate method for examining policing processes at all levels; micro, meso, and macro.

4.2 Police Discourses

Headlines that quoted the secretary general of Interpol as believing 'the biggest threat to society today is the capability of people in organised crime...(to) corrupt institutions at the highest level' (*International Police Review* May/June 1997:25); that revealed agreements between the E&W and USA to counter international crime 'Transatlantic Crime Cracker' (*International Police Review* May/June 1997:33); and

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the call by academics for more informal police co-operation to join 'the fight against international crime', (*Police Journal* April 1997:127), were all designed to place the crime fighting capabilities of policing at the forefront of their functions at the international level. The same discourse was replicated at the national level with the published policies of central governments, in all Western democracies, that set (mainly) crime targets in their central objectives for policing. It was a professional discourse that also had a public dimension through films, television and general paper media. The *Daily Telegraph* headlined the war on Internet fraudsters with 'EU to act on "cybervillains"'(17/2/2000:3) that reported EU concern with online criminality; the *Daily Mail* headline described the manner in which the police were utilising Internet technology 'How police are closing the net on villains' (23/11/1999:59) in order to ensure that there was nowhere in the world that they could escape to. In these articles, the policing function always appeared to relate to crime control. This regularly proved inaccurate as various empirical studies, on both sides of the Atlantic, produced statistics that revealed only a small proportion of police time was expended on crime calls at which the police were ineffective in any event (Bayley, 1985; Reiner, 1992).

However, the discourse that depicted policing as crime-fighting at the international level also produced numerous informal police contacts and practices. Police professionals engaged in the drive for institutional agenda setting, policy making and legislation in an *ad hoc* approach to regularise these practices, especially at the international level. Examples were manifold - the Grampian police seconded an Inspector to the United Nations Convention of International Trade in Endangered Species of Wild Flora and Fauna (*Police Review* 5/9/97:9); the Foreign Office, and Ministry of Defence, trained foreign police forces that have been described as 'repressive and brutal' in an attempt to expand their growing role in policing outside the state (*Sunday Times* 9/11/97:24); and a US secret service special agent was seconded to a City of London cheque and credit card squad to 'improve communications between US and British agencies targeting financial fraud' (*Police Review*, 27/6/97).

The professional dimensions of this discourse may be observed in the creation of external threats to the state through expanded functional developments of the police mandate over many years. At the 1993 national conference of the National Drugs Intelligence Unit, the workshop on organised crime recognised that the gathering of intelligence and sharing it with other (policing) agencies was vital, and had been

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improved through the creation of NCIS and the expanded capabilities of Interpol. However, they noted that there were a number of processes associated with the illegal importation and sale of drugs (especially from the former Eastern Bloc) that threatened to escalate the problem. The potential for criminal gangs to take over the drug trade; the exodus of people to the West 'bringing organised crime with them in secret cultures difficult to police'; the threat to the economy and political instability that major crime through smuggling brings (from watches to nuclear components); and the money laundering opportunities for operations elsewhere in the World, were all identified as potential threats to order. These finding were then utilised to call for: greater police powers in relation to asset seizure; for cross frontier surveillance; for jurisdictional problems to be addressed; for larger financial investigation units; and for the ability of the police to seize cash over £10,000 in transit across borders if the recipient did not possess statutory proof of ownership (Workshop on International Crime papers at the NDIU conference 1993:25-26). The ability of this professional discourse to link the drug threat with organised crime from the eastern bloc, with threats created by alien peoples, with money laundering, with nuclear threats to the economy and welfare of the state, and with a duty to protect the rest of the world from these activities, was not matched by the professionally researched empirical findings at that time.

During the three years following the conference, and commencing in December 1994, the assistant chief constable (ACC) of the Greater Manchester Police (GMP) was given the remit by ACPO to lead a working group to examine the empirical foundations and consequences of professional discourses that had already been taken up by the popular press with regular references to 'Yardies', 'Russian' and 'American Mafiosi'. He reported his findings to a seminar on International Policing at the Police Staff College on 26th March 1996, and restated his terms of reference 'To consider the extent and nature, (and likely future trends), of international, national and inter-force crime affecting the United Kingdom'. Using a political, economic, social and technological (PEST) analysis involving every force in E&W, and with some visits to foreign police organisations, he concluded that there were three areas of criminal activity to be addressed - property crime, personal crime, and market offences. Apart from fraud (a consequence of internationalisation of money markets) there was no evidence to link organised crime to property crime. With the exception of terrorism, sexual tourism, and football hooliganism, there was no evidence to link organised crime to offences of

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assault, which left market offences (the trade in drugs, pornography, smuggling etc.) to be addressed. The paper produced some interesting findings (from the point of view of this thesis) as most of the illegal trade was from third world countries, not from Europe, and there was evidence of a steady upward trend in this type of criminality.

Having produced indications of the types of incident feeding organised crime the working group discovered that foreign organised crime groups did operate in E&W and had connections with local criminals. It found that whilst there was evidence of the presence of the Mafia, West African criminal groups, and Triads, there was no evidence of Russian organised crime 'thus debunking a great deal of speculation both within the service and the media about the presence of such groups following the fall of the Iron Curtain'. What this working group did produce was a picture of crime in E&W being predominantly locally based and with some signs that international crime was criminally organised. However, as the evidence on market offences related to seizures, it was impossible to determine the extent (if any) of the increase in such crimes. Without it actually being stated the working group inferred that the level of criminality discovered in their research did not constitute any cause for alarm, albeit financial instruments and drugs were thought to be a problem but could not be measured. From an empirical perspective there appeared no cause for *police* concern however, the political *policing* discourse had already resulted in: the advent of Europol in February 1994 (the *Independent* 3/3/96:7); the announcement of the creation of a new national agency to tackle organised crime; and in the incorporation of MI5, MI6 and GCHQ into policing (*Statewatch* September/October 1995:20). This edition of *Statewatch* also reported the interim findings of the ACPO (Phillips) working group on organised crime which found little hard evidence of the increase in recordable crime, but that there was a point of view that (market) crimes would undermine democratic states and destabilise the world economy (1995:21). The move to an integrated policing effort at the international level was also taken up by the professional discourse associated with elite views (empirically unfounded by the Phillips enquiry) and, according to the Metropolitan Police Commissioner in his Police Foundation Lecture 'British Policing in the 21st Century', it was counter pointed by the importance of local policing and the linking of policing to community safety in partnership with local authorities (Police Foundation 5/9/95, News Release).

The consequences of linking policing with the security services (especially post 11th September 2001) are developed throughout this thesis but at this stage it is important to realise that the accountabilty concerns of this development are obvious given the nature of covert surveillance, the use of spies and paid informants, and the track record of the use of such tactics world-wide. The ideological nature of policing beyond the borders of the state is also linked to accountability and there are many examples of the existence and consequences of this aspect of policing, beyond the control of the state, in many countries. In the US, the FBI established an academy in Hungary to train foreign police, but with no remit for operational involvement. However, as reported in the *St. Petersburg Times* (15/9/95:1D), 'increasing global crime has broadened its scope' into policing overseas (including arrests), but with protocols demanding that the agency has to ask permission of the host country first; this particular historical development has been superseded by the pragmatism following 11th September 2001.

The accelerating nature of extra-state policing activity in E&W became evident with the opening speech by the chairman of the ACPO International Affairs Advisory Committee at the same seminar on international policing that heard the results of the Phillips working group on organised crime (PSC 26/3/96). In this speech he revealed that officially there were known to be approximately 400 police officers from England and Wales serving outside E&W at any one time; that they were involved in the training of the police in 70 differing countries, in addition to the many hundreds of police officers from overseas that were trained in E&W annually; and that these figures were rising exponentially year on year. The Home Office was contacted officially by letter, telephone, and (lately) by e mail in the course of the research for this thesis, but they have consistently refused to release any figures (current or historical) that would identify the officially known numbers of police officers working external to the state. The latest attempts were by e mail in both April and May 2001 and, whilst acknowledging receipt, they have failed to reply.

The Director of the newly formed NCIS then addressed the conference and observed that, currently, little intelligence was gleaned from police forces around the world but that the security services supplied increasingly large amounts. There was a need to convince not just Home Office forces, but also Customs, Immigration, British Transport Police (BTP), the Ministry of Defence Police (MDP), the Department of

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Trade and Industry (DTI) and the like, to feed intelligence into NCIS. He deplored the 'old pals act' mentality of informal policing that sent regional and local serious crime squad detectives around the world to solve crime, and that there was a need for a strategy in E&W to deal with accelerating developments in international organised crime and to drive for standardisation of laws to combat it. Finally, there were political developments outlined by senior civil servants from the Home Office to do with the creation of the Organised and International Crime Directorate, and from the Foreign and Commonwealth Office (FCO) with the use of counter intelligence agencies in international terrorism. As a consequence of these restructurings, they claimed success in the role of E&W at the international level to develop police and judicial co-operation to combat crime; for the organisation of joint operational crime initiatives (stolen cars etc.); for the financing of police exchanges at the international level; and for the initiation of sophisticated threat assessments *vis a vis* terrorist activities.

The securitisation discourses (Bigo & Leveau, 1992; Bigo, 1994) that linked drugs, immigration, asylum seekers, and terrorism with policing (rather than, say, health education, political systems or human rights issues) have created a market for increased policing - what Huggins labelled 'a police protection racket' (1998:197), and Johnston described as 'communities of risk' demanding ever greater security (2000:69). These discourses moved from the (police) professional press and into the popular and serious daily press in the mid 1990s, with regular features and news items on the consequences of relaxing European border controls and of the explosion in international crime and police responses. Examples of the wide ranging nature of this discourse may be observed in the headlines 'UK Firsts in International Crime Fight' concerning the ratification of the Europol Convention (*Constabulary*, January 1997:3); 'European FBI Takes First Steps' referring to the granting of operational powers to Europol (*Times* 27/4/97:26); 'Britain Salvages FBI's bomb case' in respect of the work of British forensic scientists in the Oklahoma bombing (*Mail on Sunday* 2/2/97:23); 'Spies Join Forces to Fight Red Mafia' referring to the plan for MI5, MI6 and the successors of the KGB combining to combat the activities of the Russian Mafia in Britain (*Mail on Sunday* 2/2/97:23); and 'Drugs Crusader says Global war not lost - just not started' in which the UN executive director of its drug control programme claimed 'narcotics and organised crime are the major threats to the world in the next century' (*Financial Times* 3/3/98:3).

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The response from the Home Office, to the portrayal of an explosion in international crime as policing discourse, was somewhat mixed with a decision to send police officers themselves on certain UN sponsored missions, but not on others - the *Police Review* reported the decision to send a British contingent of 60 police officers to the 2,000 strong International Police Task Force in Bosnia (4/9/98:15-17). Whilst the Home Office, and senior police chiefs interviewed for this thesis, were less than enthusiastic about sending police officers away on UN sponsored tasks, there was a professional lobby for the establishment of a permanent UN police task force. The head of the civil police assistance to Kosovo argued that, 'police in peacekeeping is going to be the stuff of the future' (*Police Review* 4/9/98:15-17). The same source remarked that in the context of war torn countries, 'without police reform you will not get social stability, you won't get economic investment'; this clearly made a link between policing, political economy and the stability of the state. In April 2001, the Home Office eventually agreed to set up a permanent European Police Reaction Force, which was reported in the popular press under the headline 'Now Will EU Rob Us Of Our Police?' (*Daily Mail* 2/4/01:10 & 15) - another example of *ad hoc* policy making as a result of influences and processes beyond the control of the state.

As a strategic objective, the Foreign Office appear to have taken the lead initiative by sponsoring numerous police advisors world-wide as an element of their foreign policy directed through the 'know how' aid scheme, and by placing police advisors at embassy level. Whenever there was a drugs seizure, hostage release, an arrest of a war criminal, or simply a statement of policy on policing external to E&W, the FCO appeared to be the lead agency with the Home Office reduced to a tactical, operational support role. This aspect of the discourse also produced the need for other state agencies to be engaged in policing both internally (Customs and Excise, Immigration and MI5) and externally (MI6, the Ministry of Defence (MOD), and Foreign Office) where the military were now engaged on peacekeeping rather than defence or conquest. The role of the military in policing was first reported by a South Wales police press release on behalf of their chief who was an ACPO spokesman on international affairs, which acknowledged the arrest of a suspected war criminal by US special forces in Bosnia on 22nd January 1998. The *Guardian* (13/9/99:2) reported that the role of the British troops in East Timor was to restore peace and security and their duties were the arrest of drug smugglers and war criminals. The following Spring

(March 2000), the Royal Navy ran a series of TV advertisements that depicted the glamorous nature of life in the modern navy with policing of drug smugglers as the major attraction (fast boats, arrests, gunfire, and people in handcuffs).

A major recipient of police aid in recent years was South Africa, through the 'know how' scheme, with E&W but one of many international regimes that developed their foreign policies through policing contacts in foreign countries, with the US also a major contributor. The rationale behind this can be seen from studying files from FBI archives where the choice of policing rather than a military presence in a foreign country was developed for two primary reasons: finance - policing was roughly a fifth of the cost of military training (Johnson, 1984:338), and diplomacy/ideology - 'police training is a political instrument, not a military bludgeon' (Huggins, 1998:105). A third reason for police presence within other countries was now beginning to emerge, pragmatism. The need for officers to liaise, swap intelligence, assist with evidence gathering, and collaborate on arrests and prosecutions moved from the professional discourse to the political in response to threats to the integrity of the state from external sources.

Examples of this type of activity may be found within E&W: 55,000 Spanish national police officers were trained with community policing packages developed and delivered by Greater Manchester Police, but with uncertainty over who authorised their activities and who paid for them; and a team of Surrey police visited Malawi and instructed around 50 officers to enable them to train their own police (*Constabulary* June 1997:7). There were countless other initiatives that involved police officers both formally and informally training, or receiving training, outside the state with more examples examined in chapter five. Additionally in E&W, the US concept of problem oriented policing (Goldstein, 1978) was commended to all Forces by the Home Office and a number of them fully embraced this type of policing. The structural and accountable nature of public policing was undermined by these initiatives that were multiplied many times over and, allied to the many hundreds (if not thousands) of informal police contacts and activities every year, painted a picture of public policing that was no longer under control, let alone accountable. This policing discourse ran alongside, and was stimulated by, a globalising discourse which was predicated on the dominance of English as the language of the world and on the development of technology. 'Global theatre' described the dominance of English as a world language

(*Times Higher Educational Supplement* 7/2/97:19); 'Big brother is at your supermarket' reported the linking of data, collected by credit card spending patterns throughout the world, which revealed that spending patterns and taste were converging globally (*Financial Times* Survey 17/3/98:1); and 'governing the globe' which highlighted the impact of the world wide web (www) on international business and the need for governance of the Internet (*Financial Times* Business File 18/2/01:A4). The globalising nature of the evidence was contextualised within a postmodernising discourse that warned that consumption and entertainment were not enough to hold a society together - 'Let us all go and bowl together' was the headline for a story that claimed the postmodern society was devoid of any cohesion and predicted a dire future if the only strands that linked society were related to pleasure (*Financial Times* Weekend 14/4/01:III).

Meanwhile, the discretionary nature of policing, under attack from within the state through national objective setting, was also under attack from without. The way that the police actually carried out their mandate in E&W and the US, especially where it involved the use of force, was regulated by internal rules, procedures and judicial direction through, for example, the Judges Rules (E&W) or Supreme Court decisions (US). If police officers ignored or broke the rules they were personally liable for internal discipline or external censure but the actual case that it involved did not necessarily become affected - the Judges Rules may be breached, but the defendant could still be convicted. The juridification of policing that commenced with the introduction of a formal discipline system underpinned by legislation in the 1964 Police Act, has accelerated through the last thirty years. Legislation such as the Police and Criminal Evidence Act 1984 (PACE), and PMCA, together with various Public Order and Criminal Law and Criminal Justice Acts, have all sought to restrict police discretion and direct their practices. Now this activity is worthy of a debate in itself however, the actual juridification of the police mandate is not the issue in question. The issue is the source of the juridification. It did not emanate from Whitehall, the Treasury or the Cabinet office. Its source was the non-elected, non accountable Court of Human Rights in Strasbourg which the current government decided to be the supreme arbiter of all cases sent to it after October 2000, with the passage of the Human Rights Act 1998. This Court set out rules of behaviour that were themselves founded in a global set of principles, the UN Charter on Human Rights, which was a meta-narrative derived from

the era of modernity; policing was now juridified in terms of global notions of justice, equity and fairness.

From a practical point of view in E&W the *ex parte* Blackburn case, upon which all policing discretion relied upon to distance itself from the executive, has been superseded; a development that Walker (2000) welcomed and believed to be crucial to the democratic governance of public policing. There are a number of perspectives on this move that will be discussed in a later chapter, but this example is given of yet another extra state influence on policing that undermined the sovereignty of state policing. The state is no longer able to pass any Act of Parliament without first ensuring that it does not conflict with an extra-state (currently European) ideological, supreme piece of legislation. The headline 'Why Activists and Communists will soon run British Justice' introduced an article describing the composition of the European Court of Human Rights, including former judges of the totalitarian and communist countries of the Eastern Bloc (*Mail on Sunday* Review 13/2/00:53). The actions of the current Administration, in committing E&W to such a drastic reduction in the sovereignty of Parliamentary decision making was forced upon them by globalised juridification processes. Finally, in respect of the search for primary evidence of state policing impacted by processes that were beyond the nation state, reference is now made to the preoccupation with the costing of policing that is determined to turn it into a commodity.

Successive governments, during the 1980s and 90s, saw the need to keep police spending under control whilst at the same time assuring the population that police numbers would be increased. It achieved this through what was known as NPM which Leishman *et al.* argued was the result of extra-state pressures (Globalisation) and was predicated on dissolving the differences between what was public and what was private (1996:11) and using managerialist methods to achieve results rather than provide a service (Hood, 1994). This process was associated with privatisation of areas that were formally the domain of the public police, civilianisation of areas of policing that are not considered operational, and the removal of one of the core functions of discretionary policing - prosecuting. A new body, the Crown Prosecuting Service (CPS) was set up to carry out this function with guidelines set out by central government that covered such areas as the public interest, the likelihood of conviction, and cost. Neither natural, nor restorative, justice were considered in the CPS remit. Other cost cutting exercises

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included withdrawing uniform police officers from many towns and villages throughout the country and the sale of their police houses and stations; the hire of security guards (by the police) to protect certain police premises - a duty that was once carried out by police officers; and the sale of police services to whomsoever wished to purchase them. The evidence was not uniformly contingent on the reduction in public police activity in fact it was evidence of the complexities inherent in the progress of Globalisation in a post modern world, where local and global are often at odds.

The leader of the labour council in Barnsley argued that 'the public want police officers, they don't want private security or wardens'. He made this statement when questioned about the council's decision to spend £130,000 per year to hire police officers to patrol housing estates, because of the failure of the local police force (which is not local, it is an amalgamated metropolitan entity renamed The South Yorkshire Police) to provide the officers from the force strength - the *Daily Mail* headline 'Council foots Bill to Put Police on the Beat' preceded their story on the issue (11/2/00:45). Given that South Yorkshire pits were at the forefront of the National Union of Mineworker's (NUM) strikes in the 1970s and 80s, and that Barnsley was the headquarters of the Union and of their leader's new political party, these sentiments tended to undermine the assertions from many sociologists (especially Reiner, 1992) that these disputes irreversibly affected the position of the state police as 'totems' of the British character. This example of the enduring nature of the public police, together with many similar examples from around the world outlined in this thesis, is further proof of the inability of the totalising discourses of modernity (the meta-narratives) to explain and predict the processes at work in a globalised postmodern world. Examples of the ability of the police to influence the policy process through media discourses have now been revealed, as well as the inability of the police to resist extra-state influences at the juridical level. It is now appropriate to examine the processes associated with Globalisation and postmodernisation at a number of levels within the policing sphere.

4.3 Micro-Level Policing

In referring to an analysis at the micro-level, public policing is considered to be both state centred and local with individual police forces as the units of analysis, along the conceptual lines of the frameworks of understanding that have been revealed so far.

At this level of analysis, processes of interconnectedness, interdependence, commodification, hyper-differentiation, and disembedding of policing processes are examined, together with the cultural aspects of the societies being policed. Whilst empirical analysis is also utilised the emphasis will be on a discourse analysis of policing at the micro level to determine the impact of the postmodernisation and Globalisation processes that have been identified at the theoretical level. This level analysis (as it related to E&W) was extensively theorised in Johnston's contribution, reviewed in previous chapters. Essentially he observed the impact of Globalisation in the provision of plural policing, the erosion of political accountability mechanisms, and the erosion of state control. He also found evidence of the transformation of modernity to late modernity with the emphasis on controlling risk, the obsession with security, the move to a mass consumer society, and the complexity of that society (Johnston, 2000:18-31). What Johnston did not do, was to elicit empirical references to support this theorising, nor did he extrapolate this theorising to the macro-level beyond Europe.

At the societal level, it was apparent that nation states were traditionally divided along class lines and with some states along ethnic and religious lines (Waddington, 1999:84); what was also apparent was that, whatever the cause of that divide, it was homogenous in make-up until relatively recent times. The move to multicultural, multiethnic, multi-identity, and multi-interest classifications of societies has only been witnessed in Western democracies during the last 30 years, as the result of travel, media, IT systems, and mass migration - what could be termed the stratification of social divisions (Johnston, 2000:22). In parts of E&W and the US there was an obvious presence of multiculturalism and multi ethnicity and, conversely, there were parts of both states that were predominantly homogenous at both these levels. What was also apparent from an analysis of statistics at the level of protest activity and media discourses was that the whole of both these states had sub-classifications of societies along the lines of multi-identity and multi-interest. These observations were replicated in other Western democracies and where these divides were fundamental and led to tensions and violence they impacted upon policing practices that inevitably supported the majority to the detriment of the minority (Brewer with Magee, 1991:181-183). In respect of interest and identity bifurcation examples were observed in the violence associated with the antiabortion movement in America, the animal rights movement in E&W, and environmental movements in Europe. What was problematic about this type

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of societal fragmentation was that local policing had difficulty with determining the social values of the community to be policed, where discretion was a key element in policing. Waddington argued that social values were of prime importance for police decision-making when faced with the choice of enforcing a particular law or not (*Police Review*, 28/01/2001:13). If discretion was curtailed however, by a dispassionate professional approach, then criminological research predicted real dangers of provoking violence; the Scarman enquiry in E&W, and the Kerner commission in the US, both revealed the dangers of an inflexible approach to law enforcement.

Whilst victims and the community are conceptualised in postmodern heterogeneous terminology the police and public policing are predominantly analysed in an homogenous discourse, trapped in the concept of modernity and taking no account of the heterogeneous nature of the police, and policing itself. Whilst there are a number of studies that purport to acknowledge that there is a need to define police culture in differing ways than the current (1996) 'range of negative values, attitudes, and practice norms amongst police officers' (Chan, 1996:110), the reality is somewhat different. In fact the contemporary views of each of the authors reviewed for this thesis (Reiner, 2000: 85-107; Johnston, 2000; Mawby, 2002:26; Wright, 2002;16) all emphasise the common analysis of police activity as 'deviation' (Reiner, 200:101). The same sources also portray policing as deviance rather than as a positive asset to state security, political economy, or safety of the citizen. Their emphasis upon police malpractice and upon police as an homogenous group, does not accord with the postmodern notions of difference, of fragmentation, and of hyper-differentiation.

Chan's observation - that a new framework for understanding police culture 'allows for the existence of multiple cultures' as a consequence of the 'interaction between the socio-political context of police work and various dimensions of police organizational knowledge' - does not appear to be reflected in these contemporary accounts of policing (1996:110). Reiner's view that 'cop culture is not monolithic, universal, nor unchanging' (1992:109) is challenged by Chan who observes that 'police culture is often described as though it is' (Chan 1996:111). The police throughout the Western world are composed of most of the categories that inform the societies to be policed; they obviously exclude those that are physically or mentally incapable of carrying out police duty, but in every other respect are a reflection of the society to be policed. The notion that they should be a *true* reflection is fanciful and dangerous and

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would presuppose that the substantial proportion of society that is engaged in criminal practices should also be represented. However the postmodernisation of the police by virtue of their own social, racial, or gender, stratification is not a discourse that is evident in the analysis of policing that informs academic or social research - yet another element in the conceptual confusion that bedevils an understanding of public policing.

Commodification of policing was referred to earlier as one of the major influences for privatisation of public policing however, as the empirical indicators have already exemplified, the hegemony of public policing at the local level is assured for the present and foreseeable future. Current developments in E&W showed evidence of a desire for an increase in public police numbers amongst the forefront of all the major parties' campaign strategies prior to the 2001 general election in the UK (Daily Telegraph, 14/3/2001:1). The criminologists and anthropologists that privilege the cultural determinant over the economic appear to have explained the need for state politicians to continue with an exponential rise in public policing. The structural determinism inherent in the unicausal globalists, or in the multi-causal globalists who ignored the counter effects of decentralisation, localisation and cultural attachment, by their adherence to the concept of modernity meant that they had no mechanisms for explaining, or predicting, the processes of public police expansion world-wide. From an economic perspective the advent of the selfishness inherent in the risk society (Beck, 1992) should have produced a diminution of expensive public policing and an increase in private cheaper provision. Whilst proponents of this approach (Shearing, 1996; Johnston, 2000) produced evidence to show large increases in private policing provision they failed to acknowledge a similar increase in public policing.

The consequences for policing of commodification was not just to be found in the partial evidence of the risk theorists, it was to be found in the postmodernist discourse of public policing as safety, security and protection. Numerous newspaper and electronic media sources reported the need for increases in public police, and this was emphasised by the response from local Councils when faced with cuts in police services. There was a drive to increase the numbers of uniformed police officers (not security guards or wardens) that resulted in the separate provision of locally funded police officers in all areas of the country - Barnsley, Kent, Northumbria, Hull, and Sheffield were just some examples of localities that hired extra police (rather than security guards) for public patrol (*Police Review*, 17/3/2000:10 & 23/3/2001:5; *Daily*

Telegraph. 24/5/2001:1). The extra provision of street wardens (*Police Review,* 4/5/2001:23-24); the move to give non-Home Office forces such as the MDP, BTP, and UKAEAC, jurisdiction in wider areas of public space than their current domain (*Police Review,* 18/5/2001:23-24); and the emphasis on local authority based community safety, were all discursive practices to reassure the public with promises of police primacy and co-ordination when issues of public safety were at stake and without actually having to employ more public police officers.

The impact of Globalisation at the economic level was evidenced by this proliferation of cheaper versions of policing, but all were within the control mechanisms of local political accountability. Despite the reduced cost of these cheaper versions the public in all countries studied have preferred to pay more for local public policing. The latest Council Tax demands throughout the country carry exhortations to the public to support the police through greater local taxation with a typical example contained within the letter to those living in the counties of Shropshire, Herefordshire and Worcestershire:-

> In January 2002 the Police Authority undertook a public survey to gauge the strength of support for more police officers. 70% of those surveyed were willing to pay 50p a week more Council Tax to provide 300 extra police officers and this matched the Police Authority's view of growing public concern over the low number of police officers available to police West Mercia (Money Matters - Council Tax 2002/03 demand for Herefordshire).

The State's reaction, to this desire for more police, was to engage in a managerialist discourse of efficiency (especially through technical standardisation of all IT systems), civilianisation of non-core tasks, and an attempted introduction of varying pay levels throughout E&W (*Police Review* 11/5/2001:6). The Police Reform Bill of 2002, in England and Wales, contains elements of centralisation, cost cutting and the introduction of community support officers; issues that are variously opposed (or supported) by the Police Federation, ACPO, the Association of Police Authorities (APA), and individual senior police officers. This particular development is further contextualised within the reconceptualisation of policing that will be reviewed in the conclusion to this thesis however, it is clear that the debate about two tier policing has been engaged. The evidence from the US that had a system of public policing that was always fragmented in structure and was always supplemented by private provision (Gaines, *et al.,* 1997) revealed a strengthening of Federal influence (that will be

examined later in greater detail in the macro analysis) and an exponential rise in police officer numbers year upon year. Where their local policing system vary, from that in E&W and on the continent of Europe, is in the manner in which that public provision is maintained. There are great variations in the wages and training of police officers in the US who tend to be seen as crime fighters and who traditionally reflect the majority wishes of the local populations. However, in all jurisdictions reviewed in this thesis, there are centralising tendencies of standards, norms, and control; evidence of interconnectedness and interdependence of both structural determinants (such as law, technology and finance) and agency considerations (such as informal contacts, elite groupings, and professional discourses), that were the results of processes that cannot be adequately explained by the concept of modernity and a state centred sociology. A case study is now utilised to assess the processes revealed by Johnston of 'growing transnational interdependence' (2000:18); 'fragmentation and diminished accountability' (2000:29); and across national borders, 'increased police co-operation (2000:109)

During the 1990s an accountant with no previous convictions was found murdered in a rural location in E&W and enquiries by the local CID revealed that he had been assassinated by a professional assassin employed by drug dealers with whom the accountant was involved. The assassin was American, currently in Italy, and the potential witnesses were located in numerous countries throughout the world some of which had no formal treaties with the UK. In order to have these witnesses interviewed, the investigating officer was bound by a formal process that would have taken many months, or years (if at all) to have progressed to a trial. However, the international relationships that this detective had built up over the years together with the informal police contacts that he made following (initially) formal approaches, enabled him to visit 13 separate countries (including Hong Kong, Egypt, Italy and the US) in order to produce the formal evidence for trial and conviction (Interview with county-based senior detective, 29th October 1996). Whilst the formal parts of the investigation, which included the arrest, interviewing and charging of the suspect, needed to take place through approved legal and protocol channels the actual investigation itself took place through informal methods that did not need any resort to the Weberian component of the legitimate use of force which is such an integral part of the modern conceptual definition of the police, and public policing. Reference to this particular case, from a

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different source, revealed that whilst the detective had visited these countries a total of 84 separate states had been contacted on his behalf to assist the process (interview on 18th November 1996, with ACPO level detective with experience of working at Interpol). What this case study showed was that the accountability mechanisms of policing at the local level could not cater for informal police contacts and that the product of police power in this case was based on professional knowledge, on the communication of information, and the effects of agency.

What it also demonstrated was that without the co-operation of other public police agencies at the transnational, global level (interdependence); without the existence of both formal and informal communications systems (interconnectedness); and without the ability to develop a policing plan to detect the crime (discretion); this case would not have been solved. Further enquiries revealed that to have formally requested premises to be searched in just one of the 84 countries concerned (Japan), would have entailed proving a case to the CPS; the CPS then formulate a Commission Rogatoire; it is then forwarded to CPS in London for translation to Japanese before being forwarded to Interpol with a copy to HO (acting as agents for FCO); both copies are then forwarded to Japan for action. This transaction is regulated by The International Co-operation Act 1990 which covers all the nations with which Interpol deals. The probable time scale would be a month whereas a phone call from one detective to another colleague in Japan had the action undertaken and a reply to the requesting detective in less than 48 hours. When analysed from Sibeon's understanding of the structure/agency debate this case study is an example of agency being enabled by structure (informal contacts), whilst at the same time being constrained by it (the formal processes); the social chance was that this particular detective had contacts, social time, and sufficient professionalism to exploit the process.

Within the bureaucratic and hierarchical understanding of modernity the processes involved in this case are incapable of explanation. Within the postmodern notions of fluidity, discourses, and the globalised notions of time/space distantiation, this case study is not only capable of explanation it may also be capable of prediction. Whilst this may seem an exotic and unusual case, the incidence of E&W local crimes having their origins and solutions in foreign jurisdictions is increasing dramatically. During the six year period 1991 to 1997 the requirement for police officers to travel abroad to gather evidence rose by more than 700%; given that 93% of the respondents

in this study said they would prefer to deal with these enquiries on an informal basis, it is safe to assume that the official 700% increase was many times that number in reality (Nicholson & Harrison, 1996:frontispiece). It is argued in this thesis that the informal nature of these developments have their roots in the changing nature of policing as a consequence of both Globalisation and postmodernisation.

In modern police structures the militaristic hierarchy was reflected and underpinned by a draconian discipline procedure that ensured minor breaches of discipline (such as neglect of duty through 'idling and gossiping,' being late for duty, and failure to obey a lawful order) were dealt with by fines, reduction in rates of pay or possible dismissal (Police Discipline Regulations). The underlying drift away from this strict discipline-based system which current studies (like the one above) revealed, is symptomatic of the managerialist approach that relies less on supervision and more upon individual self-management. Studies of police numbers in E&W have shown a drop in both Superintending and Inspecting ranks, and a rise in Chief Officers and Sergeants; the latter rise is wholly attributable to legislative directions (such as the need for a Sergeant in the custody suite post PACE). It is also at this level of individual decision making that agency influence on policing may be found, encouraged by the lack of the utilisation of formal disciplinary procedures and the drift of accountability mechanisms, from activity, to outputs and outcomes. At the technological level local public policing is found to be interdependent of, and interconnected with, global business interests, global policing developments, and global IT systems. In short, the vehicles driven, the petrol used, the communication systems relied upon, the high tech aids to crime detection (such as Automatic Fingerprint Recognition, DNA testing, PNC, HOLMES,) and surveillance, tend to have their source, their expert maintenance and replacement, and their analysis, in other nations throughout the world. Global standards also dictate radio frequencies, levels of proof for technological competence, and formats for inputs into IT systems (*Police Review*, 23/3/2001:24-225). Incontrovertibly there is true global interconnectedness at the technological level for local micro-level policing. At the primary level of police accountability and legitimation, through the impact of law, local policing is now very much controlled by its interconnectedness and the centralising tendencies associated with Globalisation - the impact of HRA has already been addressed and will be discussed further in the later sections of this chapter.

The hyper-differentiation of policing, associated with postmodernity, may be observed in the move from the modern bureaucratic tendency to centralise structures and controls, and to differentiate policing from the volunteer to the professional, towards multiple control levels (command units in forces) and multiple branches of uniform and plain clothes activity. This hyper-differentiation reached the ultimate level of policing, by units of one, in the version of community policing originally described as 'beat managers' who have sole responsibility for an area as a problem-solver rather than a reactive member of a larger team. At the ACPO annual conference in May 2001 the vice president announced a drive for 9,000 extra beat managers who would be known as 'police custodians'; these 'custodians' would be additional to the current strength of forces and would be allocated, one each, to the 9,000 electoral wards throughout England and Wales (*Police Review*, 1/6/2001:7).

The virtual reality aspects of micro-level policing, together with the processes of disembedding, are exemplified by the presence of speed cameras, surveillance systems in town centres (often monitored by remote call centres many miles from the site of their impact), dummy patrol cars strategically parked in car parks and motorway service areas, cardboard cut outs of police officers outside petrol stations and shopping malls, and crime programmes on television. These are all powerful discursive elements of policing that portray an image rather than tangible reality - reminiscent of the simulacra that haunt 'Quartz City' (Davis, 1990). They also allow police officers in one locale to police another locale from their command consoles in central headquarters rather than local police stations; an extension of the panopticon usually associated with prisons or societies in general. What is now apparent is that at the micro-level of policing there are indications of the impact of Globalisation with greater centralisation of public policing structures that provoke local demands for a greater public police presence and for greater local accountability. This is achieved through the postmodernisation processes of commodification of police services, hyper-differentiation of policing structures and practices, and the emergence of virtual policing through the use of technology - a process that is even more pronounced at the macro-level. At the structural technological level, there is evidence of interconnectedness and interdependence which is also replicated at the agency level. Finally, for the purposes of redefining policing, there emerged practical examples of the utility of information as power to produce outcomes

that are not reliant upon the use of force; nevertheless these outcomes are only available to the public police as the macro-level analysis will now demonstrate.

4.4 Macro-Level Policing

In referring to an analysis at the macro-level policing is conceptualised as state-centred and utilises individual states as the units of analysis. At this level, evidence of interconnectedness, interdependence, commodification, and disembedding of policing processes are examined. Additionally, policing is examined at the extra-state level to assess the potential for an extension of the current state-centred focus of analysis. Whilst empirical analysis is also utilised the emphasis will be on a discursive analysis of policing at the macro-level to determine the impact of the postmodernisation and Globalisation processes that have already been identified at the theoretical level of the state and, to some extent, the European region by Johnston (2000).

Modern analysis of policing at the international level has been referred to at length throughout this thesis (Bayley, 1985 & 1994; Brewer *et al.*, 1988 & 1996; Anderson, 1989; Mawby, 1990 & 2000), and at the European level (Anderson & den Boer, 1994; Anderson *et al.*, 1995). The only application of the concepts of Globalisation and late modernity has been at the European level (Johnston, 2000), although articles on the possibility of such developments at the global level were published by other commentators (Sheptycki, 1995 & 1998). The discourse of globalised public policing was transferred from a purely professional and political one to a public, media-mediated, discourse that elevated the threat of international crime to the nation which necessitated a police rather than military response. Examples of those discourses, together with structural responses at the state, regional and transnational levels, are now examined. Since the collapse of the Iron Curtain there has been an acceleration in the interest shown in policing as a means of protecting the external borders of the state by the military and the intelligence services on both sides of the Atlantic.

In the Dimbleby lecture in June 1994, and later in the Smart lecture of November 1994, the head of MI5 spoke of the role of the security services in leading the fight against terrorism (having officially taken over that task from the police in 1992). She then spoke of the development of that role into the area of 'supporting the police in detecting and preventing crime, and preserving law and order'. In October

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1995 she called for the joining of forces to combat organised crime and drug trafficking (*Police Review*, 3/11/1995). The resultant structural response was the Security Service Act 1996, which empowered the Security Service to act in support of the police and other law enforcement agencies in the prevention and detection of serious crime [section 1(1)], and the ability to obtain a warrant from the Home Secretary for intrusive activity on property [section 2]. Public policing in Britain had now become plural throughout the state as, prior to this development, plural policing in the shape of non-Home Office forces, coast guards, and municipal policing, had only enjoyed restricted territorial jurisdiction.

During this same period, (where policing was seen as an integral part of the security continuum discourse) the security deficit at the EU level also drove the policing discourse to justify the structural developments that greatly enhanced its police capability through the incremental developments of Europol. However, the observations of many of the academic commentators of policing in Europe that this development was more political than police driven were confirmed by a police source. It also followed the liberal and revisionist theorising that aligned police structural changes to the developments within the modern state:

> Centralised police forces are more efficient at handling (Interpol) requests; however, the introduction of Europol merely duplicates the work of Interpol and is the product of political rather than police incrementalism. All the usual reasons for the need for Europol are bogus; the threat from terrorism, drugs, immigration and so on, all operate through the Balkan route, and come from Asia and the Americas (interview on 18th November 1996, with ACPO level detective with experience of working at Interpol).

The process that gave birth to Europol, initiated it as a drugs intelligence agency, then developed it as a multi-crime intelligence unit, before transforming it to a prototype Europol *Force* with added operational capabilities and discourses. The same process formalised the interconnectedness with other police units and developed an interdependence through IT systems that informal discursive practices had already revealed. If Europol (a modern construct of political progress within state-building) had not transformed itself into Europol *Force* (a product of postmodern police discursive practices) it would not have been allowed to succeed as a policing entity. Police professionals prefer units that assist police priorities rather than political ones, and Interpol is the preferred information source for those professionals. Meanwhile, at the

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global level the threats from drugs, terrorism, illegal immigrants, organised crime and fraud, produced a discourse that reached the mainstream political and media outlets. During the period 1995 to 2001, memoranda of understanding, treaties and equipment protocols were signed between all the major world economies and some of the emerging nations. There was a UN protocol between the 120 member nations to tackle the trade in humans (*Police Review*, 22/12/2000:12); the global communications protocol for Interpol's 177 National Crime Bureaus (NCBs) (*Police Review*, 7/2/97:24-27); and treaties and memoranda of understanding with the US, New South Wales, Thailand, Holland, and Belgium. Policing discourses at the global level were utilised by senior police professionals to encourage the incrementalism already discussed at the European level 'We tell the senior civil servants, and ministers, of the threat of drugs, counterfeiting, antiques thefts, vehicle thefts and immigration; most of all the greatest threat is money laundering and immigration' (interview on 5th December 1995, with Chief Constable - Chairman of ACPO Committee).

Whilst that Chief Constable headed a powerful international policing lobby group another followed a similar international agenda at a different committee level 'The DOE and HO assist us in putting items on the agenda; we link with our European colleagues and lobby through our Euro MPs as well.' (interview on 12th February 1996, with Chief Constable - Chairman of ACPO Committee). This Chief Officer agreed with all the others interviewed for this thesis that the threat to the stability of the state for the foreseeable future would come from immigration from Eastern Europe, and the East in general. However, Her Majesty's Chief Inspector of Constabulary (HMCIC) disagreed with the strategy of incrementalism of law making at the European level and preferred the memoranda of understanding, protocols, and professional contacts as 'there is too much scepticism about a Federal Europe; I would rather go for arrangements that are agreeable rather than change Euro law' (interview on 9th April 1996 with HMCIC). The HMCIC also agreed with a number of other senior Chief Constables and HMIs on the role of the Civil Service in their policy making influence and their dislike for the professional police hierarchy. When HMCIC was questioned about the role of Customs and Excise in the wider understanding of '*policing*' as a concept he replied, 'Customs are not a trained police force, they are civil servants and not accountable, having no complaints system and are not subject to external inspection; they are VAT and duty collectors'. His final observations, about the role of civil servants and the power of

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police professionals highlight the rift between the HO and the Treasury. He claimed that the Audit Commission provoked consternation by their drift away from financial auditing of police forces and strayed into areas of Constabulary independence with demands for forces to follow certain 'best practice' guides:

> The Home Office and the Treasury are at loggerheads; the Audit Commission are getting beyond their remit with the production of Streetwise and the Crime paper - we may well withdraw our agreement to co-operate with them in further studies (Interview with HMCIC 9th April 1996).

Similar examples of the power outputs of professional discourses can be evidenced at the global, rather than just EU level. The processes contained in the thesis so far have revealed that the FCO consistently utilised policing as an instrument to further its influence externally to the state (a similar position has been observed in many other states, especially the US - see the contribution by Huggins later). One Chief Constable commented upon the ideological remit that was being asked of British police officers on secondment overseas. He outlined the role of a fellow chief constable who had been given the lead role by the FCO in advising the Slovakian government on policing reforms and by bringing Slovak officers to this country to train in his home force (interview on 12th February 1996, with Chief Constable - Chairman of ACPO Committee). This particular development was confirmed and expanded in an interview with HMCIC, 'He is the nominated advisor to the Czechs and Slovaks, and delivers centrally devised packages by the FCO - the Home Secretary approved it.' (interview on 9th April 1996 with HMCIC). The officer himself was more circumspect in the role that he played, describing policing in Eastern Europe as being 'more criminal than the criminals themselves'. He believed that he was assisting to develop a country from a totalitarian to a democratic state and that policing had broken down completely 'security instead of police is the word used; with vigilantes, militia, border troops, and the former military, as the only law'. Private security had filled the void created by the lack of policing and Pinkertons and Group 4 were prominent. 'There is the need for a new legal framework to control the drugs, the terror, the Mafia, and to control corruption in a society that had a fear of the new democracy' (Interview on 7th February 1996, with Chief Constable - FCO 'Know How' Fund advisor). This role of the private sector in policing at the global level was highlighted by a former HMCIC who also emphasised the nature of class relations in the wielding of power in government:

The civil service is jealous of the police (power) as we are now bigger than the military; ex military officers formed Controlled Risks (a security company) who give advice to industry, at the global level, on the politics of the country concerned. Their diplomatic and military contacts are used as informants. (interview on 18th February 1996 with former HMCIC)

These same globalising discourses were evidenced by the technological imperatives inherent in the Globalisation process with 'cyber crime' and 'cyber protests' becoming bywords for the criminal usage of the Internet (*Computeractive* magazine, 17/5/2001:7 & 22/3/2001:14), and 'cyber cops' as their antithesis (*Daily Telegraph* 23/4/2001). The response at the structural level was the setting up of the National High-Tech Crime Unit (NHTCU), in April 2001, as a combined investigative unit for Internet based criminality comprising a police head and elements of NCIS, NCS, Customs and Excise, other law enforcement agencies, together with forensic experts, computer consultants, and support staff in an 80 strong team (*Police Review*, 27/4/2001:20). In none of the reports was the element of accountability revealed. It was not apparent whether the unit was a Home Office entity responsible to the Home Secretary, or an arm of NCS, or an extension of FCO policing; what was evident, was the influence of extra-state pressure to combat extra-state crime. The influence of the US Federal Trade Commission in this respect was reported by one magazine as the catalyst for the NHTCU, which was seen as just one element of an operational arm of policing agreed upon by the UK, the US, and 11 other countries 'to set up a joint force to combat international consumer fraud over the internet...the first truly global setup'. This unit was part of a multinational programme which 'will be led by the US Federal Trade Commission' (*Computeractive* Magazine, 17/5/2001:7).

Whilst cyber crime may well have been predictable (given the Internet's rapid expansion for global trading) the use of the same technology to subvert government security sites, to organise protests, and foment revolution, is a novel threat to the integrity of the state and is (possibly) the initiation of Internet politics to threaten the future of democracy. The reporting of the 'Battle in Seattle' live on the Internet following the WTO summit in December 1999, and the subsequent use of the same sites to communicate world-wide with potential eco-warriors, anti-capitalist, anti-GM, and anti-Globalisation protesters, highlight the potential for dramatic changes in the way that protest is expressed; similarly, the ways that protests at this level are mediated by police organisations (*Computeractive* Magazine, 22 March 2001:14-17). One of the

computer experts interviewed in this article illustrated the potential damage to the state that determined 'cyber protesters' could inflict: 'If you give me 12 hand-picked computer technicians, I could do more damage to a country's infrastructure than a B1 bomber or the American 7th fleet'. The examples that he gave encompassed turning off power and water supplies to whole cities and crashing the banking system, to engage in a 'clean war' - 'Rest assured, every technologically-literate power is working on this stuff' (Frank Jones, Codex Data System). There was evidence of the police and security services sharing information and intelligence prior to subsequent WTO, G8, and World Bank meetings during 2000 and 20001, which allowed sovereign states to deploy defensive strategies (such as exclusion orders for those named in police intelligence reports) prior to these meetings. These sovereign states were totally interdependent of other states at the level of intelligence sharing, and interconnected with those states at the technological level to process and access that information. At the Davos/Zurich economic forum in January 2001 intelligence from American and Czech security services was utilised to turn back potential protesters at the border (*Sunday Telegraph*, 28/1/2001:27); in the May day protests in London the same year, police and immigration officials monitored ports for known foreign anarchists (*Sunday Telegraph*, 29/4/2001). These were examples of policing by information collation, storage, and sharing at the level of state security. An example of this type of information usage at the level of an individual case, rather state security, is now examined to determine the extent of interconnectedness and interdependence.

A case of local policing with an international dimension that emphasised the extent of macro level Globalisation occurred in London in March 1999, when a Kosovan Albanian (claiming to be a Kosovan refugee) was murdered by an Albanian gangster, involved in protection rackets amongst the refugee community in London, and who was also carrying a Portuguese passport (*Police Review*, 16/3/2001:25-27). Following the murder, the assailant made his way back to Albania (via Ireland, Norway and Italy) where he was later arrested and held in custody for an unconnected robbery. There was no extradition treaty with Albania but the detectives in the case made contact with Albanian justice officials and then travelled to that country where they liaised with local political and legal authorities. Throughout their time there the detectives were supported by Albanian government officials at ministerial level and by the former deputy prime minister, as well as the British embassy in the capital. During their stay

they identified the assailant by way of fingerprints and photographs, interviewed witnesses and recorded statements, and then interviewed the assailant (who was still in custody for the robbery in Albania). The Public Prosecutor then offered to try the man in Albania. Witnesses from South America, Denmark, Germany and Britain were brought to the country by the British police and the suspect was subsequently convicted and sentenced to 18 years in prison for the murder. At no stage of this enquiry were the local Albanian police involved and liaison took place between the prosecuting authorities in Albania and the detectives from Britain. The productive power of professional knowledge, conceptualised within the postmodernisation and discourse theories, is highlighted by this case. Additionally, the desire for a state to be seen to be able to maintain order by dispensing justice at the interstate level, in order to have an affect at the global level, can be analysed within the interdependency arm of the Globalisation process, as a means of gaining acceptance to the wider community of democratic states.

Another case study involved the use of policing at the global level in the 'Goldstone Commission', by a combination of states (represented by the UN) to enforce global law - in this case the law on genocide. Whereas the last case study involved the normal due process model of policing based upon a police force in Britain, the Goldstone Commission was set up as an International Tribunal to enquire into the alleged genocide in Rwanda in 1995/6. The bureaucratic basis of the reaction from Great Britain was very much located within the modern concept of policing. The UN wrote to the British Government formally requesting the assistance of British detectives to lead the investigation into the activities leading to genocide during the Rwandan civil war. The Government passed the request to the Home Office who then liaised with the FCO before selecting a team of detectives for deployment in Rwanda. Upon arrival, the British detectives (who were now answerable to the UN Commission through the offices of the FCO who funded their stay) spent considerable time establishing the viability of the protocols that had been set up by the Commission with the host country, the UN and other participating countries (especially the Dutch, French and Americans), and with the various military forces in control of areas needed to be visited during the investigation. They found that the Commission had set up a viable major investigation system, established protocols with the various countries involved, and had produced a plan for forensic evidence gathering. During this investigation the tensions between the

various countries supporting one faction or the other in Rwanda were believed to have adversely impacted upon the discretionary nature of policing in the aftermath of that conflict, that was not found in Britain. 'The UN organisation is not up to scratch for this type of job. We need a standing police capability for future issues - all French, or British, or Russian - not mixed as in the military' (Interview on 29th October 1996 with senior British detective involved in investigation). Genocide was not the only offence for which there was global agreement on modes of trial, piracy also attracted such attention. The UN mandate for all levels of transnational policing was founded upon the principle of a global extension of human rights legislation and may be evidenced by the trials at Nuremberg following the second world war; by the ongoing trials in The Hague following the Bosnian conflict; and by the presence of multinational police advisors and policing units in as diverse a collection of locations as Cyprus, Kosovo, Bosnia, Central and Southern Africa, South America, and South East Asia.

There have been a number of studies on this type of policing which really cannot be considered as macro-level policing as they actually stand apart from the state-centred typology utilised throughout this thesis, and were within the international relations fields of analysis. The contributors tended to be professionals working in the field with the UN (Holm and Eide, 2000), but with some theoretical analysis included, and their relevance for the concepts under investigation will be considered in a short analysis in the next chapter. However, as professionals in the field have raised a number of pragmatic and conflictual consequences of their deployment away from their parent forces it seems appropriate to examine the theoretical considerations they have provoked. The field of policing within the global mandate of the UN is still reliant upon state-centred sovereignty, mediated by the processes of Globalisation and postmodernisation, that supplied it with the resources to carry out that mandate. The observations in the last case study are common to this type of policing and have concerned some commentators to offer solutions. The level of support, resources and continuity of effort invested into global policing depends upon a number of variables, not least of which is 'that national, organizational and personal interests will be furthered by the time, effort and resources expended in promoting reform' (Marenin, 2000:93). These may well be articulated through a foreign policy that utilises policing reform as strategy, a shared security ideology between the recipient country and the

donor nation, and the actual perception that policing may be improved by the strategies employed.

Marenin's conclusions were based upon research into the extra-state activity of US policing (similar to Huggins, 1998) and were argued within the two basic goals of US police support programmes. The primary (pragmatic) goal was 'to confront and control conventional and emerging forms of transnational crime...and contribute to the creation of a global police culture' with the secondary (ideological) goal 'to help create democratic policing, one of the perceived essential pillars of democratic life and politics' (Marenin, 2000:96). What Marenin brought to the debate (in addition to the burgeoning evidence of the utility of policing to foreign policy strategies) was his view that policing must become more political than was currently accepted at the present. His solutions were for that political awareness to be controlled through 'law, organisational regulations, professional norms, and a democratic police culture' (2000:108). Whilst his views were expressed in terms of police reforms in pariah states the structures for control of policing were just as applicable to the globalising consequences of postmodern policing in this thesis, with which Walker (2000) had such difficulty in conceptualising (reviewed later). At another level, Marenin also articulated the difficulty in progressing police reform due to 'the tenacity of policing as a social institution' (2000:94, derived from a study by Garland, 1990); here Marenin was referring to the cultural aspects of state public policing that both Reiner and Johnston excluded from their models.

What both of these case studies highlighted, and the empirical and discourse analyses have confirmed, was the inability of the modern conceptualisation of the police to account for their presence outside the parent state, their accountability mechanisms for when they were external to the state, and their lack of use of force in such circumstances. What has been highlighted, however, is their total dependence upon information and professional knowledge, and their ability to exploit it to produce results (power). They also highlight the growing interdependence of sovereign nation states when policing their own territories; the interconnectedness of sovereign nation states through their support of, and allegiance to, the ideological UN human rights mandate world-wide; and the role of agency knowledge and discourses to increase the demand for public policing and to circumvent accountability mechanisms.

4.5 Summary

This chapter has examined examples of the processes of interconnectedness, interdependence, commodification, disembedding and hyper-differentiation at the micro level of policing in England and Wales, and has discovered evidence of these processes within everyday police practices. Some of these are dependent upon IT system configurations as well as standards and norms set by transnational organisations, and support and service from private organisations outside the borders of the state. There is rationalisation of laws and procedures predicated upon a global notion of justice through Human Rights discourses and practices, the application of Health and Safety legislation and practices to policing, and the commodification of policing that has pluralised and widened the nature of its provision - anybody may now hire the police if they are willing to pay for them. Additionally, the differentiation and bureaucracy associated with modern policing has been transformed into hyper-differentiated models of police provision and a discretion that undermines bureaucratic control. However it is not just the structural developments that are revealed by this analysis. In the case study of the murdered accountant, there is agency use of professional contacts and knowledge to effect an outcome that structural developments alone would be difficult to replicate. The individual influence of agency is also replicated in the stratification of policing that mirrors the same process at the societal level, a process that does not appear to be accommodated by criminologists and sociologists in their attempts to explain the outcomes from a modernist perspective. Finally at the micro-level there is the emergence of postmodernity in the form of hyper-reality, with the use of police images rather than the police themselves to effect control through overt technological surveillance, simulacra, and symbolism.

At the macro-level indications of the emergence of the military and security services in the provision of public policing has been revealed by discourse analysis of structural developments of law and practice involving their contribution in the fight against all manner of crimes that threaten the state. It is also at this level that *ad hoc* usage of policing in the international arena is found to have increased over the last two decades, both ideologically (as in South Africa or Eastern Europe) and politically (as in UN attachments). The pragmatic use of policing at the international level is still fragmented, uncontrolled and unaccountable, and is very much centred on information sharing. The developments of threats to the state from the expanded use of the Internet

have been revealed and the structural responses so far are limited to a relatively small task force of police and specialist technicians. The case study applications at this level have complemented the processes found at the micro-level but with added political and cultural sensibilities to overcome due to the more formal nature of police action. The discursive nature of policing transnationally has also emphasised the power dimensions of discourse, both at the structure and agency levels. The macro-level analysis was expanded to include a global development that has only been in evidence for the last decade or so but that has been seen to have major expansion capabilities with the replacement of modern interstate war by intrastate postmodern conflict, also attributable to Globalisation processes. What is evident, from both a conceptual and empirical analysis of policing at all levels, is that there is an accountability deficit that a number of commentators (Waddington, 1999; Marenin, 2000; and others) believe is capable of remedy by structural developments that are dependent upon agency implementation. What is evident is that the macro level examples refer to the use of policing information to produce power - the power to change the law (MI5); the power to affect the internal affairs of other states (the 'know how' fund); the power to imprison (the Albanian example); the power to exclude (the anti-Globalisation protesters); and the power to change structures and garner extra resources (Europol) - all these phenomena were also observed at the local level. However, the accountability mechanisms for this use of information is situated at the local level of the police and has no application at the macro level for non-police agents engaged in public state policing (Security services, military, customs, immigration *et al.*). It is the contention of this thesis that if public police (and policing) are reconceptualised to emphasise the ability to access police information, and the ability to act upon it, all state agents engaged in police activity would be subject to formal accountability mechanisms. This would be in addition to an ideal situation where all public policing was exercised within an ethical framework of control.

The next chapter examines the processes at the extra state level and also reviews the wider concerns of Walker (2000) with the accountability aspects of policing at that level. Further, it lays out the conceptual mapping that is required to attempt to fully understand and explain the processes that are at work in the sphere of public police and policing.

Chapter Five

EXTRA-STATE POLICING

5.1 Introduction

The examination of a number of discourses in the previous chapter revealed a
dimension of policing that operated beyond the territorial boundaries of the nation state.
The manner in which these discourses were constructed will be summarised in the
concluding chapter, meanwhile, this chapter will address the growing reliance of the
state upon this form of policing as foreign policy. As an inevitable consequence of 11th
September 2001 that particular incident has featured as a case study to highlight some
of the differing consequences of the Globalisation and postmodernisation processes
identified by this thesis. However, long before 11th September processes were observed
to suggest that policing was now moving beyond the borders of the state in many
Western democracies at both the formal and informal levels of police interaction
internationally. Some of these processes have already been referred to at the EU level to
suggest that formal extra-state policing is taking place both within the region and
beyond it through protocols, memoranda of understanding, and treaties. It has also been
established that even greater numbers of informal police interactions are taking place
beyond the EU. This chapter will now address policing beyond the state, especially in
the US; the state's ability to formalise that policing as a foreign policy strategy over the
last thirty years; and the discourses that underpin the police position within the US. As
all Western democracies have established accountability mechanisms for their policing
capabilities, the strains on these mechanisms are also examined when that capability is
exercised external to the state (whether formally or informally). The value of policing to
the international political economy is also referred to within the EU and through the
impact of the UN police mandate.

In order to carry out this process the chapter refers to academic research, police
discourse analysis, elite interviews, and media discourses generally, to examine the
remaining aspects of the police, and policing, that may have been affected by
Globalisation and postmodernisation. It commences with extracts from a number of
interviews to determine the extent to which the police elites of both the US and the UK
are able to produce and control the discourses that drive extra-state policing and the

power dimension of these discourses. Some of the consequences of these discourses are addressed with an analysis of Walker's (2000) concerns with the accountability deficits inherent upon the impact of Globalisation and postmodernisation on policing. The growth of Global policing (as opposed to extra-state policing) was referred to in the previous chapter and is now more fully explored to determine its place on the Globalisation and postmodernisation continuum, as well as Kaldor's views on policing as international political economy. This thesis argues that conceptual work by Reiner (1992), Johnston (2000) and, latterly, by Wright (2002), is approached from a similar perspective. It is also argued that their work is very much underdeveloped in terms of its applicability across all forms of policing in all Western democracies, especially in the areas which are the subject of this chapter and especially within the UK and US. This chapter highlights areas of the Globalisation process that are not addressed, nor accounted for, in their conceptual developments as they apply to policing.

5.2 Transnational Policing as Agency Power/Knowledge

There are many examples of the public police of (mainly) Western states being formally utilised in overt uniform policing roles in other countries; the most obvious examples are those officers attached to the United Nations (UN) peacekeeping forces that are referred to later in this chapter. There are also many examples of policing as foreign policy to be found throughout this thesis, from the state sponsored discourses that ensured British and American policing was exported to developing countries, to the professional discourses that forecast threats to the state from every foreign shore; these will be elaborated upon in the next section. First, however, a number of interviews with senior professionals are reviewed to assess some of the background concerns that inform the professional police discourse of extra-state police activity. An HMI with experience in international banking and commerce, rather than the usual ex-Chief Constable background, was of the view that the British police was not as greatly valued abroad as the current professional discourse believed (interview with HMI 9th August 1996). When questioned about the current commodification of policing he referred to recent comments made by a senior ACPO council member, 'X thinks that the British Police model can be sold abroad; that's just rubbish'. This view was supported by a Chief Constable from a rural force who believed 'there is no particular niche in the market for British policing' (interview 29th March 2000). The HMI then referred to a

number of structural reasons for Globalisation that he had found in his work for an NGO around the globe, the most practical aspect of which he found to be language. In the main English is the language of international travel, international business and banking, which he believed is instrumental in facilitating 'the foreign policy of the US to spread their ideology through the FBI academy'; Britain belatedly utilised this form of activity as foreign policy with the setting up of the 'know how' scheme in 1989/90.

In terms of global policing, he believed that 'the UN will have a rapid deployment of police capability in the future, perhaps' which resonated with the views of a number of other professionals interviewed for this thesis. At the national level he believed that the current set-up of NCIS and the newly formed NCS was inefficient in respect of its remit to police at the international level. Within this professional discourse he attacked (in 1996) the illogical and elitist British view of policing in America as continually conflictual and overlapping - 'in my experience, the FBI are not seen as in conflict (with other police) in the USA', a situation confirmed by interviews with American chief officers at every level of policing during research in that country. What he articulated, and forecast, was the incremental development of national police organisations in Britain along the lines of the FBI with direct funding, direct recruitment, and answerable directly to central government. This would replace the (then) current situation with funding allocated *pro rata* from individual forces, officers seconded over short periods from parent forces, and a service authority composed of professionals, and local and central government politicians. This particular point was echoed by a Chief Constable interviewed some four years later who believed 'national forces should be recruited and financed nationally' as the current arrangements 'drained local forces of their resources' (interview with Chief Constable 29th March 2000).

Since the inception of national squads the professional discourse was directed at the inefficiency inherent in locally appointed officers being seconded to them for short periods and of the funding and accountability mechanisms based on these local arrangements. This discourse had its first structural response with the new (2001) Criminal Justice and Police Act proposals to remove the funding of NCS and NCIS to central government (*Police Review*, 18/5/2001:6). The response was confirmed by an APA briefing paper dated 4th December 2001, entitled Police Funding Settlement 2002/3, in which the transition of funding for NCS and NCIS from police authorities to direct funding from central government was confirmed to commence in the financial

year 2002/3. Currently (July, 2002), NCS and NCIS are advertising for direct entry from officers who have completed their probation with their parent force, rather than for career detectives for short attachments (*Police Review*, weekly from February, 2002). No doubt the next stage will be direct recruitment from the public, an initiative already taken by the National High-tech Crime Unit.

When questioned about the power elements of professional elites, and their ability to influence the policy process and garner resources the HMI replied with an example of a global company whose power was very much located in the hands of the professionals 'Power does not lie with shareholders (government), nor customers (the public), inasmuch as they only have the power of last resort; day to day power lies with directors (professionals)'. The power dimensions of the structure/agency debate are summarised in the final chapter but it is interesting at this stage to look at professional responses to this issue of power, where power is seen as 'the production of intended effects' (Russell, 1938:25). The HMI believed that this type of power, to influence the policy process, lay with ACPO as 'they are an effective force as a lobbyist...they have greater access to the policy process than the HMI...and the role of their secretariat' (through her contacts with former colleagues in the HO). He also emphasised that they create, have access to, and control over, expert knowledge. A fact emphasised by a section of the ACPO mission statement - 'to assist in setting the policing agenda by providing professional opinion on key issues identified by the government, appropriate organisations, and individuals' (ACPO, 2002).

This particular view of ACPO power was also articulated by the chairman of the ACPO International Committee in respect of policing overseas (interview on 5th December 1995). However, when asked to articulate the power dimensions of global professional police organisations (such as the International Association of Chiefs of Police - IACP) he was dismissive of any notion of them as a location of power 'Its an American organisation with only 5% of their members from outside the US; 80% of its members are from Federal agencies and the CIA; and the 15 British Chiefs, that are members, just use it for jollies'. This view from such an influential member of ACPO council was surprising but to emphasise his disdain for their ability to influence policy he likened them to 'IPA with rank'. A number of prejudices are apparent within this statement, not least of which is the British police notion that American policing is not as well organised, nor as professional as theirs - this was the point made earlier by the

non-police HMI. The International Police Association (IPA) is a global police association whose role is to facilitate leisure breaks for its members world wide. Its membership tends to consist of those police officers who like to travel by staying in the homes, caravans, or motor homes of fellow police officers in the host country; they tend to collect police memorabilia; and tend to originate from the operational, rather than strategic, ranks.

In respect of the IACP, they are an international organisation with a mainly American membership but, unlike the tiny membership of ACPO, they represent over 19,000 senior police officers from 101 countries world-wide and view themselves as a global organisation with a mission statement to match: 'to facilitate the exchange of ideas, and procedures' and 'to combat terrorism, drugs and crime across boundaries' world-wide (IACP, 2002). This same web site also outlined the 'IACP's Blueprint 2001/2002' in which it described the events of 11th September and declared 'it is not a national, federal, or a statewide problem - it is a law enforcement problem'. The blueprint also confirmed the IACP's ability to influence the legislative (policy) agenda and the need to 'educate the media that the IACP should be the main voice of law enforcement in the United States and around the World'. The final part of the blueprint, that impacted upon the issues driving this thesis, was the desire to have it 'permanently etched throughout the world as we expand our international outreach efforts...our international training initiative...and will focus on terrorism and public disorder committed by organized groups'. Whilst it has not been able to quantify the actual success that the IACP has had in its mandated mission statement, it is apparent from its web site that it claims continuing successes at the national and state level for its ability to introduce or frustrate new legislation as a consequence of it professional status. Not quite the inconsequential organisation that some police elites in England and Wales view it.

Similar to the role of ACPO as a professional body to protect the interests of its members as well as to influence the policy agenda, there are many organisations throughout the police forces of Western democracies that represent their members views and opinions. However, the IACP is the only one that purports to carry out that task at the global level and that claims to enjoy observer status at Interpol, consultative status with the UN, and to have world-wide regional offices. The ability to communicate with a range of contacts and locations world-wide makes the IACP a

formidable organisation in terms of its potential for influencing policing at a global level. ACPO has also attempted to maintain influence at the international level and the portfolio of responsibility for international policing remains with the ACPO President. In his address, delivered through the medium of the ACPO Annual Report 2001, he acknowledged that 'ACPO recognises that local and national policing is increasingly affected by overseas developments'. Particularly by the developments in the EU; the events of 11th September 2001 in the US; and ACPO support for 'UK foreign policy' with the provision of police officers for global policing duties in Bosnia, Croatia, Kosovo, East Timor and others (ACPO, 2001:11). The main development, for the purpose of this thesis, was ACPO's signature on a protocol with the FCO to provide these global police officers as 'a feature of operations for some time to come'. Interviews with HMCIC four years previously had established that if ACPO and the Inspectorate did not support police officers being seconded to global policing duties, the foreign policy initiatives of the government in this respect would not be met; the signing of the protocol acknowledged that professional power dimension.

Meanwhile the extra-state capability of UK policing continues to expand, but not in the open and strategically directed manner that Huggins (1998) describes (below) in the US. The part played by the Metropolitan police in the investigation into the murder of a British military attaché in Greece was reported to have been over a two year period and in conjunction with the local police (*Guardian*, 19/07/2002:3). In this report, the expertise of the investigators from E&W, plus their forensic skills, was said to be crucial to the success of the operation. There are also reports of a UK military intelligence unit working on Spanish territory to gather information of possible links between Basque terrorists and the IRA; at the same time, a team of FBI agents are also in Spain carrying out a similar task; and the French are taking a tougher stance on Basque-related incidents. These developments are reported to have added 'a new dimension to the internationalisation of the Basque conflict' (*Telegraph*, 1/8/02:1-2). This type of activity, which is policing, may be found at a number of levels of state operations through the police, military, security services or combinations of these; what is apparent from this research is that it is not strategic - it is *ad hoc* and uncontrollable compared to the US approach.

Earlier interviews with police elites in the US, (1996/97) highlighted the localised nature of policing at that point; whereas UK police professionals and civil

servants were prepared to have a view on policing beyond the state, their American counterparts were not so willing. With the exception of members of the FBI, none of the senior police commanders interviewed in America felt they had any need for an appreciation of international crime. The reasons become obvious when the localised nature of policing in the US is appreciated. Whenever there was a need for interstate or international co-operation, or exchange of information, it was carried out under the auspices of Federal agencies. There was no evidence of police officers travelling the world, contacting Interpol, or attempting to solve crimes through informal international contacts. Policing in the US is local, accountable and parochial; Federal concerns are dealt with by Federal agencies. Post 11th September has changed that view, but not by much if interviews carried out in April 2002 are anything to go by. Whilst it has only been possible to interview three senior officers in the US since 11th September they were the same ones interviewed in 1996/7, and all agreed that they now take a greater interest in matters beyond their own state, but still rely upon Federal agencies to deal with those issues. What was interesting was the Administration's claim to have increased the resources available to policing, both locally and Federally, without the local police having too much idea of the extent of that support; issues arising from the later interviews are summarised in the next section.

5.3 Transnational Policing as Foreign Policy

Whilst 11th September has had an enormous impact on extra-state policing world wide, there is evidence of a move to fund this form of policing as foreign policy during the previous thirty years in many countries throughout the Western world, but more explicitly in the US. The American Federal policing capability has expanded fourfold in the last ten years with examples of their deployment to be found in embassies, police training establishments, and individual force attachments around the world; the Drug Enforcement Agency (DEA) alone had more than 200 agents in over 60 offices world wide (Sheptycki 1995:620). Whilst expenditure on State, County and Local policing increased from $15bn in 1980 to $44bn in 1993 (Sourcebook of Criminal Justice Statistics 1997:4), the budget for Federal policing increased from $2bn to $8bn. What this demonstrated was the willingness of the Federal government to allocate funds for policing external to the US borders as well as diverting large scale military efforts into policing activities. Additionally the Federal government passed the

1996 Crime Bill to spend an additional $25bn in the hope of employing a further 100,000 local, state and county police officers by the year 2001, directly on Community Oriented Policing - the COPS programme (Academy of Criminal Justice Science Journal:2-5, Vol. XVII, Issue 1, May/June, 1998).

In a state that did not have a history of central government finance of any local policing this was a massive boost for policing at the neighbourhood level at the same time that Federal policing was also being expanded considerably. Prior to this funding, the only Federal application of funds was for the purchase of some equipment and to finance criminological research to see 'what works'. This funding only commenced in 1968 with the passing of the Omnibus Crime Control and Safe Streets Act. Reference to local policing is included at this stage in order to emphasis the point that, whilst Federal expenditure on policing external to the state has increased dramatically, policing at all levels in the US has also benefited greatly during the last two decades of the 20th Century and is continuing to expand; special treatment for police was not reserved for the police of the UK as most commentators here believed (Leishman *et al.*, 2000:1; and Loveday, 2000:213-228). There were more influences and processes at work here than those utilised in the academic debates, reviewed in chapter three, that depicted the UK police as benefiting from an ideologically disposed Thatcher regime. This same reductionism was apparent in the futurology of those that also predicted the demise of public policing.

To fully appreciate the historical development of the Globalisation of American policing, a review of Marx (1988) and Nadelmann (1993) provides compelling revelations of strategic decision making, through policing, as part of a foreign policy initiative. The arguments in Huggins (1998) encapsulated their work and built upon it at the theoretical, as well as the empirical, level. She spent over ten years trying to review 'secret', 'top secret' and 'for eyes only' classified documents in US government archives in relation to international policing by the FBI and CIA. The majority of her requests for documents, under the Freedom of Information Act (FOIA), were denied due to the data being too closely linked to 'national security', and of the 30% that she did receive, they were heavily censored (blacked out) for the same reason (Huggins, 1998:xiv). Indications of CIA involvement in international policing and police training may be found in the archives of the IACP and the records held at Michigan State University (MSU) which document the CIA's involvement in US police training in

South Vietnam during Eisenhower's presidency. The importance of this research was the linkage of policing with security at the extra-state level which was a (relatively) novel development. Although foreign assistance with policing may be traced back over a hundred and fifty years in Britain (and other European Colonial powers), the assistance was either linked to colonialisation or the training of senior officers of the former colonies or the commonwealth. In America this was also evident in the establishment of constabularies in their dependencies in the greater Antilles and central America. Following the last World War policing assistance was provided to defeated nations (by other allies as well) for an ideological 'rule of law' strategy (Huggins, 1998:2). In the years that followed (1950s - 1980s) the objective of police assistance changed to counter cold war threats of left wing subversion and terrorism. These assistance programmes may be viewed as foreign policy objectives of their own and the difference from the current strategies was that they were designed to counter a specific threat from one direction and were confined to the areas where the US had direct influence (either the occupied territories of the defeated nations or South America and the Caribbean). None of these initiatives could be said to be integral to the security of the US *per se*, they were foreign policy initiatives to counter specific threats or to take advantage of specific opportunities.

What changed was that during the 1990s, the Justice Department developed its International Criminal Investigative Training Assistance Programme (ICITAP) (formed in 1986) to become the 'primary coordinator of U.S. assistance to foreign police' and with a foreign policy objective of 'developing, enhancing, and protecting U.S. interests abroad and promoting abroad and at home images of national security' (Huggins, 1998:2). She believed that this type of activity was allied to the modernist discourse of superpower hegemony in the application of the 'world systems' view of centre periphery relations (identified as an economic/unicausal determinant of Globalisation in chapter two). These relations were not the only driving force for this assistance as she also believed that it was aimed (initially) at providing impartial and fair policing in areas where such a notion was a novelty. Certainly, the official records, reports and conversations in Congress seemed to indicate that assistance was aimed at establishing a more just legal-rational state. Huggins, therefore, located her (very revealing) findings in the meta-narratives of the modern world and the international relations field, rather than the postmodern globalised world portrayed in this thesis. Her class based

arguments and revisionist interpretations of the history of policing throughout this contribution (see especially pages 9-15), located her firmly in the neo-marxist tradition of sociology. However she exhibited some discomfort with this theorising and made many references to the lack of 'clear theoretical guidelines' when dealing with the types of outcomes and data trails that she uncovered (Huggins 1998:ix). Her theorising, therefore, confined itself to the professionalisation, bureaucratisation and politicisation of policing external to American borders and she had not appreciated, nor commented upon, similar processes in other Western democracies. Whilst conceptually inadequate from the point of view of this thesis the evidence that Huggins revealed was useful for secondary analysis within this process.

Prior to the developments of the 1990s and the expansion since 11th September, the United States Congress specifically forbade any further US involvement in assistance to foreign police in 1973 and 1974 (Government Accounting Office 1976), mainly due to the infighting between the military (who controlled most of the police assistance to foreign countries for over 100 years) and the administration over budgets, accountability, and outcomes (police death squads in South and central America). However, in the 1990s the US still had over 125 police assistance programmes abroad that were no longer mandated to assist in providing a fairer policing system (Government Accounting Office, 1992). Their new mandate was for the control of organised crime, terrorism, and drugs that threatened the security of the US, which was to be achieved by multiple tactics. These developments provoked interest in the media and Walter Pincus (writing in the *Washington Post* 14/12/94) revealed that they included FBI programmes in Russia, Eastern Europe, and Asia to develop a 'rule of law' mentality that should also provide the equivalent of spies amongst the police trainees (what the FBI termed 'speaking partners'). The trainees would become contacts and sources for access to parts of that country's infrastructure having an impact upon American interests - banks records, evidence gathering and the like. In the same article Pincus also observed that, in South and Central America, the Department of Defense was responsible for the complete reorganisation of the policing of many of those countries that produced and transported drugs into the US. In Bosnia, Somalia, Haiti and throughout the Caribbean, there were both civil police and military operators and advisors, together with the DEA, assisting with training, organising, and equipping local policing and were primarily co-ordinated through ICITAP. What emerged, from

this global policy of maintaining the security of the US through policing, was a strategy to develop the local police into 'transmission belts for U.S. foreign policy and U.S. economic and political interests abroad' (Huggins, 1998:2). The interesting observation that she made was that 'police assistance has the advantage of appearing to be a relatively benign and low-key form of U.S. intervention' which showed the administration in a positive light, especially when compared to military intervention.

What Huggins consistently addressed in this study was the micro level policy objectives of the US (in global terms) as it related to individual countries (especially South America), however, her theorising was at the macro (globalising) level. She discovered that the professionalisation, specialisation and centralisation of the host country's policing structure as a consequence of US assistance, resulted in conflict, devolution from the centre, privatisation, and lack of public approval (1998:18). She expected the opposite as she believed they would achieve the same results that were produced by the modernising of policing in the 19th century. It is the contention of this thesis that what she found was the consequences of postmodernity and Globalisation. She acknowledged the existence of neither and, in an attempt to explain her findings within a modified version of modernity, she proposed a number of theses to explain these inconsistencies; 'internationalization, centralization, authoritarianization and devolution' (Huggins, 1998:19-20). What she had not done was to explain the move from providing police assistance to countries requesting it, or being dependent upon it, to the move to having a police presence throughout the democratic and developing world whether requested or not. A move from one based upon an ideological imperative to one based on a security expediency. She meticulously detailed the extensive penetration of foreign police organisations by CIA sponsored police trainers during the post-war years on the basis that if the internal strife that bedevilled many of these countries could be curtailed, economic development could be enhanced. The theoretical model for the analysis of the data associated with this research was Marxist; economic reductionism in the furtherance of the spread of capitalism which itself was evident in Rostow's 'modernization theory' where 'order' had to be created or imposed for capitalism to be successful (Rostow, 1960 quoted in Huggins, 1998:100). This fact was uppermost in the mind of the director of the Agency for International Development (AID) during the early 1960s when he gave a speech on the role of AID:

> Where we cannot count on 'naturally developing' peaceful political
> situations, we have to work explicitly and deliberately against guerrilla
> warfare and terrorism [which create] obstacles to the peaceful concentration
> on the problem of economic growth (Bell, 1964).

At this time, the emphasis within American foreign policy-making moved from one of (ideological) law and order considerations to counterinsurgency, with an acknowledgement that policing may very well prevent trouble with good intelligence (the like of which was then in progress in Vietnam, and had developed in Cuba). Police activity could then nip revolution in the bud rather than wait for the revolution itself that may require considerable military intervention later (Huggins, 1998:104). The move from the military control that had shaped the first hundred years of policing assistance to foreign states now also took on an economic argument, 'the cost of equipping and maintaining the average policeman [is] one fifth that of the average soldier' (Johnson, 1984:338) as well as a changing political one 'training is a political instrument, not a military bludgeon' (Lobe, 1975:46). The military lost out and the CIA became the lead agency on behalf of the National Security Advisor - between 1963 and 1973 they trained over 5,000 senior foreign police officials at their International Police Academy in the US and almost 1 million others in their own countries. As previously stated by 1974 the activities of some of the police organisations trained by the CIA-sponsored police assistance programmes had perturbed the Congress (especially the Brazilian death squads) and the Ford administration terminated them that very year. However, when she observed that the strategic goal of that same activity had recommenced with a significantly changed objective in the late 1980s Huggins had no model to explain it. She associated the lack of accountability, the privatisation of some of this new activity, together with the fragmentation to NGOs, private individuals and private groups, with the same processes of economic determinism that she associated the counterinsurgency rationale of the preceding 30 years (Huggins, 1998:195). In her conclusions, she likened police assistance to a protection racket, a direct link with Tilly's (1975) work on the development of the state as an institution and his later (1985) work that likened state building and war making to 'organized crime'. By restricting herself to the conceptual influences of the 70s and 80s, Huggins denied herself the ability to develop her fascinating observations of extra-state US police activity beyond the realm of the ideological. She concentrated upon the training and equipping role of

the police in the developing and dependant nations of the world (mainly). She was not able to explain the processes that were responsible for turning that dominant ideological police activity under the Marxist, Wallerstein model of capitalist domination, into a pragmatic (defensive) foreign policy objective for world-wide police activity in order to ensure the very survival of the state itself.

Huggins described American policing abroad as 'promoting its interests through police training' and developed from 'gunboat policing' through the enforced creation of constabularies in the Caribbean and South America at the start of the twentieth century, and through police assistance to susceptible countries to combat the 'Communist menace' in the middle of that century. The analogy did not appear to hold for the current American policing strategies as her model did not permit the US to be seen as victim in any of her examples - evidence already introduced in this thesis, together with the specific evidence recounted later in this chapter, will show that in common with all other Western democracies, the US was a victim (and remains a potential victim) at many external levels that had their roots in non-military threats, even prior to 11th September. In fact Shearing identified the globalising trends in the processes that Huggins discovered, when he explained the rationale behind the later 20th century police training and penetration of foreign forces as state 'action at a distance' - a key feature of both postmodernisation and Globalisation (1996:285-287). He also considered the decentralising, fragmenting, and embedding that accompanied current social control systems, a natural consequence of this rule at a distance, and a return to feudal systems where governance was rule through sub centres. Huggins acknowledged this process in her account of the creation of the death squads in South American policing. Her thesis ended with considerations of the commodification of security; the role of the market in providing that security (which in itself would breed further insecurity); and her view that 'the cycle begins again towards centralization, but with its inevitable reflex to devolution of authority' (Huggins, 1998:203). This particular contribution demonstrated the inability of theories grounded in the meta-narratives of modernity to explain the processes that she observed, however, her contribution was valuable to the development of this thesis in that she observed these processes and documented them.

The ideological basis of much of the early American overseas police assistance and influence was adequately explained by Huggins (1998), with similar European

influences covered in chapters three and four. The oldest informal arrangement for formal global policing co-ordination and co-operation at the operational level was Interpol, which was formed as an NGO and did not have any international agreement to support its existence (Anderson, 1989); recently, there has been a regional variation in the advent of Europol (Benyon, 1996). It was at both these levels that indications of the growth and influence of one of the key components of Globalisation (the professional policy networks) was found. Benyon argued that the emergence of these policy networks, consisting of senior officials and police professional, may give rise to 'a gradual evolution of some specialist forms of European police units with limited cross-border operational capabilities' (quoted in Johnston, 2000:115). The growth of the influence of the police professional has been highlighted in a number of chapters in this thesis (especially ACPO) and that influence may also be found at the global level with the International Association of Chiefs of Police and the Police Executive Research Forum.

Sheptycki also believed that these quasi formal associations were supplemented by large numbers of 'informal, invisible, and subterranean channels' (1998a). Whilst some British police chiefs were obviously sceptical of the productive power of IACP, their informal contacts assisted the American penetration of local policing described by Huggins. The security deficit widely referred to in the European policing context but also utilised at the global level, has a number of discursive elements that elevate rhetorical statements to the level of taken-for-granted givens, and that produce discursive constructs in the form of 'moral panics'. Benyon *et al.* argued that both elements of this discourse were designed to produce a situation whereby police professionals ensured a favourable climate for policies and legislation to be enacted to facilitate international policing (1993:58). The formal acknowledgements to be found at both the European and American levels seemed to suggest that public policing activity at the transnational level was not accountable in the same way as national policing activity. In fact Johnston summarised his observations at the (mainly European) transnational level as showing that 'In effect, transnational law enforcement is dominated by unaccountable bureaucratic and professional police interests' (2000:117). The consequences of the general accountability aspects of extra-state policing are analysed in the next section, but it is now appropriate to examine the specific aspects of accountability and extra-state policing in the US context following 11th September.

At every attempt to impose global notions of justice and norms upon the US, they refuse to comply and have the financial and political power to resist. It would appear that liberal and Marxist perspectives of what constitutes a moral framework for states, based upon law and UN support, is rejected by the US on the basis that it is overseen by unelected officials chosen by states that have unelected governments. The latest example is the ratification of the UN controlled 'International Criminal Court' (ICC) which holds individuals (not just states) to account for their actions during wars or internal conflicts (*Miami Herald*, 21/4/02:5A) - the US sees it as a threat to its sovereignty and a threat to its citizens abroad. The debate in respect of this court was taking place at a time when the EU was reported to have created a response to the threat of terrorism with the expansion of Europol to form 'the biggest intelligence-gathering centre in Europe', with MI5 and MI6 officers now permanently stationed at the Hague. Europol's mandate has now evolved from a drugs intelligence unit in 1990 to a police unit responsible for overseeing the investigation of most of the crimes covered by a state police organisation but without the powers of arrest. Its powers lie in its (postmodern) ability to appropriate information and in its ability to require state public police forces to effect arrests on its behalf (*Telegraph* 27/4/02:20). This development was carried out with the backdrop of the introduction of an arrest warrant that needed suspicion only to require the UK to extradite its citizens to the country requesting it (*Telegraph* 7/2/02:10). The concerns raised by the US in the debate over the ICC are equally of concern to some UK observers over the expansion of the EU mandate through Europol and the power of arrest at the supra-state level:

> Meanwhile in Rwanda, the UN-convened trials are stumbling along amid charges of high-level corruption and intimidation of witnesses. In the Hague, Milosovic is being tried, but only after we blackmailed the former Yugoslavia by bombing and linking all aid to turning him in...justiciable matters are best left to sovereign nations - and the rest to God (Amiel, 2002:13).

The left's view of the same meta narratives is different, but equally critical. In terms of the ICC, they see it 'as a tool of rich countries imposing their standards on poor ones' whereas the White house sees it as a means whereby their role as 'global policeman' may be criminalised through the use of the court. The next step is reported to be a 'global criminal justice system' (*Prospect*, May 2002:57), which will build upon the utility of allowing British, Dutch, American and French commandos to act in a policing role when they either kill or arrest suspects in Serbia and Bosnia. This would

inevitably involve the creation of a global police unit, a global detention unit and global legal procedures to service this criminal justice system, all overseen by a UN whose members are largely representatives of unelected dictatorships.

The role of the United States in turning the tide of the modernist's centralising tendencies was no more sharply thrown into focus than the treatment of the prisoners taken following the war in Afghanistan. From a European perspective, the detainees at the naval base at Guantanamo Bay, Cuba (Camp X-ray) are prisoners of war that are held in contravention of International law and also in contravention of the Geneva Convention on the treatment of such prisoners. However, from the American perspective, 'they are captured enemy combatants and could be detained for the duration of the conflict' (*Miami Herald*, 10/4/2002:10A). More importantly from the perspective of this thesis, the evidence of evolving policies that do not conform to the centralising tendencies of modernity but celebrate individuality to address the individual threats posed by certain aspects of postmodern society and global terror, is powerful proof of the impact of Globalisation and postmodernisation on policing. The police tend to work within the laws and legal precedents of their states of origin, but if those precedents evolve in the manner unfolding at Camp X-ray then policing discursive practices and structures will inevitably follow. Whilst the US refuse to acknowledge the prisoners as conventional prisoners as war they have identified six options for categorising and disposing of them. The details are not important for the purpose of this thesis merely the fact that the choices are uncertain (postmodern), fragmented, and distantiated from the site of their activity and the site of the original crime (Globalisation). The choices available are: Military Tribunals; Criminal Courts; Military Courts; Prosecution in their Country of origin; Indefinite detention; or release (BBC, 2002a).

Echoes of the 'new feudalism' may be found in these developments which, perhaps surprisingly, may also be found in the strategic direction of the 'new labour' government in the UK. Under the banner headline 'Imperial Delusions: America is a threat to global order too', the *Guardian* leader column analysed the impact of an article by one of the Prime Minister's advisers concerning global instability (29/3/02:9). In an attempt to contextualise the problems faced by Western democracies at a time of high tension, the advisor (Robert Cooper) argues that 'when dealing with the more old-fashioned kinds of state, outside the postmodern continent of Europe, we need to

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revert to the rougher methods of an earlier era - force, pre-emptive attack, deception'.

He added 'What is needed then, is a new kind of imperialism'; this, the *Guardian*

believed was an attempt to 'extend the EU model and its values to the rest of the

world'. The two positions (the US and UK) are juxta-positioned as they are linked by

these commentators with a similar view of the development of a new order based upon

an American perspective of the interdependence of states as one way - the American.

What these commentators seem to have overlooked is that the European perspective

wishes to extend the values of the modern project, whereas the American perspective

wishes to abandon those values as they no longer serve the postmodern world within

which they do business.

The views of those close to the New Labour hierarchy are strikingly similar to

those close to the Bush Administration; in an article in the political journal *Prospect*,

Robert Kagan allies himself to the views of Cooper in the way that power has shifted

from the European to the American theatre of operations (August, 2002:20). In this

conceptualisation the American use of power is linked to its ability to use force,

whereas the Europeans are seen to eschew force in favour of law and treaties. The

relevance to this thesis lies in the postmodern assertion that there is now a need for

multiple forms of acceptable behaviour by States in their dealings with other States.

Cooper argued that Europe now inhabits a 'postmodern system' that believes in the

'rejection of force'. He also believed that within a postmodern Europe there were no

traditional threats (of war and attack by foreign States) but that from without the

Continent there remained 'modern and pre-modern zones' that still posed this

traditional threat (August, 2002:26). He then proposed that within the mainland of

Europe there is a need to 'operate on the basis of laws, and open, cooperative security',

but that when dealing with those outside that postmodern world there was still a need to

respond by the use of force - 'Among ourselves, we keep the law but when we are

operating in the jungle, we must also use the laws of the jungle'. Kagan identified with,

and is supportive of, this notion of double standards and, perhaps, gives a glimpse of

the ideology underpinning the actions of the US in Camp X-ray. In any event it links the

notions associated with postmodernity to both UK and US thinking where the use of

power may be force (where necessary) and knowledge (where appropriate); the modern

is still relevant in a postmodern world. However, from the point of view of this thesis

this is the direct opposite of what has been observed in relation to the public police of

the State. At national levels, both the UK and US still utilise force as one of their sources of power whereas at the supra-state level there is no evidence of that force - it is all information/knowledge and professional contacts. The obvious consequences for accountability are now reviewed.

5.4 Transnational and Supra-State Policing - Accountability, Legitimacy and the Law

Modern public policing in all Western democracies was based upon legitimacy, accountability, and the law. It was only in the latter stages of the initial development of this institution that the notion of constabulary independence was formerly added to these determining features. Legitimacy, independence, and accountability were achieved by a number of ways, but primarily they were based upon legislation and it was legislation that was constantly referred to in this thesis as the anchor by which public policing was secured to the sovereign state. It was the strains on this anchor that were referred to as public policing was seen to develop away from, and separate to, the state at the European level and utilised the security deficit discourse at the extra-state level to justify uncontrollable policing practices and norms. At all levels of interest in public policing accountability is the essential element in controlling the police and (in Britain) this accountability started its life through Acts of Parliament, as it was an Act of Parliament (Metropolitan Police Act 1829) that brought the first modern police organisation into being and made it accountable to Parliament through the Home Secretary. Other city and borough forces, followed by the county constabularies, were accountable to their local authorities' watch committee, or their police authority - which included local magistrates as well as councillors. These provincial arrangements were also enshrined in law either by local police Acts (for City and Borough Forces) or by Local Government Acts (for County Forces).

The notion of constabulary (operational) independence where the police were responsible for their actions to the law and the law alone, 'is of uncertain origin' (Walker, 2000:45) but it became a major premise for the constitutional position of the police *vis a vis* their relationship with their various political masters. Officers were able to use discretion in their application, or non-application, of the law in their daily tasks of preserving order which allowed them to stay aloof from the increasingly political nature of the accountability mechanisms being employed and, according to Walker, allowed them to distance themselves 'from the site of the political struggle over the

ends and means of policing' (2000:48). It was during this period (from the late 1920s onwards) that the discursive nature of this independence became rationalised and brought into mainstream law with a number of cases that the police rely upon today to continue with that independence - *Fisher v. Oldham Corporation* [1930] 2 K.B. 364. and *R. V. Metropolitan Police Commissioner, ex parte Blackburn* [1968] 2 Q.B.118. The move from an acceptance of constabulary independence by common consent, to one that required the *Fisher* case, (and ultimately extended it to include Chief Constables' independence from political accountability in the *Blackburn* case) was seen by Walker as a 'discursive manoeuvre' (2000:52). This manoeuvre cannot be sustained, he suggested, by the legal arguments alone and the explanation lay more in the discursive nature of policing in this respect and the continuity of that discourse over the development of the common law to meet new problems.

Walker argued that staffing of new supranational police units such as Europol was a consequence of the 'trend towards internationalisation of policing'. The governance issues that he carefully and skilfully traced over time, and the attendant consequences for police accountability, were a major consideration for these overseas assignments with both local politicians and police professionals voicing their concerns over the abstractions from local police duty and the costs involved. Articles appeared in many publications with headlines such as 'Now will EU rob us of our police?' in which the creation of a rapid reaction EU police force of 1,000 (rising to 5,000 if necessary) was announced by the Home Office (*Daily Mail*, 2/4/01:15). In professional magazines, the police Federation raised similar concerns (*Police Review*, 6/4/01:12). The unease with which abstractions for extra-state policing was greeted at both the public and political levels was mirrored at the professional level where both senior police officers and civil servants claimed that there was a need to resist calls for British police officers to be seconded to the UN, or unilateral policing activities abroad. Interviews in 1995/1996, and later in 2001, revealed that only one police chief was identified who believed that British policing could be sold overseas as a commodity, the remainder dismissed the idea and all would resist calls for abstractions from their own forces for anything other than short periods (weeks not months).

In the legal profession and especially the courts, Walker detected 'deep structural changes in the relationship of our polity to the international order' which was evident not only in the challenge to parliamentary sovereignty (in terms of lawmaking),

but also in the norms used for principles that the judiciary relied upon for their decision-making when interpreting legislation. These norms were contained in the new Human Rights Act 1998 which basically instructed the judiciary to interpret the law on the basis of European derived rights, rather than the centuries old tradition of cases stated from common and statute law (2000:129). The dangers of the juridification of relations between and within states was argued in many publications and papers presented at the 1999 PSA conference reflected that concern (Pupavac, 2001; Savage, 2001). These papers observed that dangers arose mainly as a result of the perverse nature of many of the Supreme Court decisions in the US and of the European Court at Strasbourg, which have alarmed many commentators who value the retention of state sovereignty (especially where it concerns constitutional law making) over unelected and unaccountable supreme court justices. The relevance of this discussion to the thesis was that the European Convention on Human Rights (ECHR) from which this Act emanated, was itself the product of the project of modernity using as its legal precedent the United Nations Convention on Human Rights. Basically, the argument utilised in this rights-based discourse is that acceptance of states into world society is now dependent upon their adherence to Human Rights progress. Where a state features on the continuum of repression to full human rights, determines their level of participation in the wealth creation of the Globalisation processes.

Walker acknowledged that new paradigms were required to understand policing within a context that was external to the state and public policing has always been linked to the state and, as discussed earlier, was usually symbolic of it. Theories of modernity determined that:- the police enjoyed the monopoly of the legitimate use of force within the boundary of the state; they had the sole remit for internal security; a link between public policing and the general governance of the state had developed since ancient times; and, ultimately, the police were symbols of the state, both internally and externally. However, international contacts between police officers (both formally and informally) also developed within this modernist discourse for a variety of professional and cultural reasons. What Walker proposed was that these contacts were increasing as a consequence of the importance of knowledge work and IT systems to transfer that knowledge. Walker also realised (which few other commentators have remarked upon) that the US utilised policing as a foreign policy activity since the 1960s with President Nixon's declaration of the 'war on drugs'. The element that was missing

from his observations was any appreciation of the processes that produced this response.

Whilst Walker devoted most of his observation to the European arena he drew the conclusion that these developments had transnational forces beyond the EU as their nesting sites; that it was a myth to consider the state as the site of 'sovereign crime control'; and that there was now a new international agenda to counter threats to the political, economic and social welfare of the state (2000:245). What was interesting, from the perspective of this thesis, was that Walker believed a functionalist answer to these problems through increased police and technology was a plausible response given the neutral nature of policing and its insulation from 'partisan politics'. Inferred in this observation was the convergence of policing systems away from the political to the professional (a threat in Walker's view due to the lack of accountabilty). This was exemplified by his belief in the power of agency over structure 'the influential priorities of the international professional community' (2000:253); he then emphasised the impact of that agency on the discursive nature of the development of European policing.

Walker argued that constitutional (state) law was acknowledged as superior to international (intrastate) law as the latter was for observance or otherwise, dependent upon the position of the state in question at the time of its implementation. As interconnectedness of legal apparatus, instruments, and law became more apparent (due to Globalisation) both these forms of law were superseded in importance by processes related to human rights at the global and regional level. He believed that a meta-constitutional law would be derived from a number of discursive practices involving (variously and separately) a respect for multicultural citizenship, mutual respect, international human rights laws, shared responsibility between states for various areas of sovereignty (he cites the good Friday agreement as one such example), the development of international structures through agreements (such as GATT, WTO, NAFTA, as well as the EU), and finally the relationships between courts and polities in the constituent states and meta-states (Walker, 2000:281-289). In some respects, his futurology has been confirmed by the introduction of the International Criminal Court which will allow individuals, not just states, to be prosecuted and will supersede the existing International Court of Justice in the Hague. The ratification of the treaty bringing this global court into being was carried by the passage of the International Criminal Court Act 2001, in England and Wales and by 55 other nations world wide; as

reported earlier, the US has refused to ratify it (Law reports, *Daily Telegraph*, 21/3/2002:21).

The reality of a global justice system, Walker conceded, was far more complex than structural adjustments were able to impose. He emphasised the cultural links between the state and its police (quoting Loader and Walker, 2001 forthcoming) a conclusion that earlier commentators, and even some contemporary ones, seemed to ignore or dismiss (especially Reiner, 1992; Johnston, 2000). He further deepened his view that public policing and the state were not for imminent demise by referring to other post millennial studies that contradicted the forecasts of many futurologists that developed the view that public policing would not survive. These post millennial studies were based upon the iconic nature (world-wide) of the public police; their place in the social attitudes of citizens towards 'life and death, order and chaos, and protection and vulnerability'; and their ability to generate and maintain collective identity and a 'strong sense of political community' within the population of a state (Walker, 2000:290).

The development of policing in the UK, Europe, and the US at the macro-level, and the consequences for accountability, have now been identified; as a concluding aspect of this chapter, the growth of global policing is now examined, and the value of that form of policing to the international political economy.

5.5 Extra-State Policing as Global Policing

The decrease in full scale war, referred to in this thesis, has been replaced as 'intra-state conflicts have become far more common than wars between states' (Eide & Holm, 2000). A consequence of this activity, as well as the mobilisation of a human rights agenda at the global level, was the creation of a UN policing capability that was initially structured upon military *peacekeeping* roles but during the last decade has seen the advent of CIVPOL (the UN Civil Police) to assist in the *peace building* role. In all states 'political power is closely linked to the ability to control coercive power', with the 'effective monopoly of the legal use of violence a key feature of any state construct' (Holm & Eide, 2000:1-2). The CIVPOL development was an acknowledgement of the contribution to the political economy of a state that policing brought and, as Holm & Eide observed, 'a fundamental precondition for economic and social progress is that an adequate level of security is established and maintained'. Within this statement was the

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postmodern process of *perception*, with 'a climate or culture of security' being necessary to give the impression that progress was being made to establish peace and security (2000:3). The explosion in the numbers of officers involved in these types of operations may be appreciated by an examination of the official records of the UN: in 1988 there were 35 police officers wearing the blue beret, whereas by 1992 there were 3,500, and by the year 2000 there were 4,360, with 1,900 in Bosnia alone (Call & Barnett, 2000:42). The ability of global police to enter a foreign sovereign nation state can be seen as a direct consequence of some of the processes of Globalisation and postmodernisation that have informed this study. Within the modern conception of unmediated state sovereignty it would have been inconceivable that any state would allow such an intrusion - it was an allowable intrusion as global policing cannot proceed without the agreement of both donor and recipient states, unlike that of an occupying army.

A number of processes allied to the Globalisation thesis were at work here: first, following the end of the Cold War, there was a need to develop a set of international norms of behaviour within all states as a 'community of democratic states is seen as the key to peace' (Call & Barnett, 2000:47); second, those norms transcended the weakened sovereignty norms associated with nation states as a consequence of 'the interstate system and the world economy hav(ing)e become increasingly globalized'. This second consideration also led into the third of the processes which emphasised the globalising power of ideology within the capitalists' desire for 'internal order, stable workforce conditions, the rule of law and global crime control'; a condition that was also sought after by many third world governments. The role of the United Nations in this respect was supplemented by bilateral arrangements between various nations since the 1980s involving the US, Canada, France, Great Britain and Spain. This bilateralism was also carried out by regional entities such as OSCE, in Croatia and Kosovo, and WEU in Albania (Call & Barnett, 2000:48). As a conclusion to this short initiation of global norms and standards of behaviour in policing, it is worth appreciating that even at the global level the public police (not private security, nor the military, nor any other mechanisms for producing order) were the one institution 'who hold most responsibility for public order and who are the state institution most in touch with the people...and that comprehensive security starts with the rule of law' (Call & Barnett, 2000:42).

The advent of the modern police arose out of the need for a modern society to protect its internal security by other means than the military, the militia, and private armies. The advent of postmodern policing arose out of the need to protect a postmodern society from external threats to its security, where those threats were seen to be incapable of military resolution e.g. terrorism, illegal immigration, drugs, fraud, organised crime and the like. This particular concern was evidenced at the European level where Kaldor argued that 'the future of the European project depends upon the capacity to maintain security' (2000:55) but, as this thesis has shown, the real threat from all of these criminal processes was present at the global level. The modern way of conceptualising security for its citizens was for states to defend their external borders from enemies and by the establishment of law and order within; the distinction has now begun to break down with the need to establish law and order from without as well as from within. The social contract that existed between citizens and their state was based upon the protection afforded those citizens by the state, and citizenship itself was based upon civil and political rights. However, since the second world war the state system has given way to regions (or blocs) as a means of enhancing security. These blocs have not been isolationist they are global and, at the ideological level, every developed nation belonged to either the Western or Eastern Bloc and warfare no longer resided at the state level, heralding an end to large-scale interstate wars. There are now new wars, based on 'massive violations of human rights (organised violence against individuals) and organised crime (private organised violence)' (Kaldor, 2000:58). The evidence of policing as a discursive practice to remedy the 'security deficit' at the European level has already been addressed but here, Kaldor widened the role of policing to the more functional requirement of order to support the political economy of the Community. As a consequence of Globalisation she believed there would be greater interconnectedness of states and that the European project was just one step towards a more just society based upon 'human rights, multiculturalism, tolerance, and diversity' (2000:60). The discourse of security had shifted from a military-based to a police-based solution, and the way to global tranquillity now depended upon policing to create the climate for the political economy of a state to prosper.

5.6 Summary

In this chapter the Globalisation of policing in a postmodern world has been assessed through an examination of its strategic value at the macro-level for the US in its dealings with foreign Administrations; what was revealed was a structural expansion of both external and internal capacity in public policing. The history of the US in its use of policing external to its borders can be replicated in the UK where that policing was utilised to assist colonisation, and then for ideological purposes to establish a law and order regime to contribute to the political economy of the state in question. However, the example of the US has been chosen for its contemporary time frame and its inability to explain these processes through an adherence to frameworks of understanding based upon modernity and policing as deviance. What the American example has also shown is that whilst encouraging the use of policing in the overall political economy of a state is still important, there is now a pragmatic imperative for having a police influence across the globe. That pragmatism arises from a discourse that produces the need to protect its borders from large scale crime, subversion and terrorism that emanates from around the world and can only be resisted by policing rather than military force. Policing discourses in the UK reflect that view although empirical evidence was somewhat less emphatic on the level of the threat prior to 11th September but strong on the potential. The final point that can be gleaned from the American example is that macro-level policing has historically been controlled by the military, then by a combination of the military and the FBI, and now it is solely within the control of Federal policing agencies. The structural level of adaptation of policing in America mirrors the fragmentation, centralisation, decentralisation, and pluralist tendencies to be found in the postmodern globalised societies that it polices. The potential for agency influences and the differing perspectives of elite police organisations were also revealed and the developments post-September 11th at Camp X-ray were addressed in conceptual terms by commentators in the US and UK. Instead of the results of meta narratives and meta constitutional laws being observed (the consequences of modernity) it was discovered that the postmodern notions of uncertainty and resistance to central authority were the response. For postmodern states dealing with modern, or pre-modern states, there was a two tier system of response. The chapter concluded with a review of the expansion of the Global policing mandate, through the UN, and the value of

policing to the political economy of emerging, as well as established, states - the EU particularly.

The concluding chapter now draws together the primary themes that have driven this thesis, and offers conceptual developments to support and enhance the original work in this area by Reiner (1992), (Johnston) 2000, and Wright (2002) from a postmodern (post Peelian) rather than a modern (Peelian) perspective. It also commences from a pluralist perspective of policing as being a positive element of the political economy of a state and a strategic element in the security of the state. This is in contrast to the current predominantly negative preoccupation of revisionist and Marxist perspectives that equate policing with police deviancy. The consequences of the impact of Globalisation and postmodernisation upon policing have already been borne out, to a certain extent, with the example of police power shifting from the Weberian use of force to the Foucauldian use of information/knowledge, certainly at the transnational level where force is not an option for the police, nor for any form of policing.

Chapter Six

CONCLUSION

6.1 Introduction

The preceding chapters of this thesis have addressed a number of conceptual themes (Globalisation, postmodernisation, police and policing) from a number of perspectives. The role of the thesis was to assess the impact of both Globalisation and postmodernisation upon the public police, and policing, of England and Wales and the USA, given that these conceptual developments had been identified by political scientists and others within the academic community with a special interest in policing. In this respect, Reiner (1992) on postmodernisation; Johnston (2000) on Globalisation; and Wright (2002) on both concepts, have initiated a debate on their applicability to policing, predominantly in England and Wales, but with some extrapolation to mainland Europe. What this thesis has done is to identify processes of policing in both the E&W and US that may also be identified in the police of all Western democracies. It challenges not only the preoccupation with explaining policing within the project of modernity, but also the current appreciation of, and perspectives on, the processes that are associated with Globalisation and postmodernisation of policing. It is the position of this thesis that a wider appreciation of these processes would be capable of producing explanatory frameworks for policing structures, policing challenges and policing futures that are currently incapable of explanation through frameworks that are located in the project of modernity and tied to the nation state. The hypothesis is that as a consequence of Globalisation and postmodernisation, 'police and policing needs to be reconceptualised to emphasise the power dimensions of their access to, and use of, information and the shift in governance from bureaucratic oversight to an ethical framework of control'.

In this concluding chapter the processes of Globalisation and postmodernisation are summarised, updated, and debated within the current climate of concerns about public policing in E&W and US as well as their impact on, and consequences for, that policing. In essence this will address the tendency to centralise whilst at the same time addressing decentralising pressures; the emphasis on gathering, storing and exchanging information; and the problems associated with ensuring accountability of policing,

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given the differing tiers that are emerging. The chapter will subject the results of this analysis to the current conceptual understanding of Globalisation and postmodernisation as it affects policing. The gap produced will be the basis for suggestions for a reconceptualisation of the public police, based upon a postmodern notion of power/knowledge and the access to information, rather than a modern notion of power as force. There will also be suggestions for accountability mechanisms to address the concerns of Walker (2000). This process is theorised within the globalist perspectives of the New Political Sociology, using Foucault's power/knowledge nexus, rather than Weber's bureaucracy/force matrix.

6.2 The Impact Upon Policing

The thesis has reviewed and analysed literature on the concepts of Globalisation and postmodernisation within the context of their applicability to the public police and policing of Western democracies, especially within E&W and US. In order to do this there was a need to establish the existence of Globalisation and the processes associated with postmodernity before it was possible to identify their key characteristics; a similar process was required with the concepts of police and policing. The introduction established the methodology to be followed during the collection, review and analysis of the processes revealed by this thesis and the need to look beyond the project of modernity in order to explain the developments within societies around the world that were no longer capable of being understood as homogenous entities.

Chapter one identified key aspects of the police, and policing in a modern society, as *public, accountable, structured, specialised, professional*, having defined *functions*, and possessing *discretion* (Bayley 1985; Mawby, 1990). It then emphasised the power of the police to determine the information that the media utilises to construct images of them for consumption by the public; research has consistently shown that the media is the main source of the public's information on police (Wright, 2002). Sibeon's postmodern perspective on the structure/agency debate, which emphasised the importance of agency, and the Foucauldian notion of power as positive and productive (power/knowledge) rather than negative and destructive (the Weberian use of force) were then engaged. These theoretical positions were reinforced by Marenin's observations of the police possessing autonomy to act and the 'power to influence decisions' at a number of levels (1996:314). The police have the capacity as both

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individuals and as organisations to determine their policy selections, their street decisions, their roles and functions, their organisational structure, and their types of policing. The New Political Sociology that had no difficulty accommodating either Globalisation or postmodernisation, nor the new emphasis upon agency within the structure/agency debate, was also introduced. The contributions of Reiner (1992) and Johnston (2000) were reviewed and critically analysed to identify gaps in their understanding of policing a globalised postmodern society. Essentially Reiner observed the impact that postmodernisation was having on the police of Britain and forecast a fragmented structure of policing in the future and the decline of public policing as a national 'totem'. Johnston built upon Reiner's work by introducing the impact that Globalisation was also having on policing in Britain, but with some references to the EU level as well. He could not accept that modernity had finished, however, and relied upon Giddens' view that modernity had become late, or high, or postindustrial, but not post. What none of these commentators had done was to produce any examples of, or empirical evidence to support, the impact that Globalisation and postmodernisation were having upon the police beyond the UK or EU dimension. Their appreciation of the concepts was very much unicausal (economic) and from a similar perspective. The events of 11th September 2001 in the US was then utilised as a case study to observe the policing discourses associated with this incident; what was revealed was that there was an intensification of the need to gather information and to employ more public police. In addition the FBI was restructured to have a proactive (information gathering) role rather than a reactive (coercive) one. The overall American response was grounded in postmodernity and the need to respond to Globalisation. The E&W response to the same pressures on public policing was also addressed through the Police Bill 2002; this move was grounded in modernity and the notion that the State is still a sovereign actor in these matters.

As policing was perceived as a state activity during the modern era, the next chapter addressed the theoretical positions that underpinned Globalisation and postmodernisation in respect of their relationship to the nation state. What this process revealed was: that Globalisation impacted on the *form, competency, autonomy and legitimacy* of the state (Hall *et al.*, 1992); that they became *interdependent* and *interconnected* (Held & McGrew, 2000); and the impact of their decisions could be removed from their place of origin - *time-space distantiation* (Giddens, 1990). In order

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to address the impact of Globalisation and postmodernisation upon policing, it was therefore apparent that the key processes of policing must be observed within the context of these criteria. However, as the debate in chapter two addressed the similarities between Globalisation and postmodernisation, such as the ability to centralise whilst at the same time provoking decentralising tendencies, it was also necessary to subject the same processes of policing to the postmodern notions of *superficiality, commodification, multiple issue relationships,* and *incredulity* (Lyon, 1999; Nash, 2000). Having established that the current literature on policing did not account for the processes revealed in chapter one, and that the conceptual development of Globalisation and postmodernisation had moved on since the research for that literature, the next stage of the thesis was to review the literature leading to the development of policing as inherently modern in origin. What this process produced, apart from an historical understanding of the development of policing and police as concepts, was a realisation that the police use of information, knowledge, professional contacts and informal activities was taking place outside the boundaries of both the nation state and the understanding of policing as modern. The commentators misread the signals of opinion polls and media depiction of policing in (especially) E&W as deviance, and declared that public policing was in terminal decline (Loader, Shearing, Reiner, Johnston and others).

Chapter four addressed these developments with an analysis of police practices and discourses at the micro and macro levels. Chapter five concluded the observations and discourses associated with the extra-state capabilities of policing by the public police, and observed the role of policing as power, as foreign policy, as a global entity, and the consequences for legitimacy if accountability mechanisms were not developed to accommodate these novel processes.

The purpose of chapters four and five was manifold, but their main contributions (beyond the empirical) were in relation to the key conceptual processes identified in chapters one and two. Whilst chapters four and five identified the continuing professional nature of policing, having a structure, organised, accountable, using discretion, and having recourse to the legitimate use of force, it also identified how those processes had been altered, or even disappeared at certain levels of police activity. The prominence of the use of force had waned and the structures of all forces had been changed, or were under pressure to change, to accommodate the new

extra-state threats and technological developments that elevated information gathering above force as the novel source of police power - especially in the construction of discourses. The threats to the legitimacy of policing was also evident at the international or extra-state level and modern explanations of the public police were no longer relevant in all these key areas of police concept-building. Conversely, there was growing awareness of the interconnectedness of both micro level and macro level policing and their interdependence centred on technology, information gathering and storage. The informal contacts that used police professional knowledge to construct discourses and acquire resources, complemented the formal structural channels that state governments were eager to introduce to regulate this explosion in police activity and influence beyond the state. Finally, the postmodern notions of incredulity (cynicism), the use of simulacra, signs, symbols and discourses to regulate social conflict, and fragmentation and commodification of policing, were all observed in the processes revealed by these chapters.

6.3 The Issues for Policing

There are many ways that policing as a concept may be interpreted and applied globally, from the professional, public police of a state to amateur, private security/vigilante activity at the local level, with many variations in between. However, for the purpose of development of this thesis, policing is 'what the police of a state do' given the function of that type of policing as 'essentially to regulate and protect the social order, using legitimate force if necessary' (Bittner, 1974). This conceptual use of *policing* was transformed during the thesis as the evidence was assessed, to include other state actors (security services, military, customs, immigration, and the like) as well as non-state actors working under the control, direction and accountability mechanisms of the public police. It therefore follows that policing policy is, or should be, determined predominantly by the society within which it is located, if it is to be legitimised and consensual. If the picture painted by the developing concepts of Globalisation and postmodernisation is accepted then there are obvious pressures upon policy formulation to reflect these developments. Reiner observed that public policing was a product of a modern society with the police acting as 'domestic missionaries' (Storch, 1976:481) throughout E&W in order to bring about a 'central cohesive notion of order' (Reiner, 1992:779). As postmodern society, with its fragmentation and

pluralism, no longer conforms to this central model, policing needs to be seen to be developing structurally to accommodate the change. Control, surveillance and force are increasingly carried out by units other than those of the public police. Privatisation of custody officers, stewards at public events, security duties generally (even at police premises!), and many other tasks traditionally associated with the police of a state during modern times are replaced by these non-state actors and are supplemented by architectural features to regulate and control private and public space and to carry out surveillance by electronic means.

At the national and international level, many *policing* operations are carried out by the security services, special forces, the military, customs, the UN, and many other extra-state and supra-state agencies. In addition, many private security units operate at the same level and not always in conjunction with those of the state. Police structures, globally, are starting to converge to support these new strategies; some of them formal and some informal. At the local level police structures are becoming more varied (hyper-differentiation) through partnerships, problem oriented policing, local command units, specialised units and the like, but universal norms are also emerging. International organisations, consultants, advisors, professional interactions, and the emergence of an 'International Brotherhood of the Police' are all evidence to support this convergence (Marenin, 1996:312). If Turner's argument is accepted, that postmodernisation demanded a 'New vision of justice which gives primacy to difference, to heterogeneity, to paradox and contradiction, and to local knowledge' (1994:12) then state policing policy becomes untenable and should return to the local (whatever and wherever that may be). Additionally, if it is accepted that Globalisation produces a greater threat to a state through the impact of mass illegal immigration, international fraud, terrorism, smuggling and organised crime, than through a military invasion, then (again) state policing policy is untenable and policy must be determined and agreed at the supra-state level. None of this suggests that the state has no role in either local or global policy formulation merely that that role has changed and is now subject to multilateral (rather than unilateral) considerations, given the postmodernising pressures on its society and the globalising pressures on its form.

In policing terms it raises serious questions about the processes of strategic planning, contingency planning, policing structures and policy formation, that are all predicated on the notion of statehood, authority, rationality and cultural identity. The

Police Staff College at Bramshill is sufficiently concerned about the move from modernity to postmodernity that they include a module called 'Strategy in postmodern times' on a number of command courses and on the accelerated promotion course. Their approach acknowledges that there is now a world where people have 'different and conflicting goals, and there are many explanations'; planning that fails to account for 'difference' is flawed, with strategy being the way forward (Lomax, 1994:1).

The effect of this phenomenon (Globalisation) at the level of police culture may be observed in the many examples of ideological, as well as practical, influences at play throughout the 'police world'. The experiments in America with 'Problem Oriented Policing' (Goldstein, 1978) and 'Broken Windows' (Wilson and Kelling, 1982) have been documented and copied throughout areas of other Western democratic states (Monet, 1995:217). These examples highlight both the practical influence on professional approaches to solving policing problems and also the ideological base for the solutions. Problem oriented policing is as much about partnerships with democratically elected local representatives as it is with privately financed assistance in the shape of sponsorship or private policing. The impact on the sovereignty of the state by the professional contacts world-wide that produce such policies is well documented, and agreed by some academic and professional contributors to the debate - 'The control of transnational crime necessitates the penetration of state sovereignty by creating new sovereign bodies and co-operative relationships' (Reiss, 1995:232).

At the level of state government policy transfer has now become one area for studying the impact of Globalisation on policing practices. Bernstein and Cashmore (2000) argued that 'It is now widely accepted that agents, institutions and economic forces extending far beyond the borders of nation states are increasingly shaping domestic public policies and politics'. In terms of the impact that Globalisation has had in the examples referred to above (broken windows and zero tolerance) there was a policy response contained in the Crime and Disorder Act 1998. In their paper to the PSA 2001 conference, Jones and Newburn also referred to similar examples of the 'three strikes and you are out' policy of American sentencing being reflected in the Crime (Sentences) Act 1997 and the private sector involvement in corrections through privatised prisons and electronic tagging (2001:12-13). From the point of view of this thesis their acknowledgement of the value of elite networking was also emphasised, as was the acknowledgement that policy transfer (as with Globalisation) was not an

Americanisation of policing nor of society. Human rights based British legislation was overturning previous American-inspired legislation, such as the 1997 Crime (Sentences) Act above, and the research for this thesis has discovered examples of American policing being affected by British developments.

Whilst it is acknowledged that many parts of the US are policed by models having their origins in the Anglo-Saxon tradition of policing, more recent examples of policy transfer may be found in the American response to 'Raves' being based upon the policy documents of the 'Central Counties Party Unit' based in Warwickshire, which is now defunct (interview with state alcohol, business and tobacco bureau chief, Florida October 14th 1997). At the level of research, Jones and Newburn consider the impact of discourses and ideologies to be the key to understanding the reasons for policy transfer; they also emphasise the value of the case study (rather than statistical) approach in this respect. Their methodology for studying the impact of the processes driving policy transfer are a mirror image of the methodology undertaken over the six years of this thesis 'the collection of data from in-depth interviews with key actors and systematic analysis of documentary evidence' (2001:15). The key actors include politicians, media correspondents, members of the criminal justice agencies and academics, together with their complementary documentary sources - newspapers, reports from congress and parliament, official publications and magazines.

Whilst Jones and Newburn's work reflected official policy transfer, the formation of Europol was, perhaps, one formal step amongst many informal ones that have already penetrated state sovereignty and there are many other examples of unofficial policy transfers. The police of the world are already participating in information exchanges and are beginning to learn to work together; they influence each other and often work and plan without reference to their own state's controlling mechanisms. Indeed some police already have a vision of the beginnings of a global police force and one even has a state (German) sponsored vision of 'A European community of internal security' that details the organisation of a European police force complete with its own command centre, data bank, and executive powers to act as a co-ordinating authority that would transcend national borders (Rupprecht and Hellenthal, 1992, cited in, Funk, 1995:69).

The issues confronting the modern police, emanating from modern society, were manifold - one obvious example being the pre-modern preoccupation with dealing with

the dangers posed by natural disasters (flood, crop failure and the like). The issues confronting the postmodern police, emanating from a postmodern society, are made hyper-manifold by the additional problem of risk created by that modernity (nuclear, biological & ecological), which is itself global in reach (Beck, 1992). As the idea of police in the modern era was dominated by Bittner's (Weberian) preoccupation with the police's legitimate use of force as the sign of their state level authority, so the idea of police in the postmodern era will be dominated by the (Foucauldian/Lyotardian) preoccupation of the police with their use of knowledge through access to, and control of, computer data banks to produce their self legitimation and power (Lyotard, 1984:4). This emphasis not only on information but also on the technological advances that exaggerate its importance, calls into question the modern sociological action-based theories as a means of explaining and predicting developments - Adorno once predicted the homogenisation of society through the mass media, instead there has been an explosion of societies (quoted in Vattimo, 1992:1); Orwell predicted the domination of big brother, whereas the airwaves are now filled with minority views (Lyon, 1999:61). What follows from all these examples is that the modern explanatory framework for policing is inadequate and that the notion that Globalisation is modernising can be seen to be untenable. The evidence points to the processes of Globalisation and postmodernisation being 'intertwined' as the 'emergence of unified political, cultural or religious systems seems unlikely' with both 'unifying and fragmenting forces' seeming to be at work at the same time (Lyon, 1999:63).

The notion that there is a society to be policed at the state level is now a contentious issue and policing is increasingly carried out by other state and non-state units at both the local, national and international level. Globalisation and postmodernisation are seen as paradoxes, whether or not they are the same phenomenon, they both produce centralising as well as decentralising tendencies which makes sociological modelling and theorising very difficult. In the analysis of policing in this thesis a discursive approach has been utilised with its emphasis on what is perceived to be happening, rather than what should be happening, and is one response to this uncertainty.

6.4 Police and Policing Reconceptualised

It is the position of this thesis that the public police and policing are currently conceptualised as a consequence of modernity leading to the nihilism in criminology and sociology that 'nothing works' (Cohen, 1985:7); the thesis is that it doesn't work because it is incorrectly conceptualised. The processes of Globalisation and postmodernisation have now so modified or even replaced modernity as to make the continuation of this conceptualisation redundant, in so far as it relates to public policing. The concepts of the police and policing have an historical basis that can be traced to the formation of city states in ancient Greece and (later) Rome; the basis of both can be seen in public office as well as voluntary and private forms during the feudal and middle ages. The contemporary concepts of both have their origins in the professional developments precipitated by the industrial revolution and the age of Enlightenment conceptualised by modernity; the core elements of modernity were capitalism, bureaucracy and rationality. The move from the religious, feudal, familial, agrarian society of the middle ages was transformed by modernity. What is important to point out at this stage is that modernity has never replaced that society, merely transformed it. There is still faith in religion, the family, and work on the land, but the main body of society has given up on superstition, the traditional family unit, or farming communities, as control. In modern society, work centred on factories, workers lived in towns and cities, and relied on science (rather than superstition) to inform their view of the world; the concept of modernity, therefore, had an explanatory value for most of the processes during most of the 19th and 20th centuries. It was during this period that the modern idea of professional police was conceived throughout Europe and America, and transported in differing forms to the various colonies of their parent states (or, in some cases, from their colonies to their parent state). By the mid 19th century, most of the Western world had a modern, public, and professional police system to maintain order (liberal perspective), to control the population for the expansion of capitalism (Marxist or revisionist perspective) and to control criminal activity (traditional or conservative perspective).

The history of the public police and policing was informed by a traditional, conservative perspective in the Anglo-American traditions of political commentating prior to the 1960s, with the police being conceptualised by what they did. Consequently, and conceptually, policing was seen to be carried out by the public police

and no account was taken of the myriad of other public, private or self-help activities that could be said to constitute policing. Post 1960, political studies (in sociological and criminological revisionism) tended towards theorising the police in a more critical manner. The revisionists saw the police as 'domestic missionaries' (Storch, 1976) for the control of a work force in continual conflict; the conservatives still saw them as guardians of the peace by preventing crime through the consent of society; whilst the liberals and pluralists viewed policing by the public police as a combination of both coercion and consensus. What this burst of interest in the police produced was a formal conceptualisation of the *police* and *policing*, as prior to that time police and policing had been viewed as self evident. The first formal attempts at this conceptualisation had their roots in American criminology and sociology with the notion that the police were an agency that had an emergency response aspect to their mandate and an ability on behalf of the state to use legitimate force to carry out that mandate (Bittner, 1971 & 1974). In America the spread of the police was linked to the growth of 'urban service bureaucrats' (Monkkonen, 1981:55), a process that was similarly commented upon in E&W (Emsley, 1991).

Reiner attempted to differentiate between *police* and *policing* and distilled the conceptual differences as 'Police' refers to a particular kind of social institution, while 'policing' implies a set of processes with specific social functions' (2000:1). After conceptually separating the *police* from *policing*, he then contextualised them. *Policing* is about social control and it involved 'surveillance to discover actual or anticipated breaches, and the threat or mobilization of sanctions to ensure the security of the social order'. The *police* meanwhile, are seen to be a 'key institution in modern societies' and are 'a specialized body of people given the primary formal responsibility for legitimate force to safeguard security' and 'characterized by the discretion exercised by the lowest ranks in the organisation' (Reiner, 2000:7). The Weberian source of these definitions linked them to the concept of modernity; what was puzzling (from the point of view of this thesis) was the emphasis that Reiner placed upon the advent of postmodernity (1992 & 2000) and the increasingly changed role of the police as 'knowledge workers' (2000:199) without modifying his concepts to accommodate these processes. Within the body of this thesis there are many examples of the influence of discourse in the process of postmodernisation, where discursive practices utilised by the public police at the micro-level produce the power to influence resource allocation, structural expansion,

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and formal legitimation of those practices. At the macro level the use of discourses to produce extraterritorial power is also evident. The answer to the dilemma with Reiner appears to lie in the incomplete development of his appreciation of postmodernity that viewed policing as a deviant activity to maintain the status quo. The emphasis that he placed upon individual acts of police deviance (currently concerning racism) to explain the decline in legitimacy for the public police was undermined by empirical work that placed that process within the context of a postmodernisation concept of a decline in all areas of authority, science and professional competence. He considered Globalisation was just another term for postmodernity (Reiner, 2000:200) and claimed that the police could no longer be the 'totems symbolizing a cohesive social order' (Reiner, 2000:217). Other commentators (Ericson & Haggerty, 1997; Waddington, 1999) and opinion polls (such as MORI) have consistently suggested otherwise, even before 11th September. What is missing from Reiner's conceptualisation are the discrete processes of Globalisation and its oppositional tendencies that are additional to the elements of the postmodernisation process that he has identified, especially the cultural.

The need to add the international dimension to the conceptualisation of both the public police and public policing has been strongly supported throughout this thesis. The complementary notion of power derived from the discursive nature of policing and the ability of the public police to influence that discourse is another theme that runs throughout. The Althusserian structuralism that influenced Foucault's ideas on discourse as promoting positive outputs from this source of power has pervaded even through his post-structuralist transition. Although Foucault's later work could be said to contain an acknowledgement of the role of agency in this process, he essentially dismissed it as an insignificant variable in the construction of discourses by elite groups. This insistence on maintaining that the 'subject is not a rational agent thinking and acting under its own self-imposed and self created commands' (Bevir, 1999:347) rendered his version of discourse theory problematical for this thesis, which has constantly discovered examples of agency influence in discourse construction. That this agency was informed by the structural circumstances within which it was developed is undisputed, but the idea that idiosyncratic freethinking individuals are incapable of creativity is untenable in the postmodern order of things. That discourse theory is influential in the reconceptualisation of the police in this thesis is also indisputable however, the sources of those discourses are not just Foucauldian texts and statements,

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they are also to be found in the symbols and culture (as well as language and text) of Joyce (1991:17-18), a contributor to postmodern debates on the source of discourse. Joyce was amongst a number of historians that rejected class-based economic reductionism to explore the inter-textual context of the development of discourses, and the role and situation of the agent as well as the structure (Chadwick, 2000:286).

The public political discourse approach of this thesis with its reliance on media statements and the construction or deconstruction of shared meanings by professional elites, has not really emphasised the role of culture and symbolism in the construction of policing discourses although references (especially to do with national police as emblems) have been made throughout. This was a conscious decision, as the fragmented evidence gathered in the course of this thesis has constantly highlighted the role of culture and symbols to sustain public policing in the face of threats from private security, however space precludes the introduction of a separate chapter on the dynamics involved in the current development of culture at both the societal and professional levels. Another problem with the Foucauldian application of power in a policing discourse analysis lay in his broad definition of police (in the Continental mode) as 'monitoring and correcting of behaviour so as to promote modesty, charity, loyalty, industriousness, friendly co-operation, honesty' (Foucault, 1988:77-78), which included all aspects of social contacts through family, school, and work to discipline citizens. What was required was a public political discourse approach to the police and policing, at whatever level of analysis, whereby they were conceptualised as distinct entities (in the manner of Reiner) to avoid the unfocused generalisation inherent in the Foucauldian discourse of language and texts.

Wright's contribution concentrated upon the police of Britain, and (following Reiner's 'standpoint on the political left') he charted the rise of the modern police to the late modern and (now) postmodern era (2002:24) and concluded 'it is now necessary to find new ways of conceptualising policing' (2002:25). He argued that the media were the main sources for the public perception of policing, but that the produced by this source was 'partial, fragmentary and incomplete' (2002:2). Wright utilised Foucault's discourse approach to develop the notion of professionals (the police) using discourses to consolidate their power (2002:142). The problem with Wright's contribution was that he followed Reiner's micro-criminological accounts of police deviance, and policing as a deviant activity of the state, without any critique of Reiner's sources or any

contextualisation of the processes that he observed. Whilst he referred to Waddington's (1999) more positive views of policing (by the public police) that represented the authority of the state in a symbolic way, he preferred Reiner's negative view of the police as a series of individual acts of malpractice that served to project policing itself as deviance (2002:23-24). Reiner acknowledges that the depiction of the police as deviant was the norm in sociological inquiry and referred to Muir's study of American police culture as "unique in sociological studies of the police in centring on the question 'What makes a police officer good?' rather than on the more common analysis of deviation" (Reiner, 2000:101).

In a similar vein to Reiner (1992), and Johnston (2000), Wright believed that policing in late, or post, modernity was carried out by many agencies other than the police and that the police role was more to do with 'the reproduction of order by authoritative intervention and symbolic justice' than with crime control (Coleman & Norris, 2000:145). In this respect he has avoided conceptualising the police as an institution, and policing as an activity of the police, and moved the debate from one that concentrated upon police behaviour to one that examined the conduct of their practices in the round. Peacekeeping, crime investigation, management of risk, and the promotion of community justice were not depicted as choices for police practices, but as a set of interrelated activities that explained policing in the postmodern era as a complex system, rather than a set of functions of the public police. Wright also countered the notion that the defining characteristic of a public police was the monopoly of the legitimate use of force and pointed out that this power was also possessed by other state as well as private organisations (2002:60). Wright's overview of micro level criminological studies that he believed were successful to counter the 'nothing works' perspective, concluded that meta narratives were part of the problem. He quoted Jordan (1998:74) to show that the police were still capable of having a significant impact upon local crime if they choose from an array of appropriate tactics with the resources to match; 'what works, for whom and in what circumstances' (2002:117). In essence, he embraced the postmodern 'conflicting goals of universality and diversity' to conclude that 'a mixed model of policing is required'; within this model, coercion may still be a characteristic of the public police, but 'not a function of policing generally' (2002:149).

In this latter conceptualisation of policing Wright referred to earlier work with Allen (1997) in which they proposed a three level model of policing based upon the

professional police of the state retaining the use of force to deal with serious and organised crime, and for all other levels of order and criminality to be dealt with by an amalgam of policing agencies (Wright, 2002:149-151). The problem with this type of modelling is that it is predicated upon the assumption that order, serious crime and not-so-serious crime, are capable of being separated out. The discourses, practices and procedures of postmodern policing, by the public police in E&W and US revealed during this thesis, demonstrate that this is not the case. The reason for this misapplication of the logical conclusion to Wright's observations may be found in his reliance upon Reiner's influence and his perception of Globalisation as nothing more than an economic process. It is the contention of this thesis that if Wright's observations are linked to the conceptual developments of Globalisation (as well as being contextualised within the postmodern era) they will produce models of policing that are not predicated upon the levels of crime or order within a state, but include the external state context as the start point for that modelling. His contribution to the postmodern notions of dedifferentiation (2002:157), contingency (2002:166), meaning/ (2002:169), hyper-reality and the use of image (2002:175), as they relate to the police, and policing, has assisted in the process of reconceptualisation of policing within this thesis.

What has been identified is that public policing is no longer just about the public police of a state; in fact it never has been, it's just that commentators have rarely differentiated between the police and policing. This thesis has identified that the police are no longer constrained by the state, nor by the legislation from which they derive their modern sources of power (the legitimate use of force), nor within their modern bureaucratic structures of control and accountability. The modern police were allowed discretion only within those mediated powers of force and hierarchical, bureaucratic control contextualised by laws, unilaterally determined by that parent state. This thesis has shown that laws determining the parameters within which the police use of force is legitimised now originate from outside the nation state, through both Human Rights legislation and interstate treaties, and that the police are no longer hierarchically controlled in the rigid, militaristic, bureaucratic structures of modernity. Increasingly, individual agents are observed to be engaged on information exchanges at the formal and informal levels that are not subject to any accountability mechanisms and do not fit this bureaucratic model. The impact of Globalisation at the economic level has

produced a managerialist aspect to policing that encourages individual decision making at every point in the process. The impact at the technological level has enabled this process, and at the level of agency interaction it has undermined accountability.

What has also been revealed is that the state's police now operate at four instead of one or two levels; the local, the national, the international and the global. Accordingly, the modern preoccupation with delimiting the concept of police to a state institution in possession of the legitimate use of force, is no longer tenable. The local public police may still possess such a capability, but it is not as powerful a tool as their capacity to collect and use information given the Foucauldian/Russel definitions of power developed in this thesis. The creation of discourses, through a power/ approach to understanding policing, has a greater capacity to restrain or constrain the freedom of citizens and non-citizens alike than the use of force. The local form of policing is still subject to an element of accountability; this thesis argues that it is approaching real accountability in the case of the US, illusionary in the case of E&W. At the state level, the same considerations may also be made as that at the local, but with an even greater capacity to collect, store, and exchange information (NCIS, NCS in E&W; FBI in the US). However, where both local police (especially in E&W) and national police act external to the state they do not possess, nor are they likely to possess, the ability to utilise legitimate force; they are still police, however. There are two defining features of police acting at that level - they represent the state and they have access to police data systems that non-state police forms are denied. At the international level the use of legitimate force is still available however, the police use of information creates a form of power through discourses and discursive practices that is all-pervading as well as enabling that use of force through a third party (the police of the state within which the visiting officer exchanges the information). At the final, global, level the police have no power to use force whatsoever and yet they are called police; they are authorised by their parent state to act as police, by maintaining order; and are mandated by the UN to act as a symbol of authority to restore order, in an advisory capacity in states throughout the developing world. The use of professional knowledge and information sharing is common to all these levels, force is not.

These examples have highlighted the need for the current conceptual term, grounded in modernity and based upon the ability to call upon the legitimate use of force, to be reconceptualised to take account of the globalising impacts that attribute

differing power dimensions to the police which is context sensitive. Accordingly, it is proposed that the police should be reconceptualised to reflect the constants in their make up rather with an emphasis upon their potential to use force (in some circumstances). The police may now be conceptualised *as a state institution, organisationally structured and accountable at either the local or state level, and authorised to collect, store, and exchange information for the prevention and detection of crime, the maintenance of order, and the security of the state*. This conceptualisation does not remove their capacity to use force, it ignores it; they do not need to possess any extra force to that of an ordinary citizen in their day to day duties. Where they require that extra level of force it is catered for by specific legislation and should not, therefore, form the bedrock of their functional capabilities. This is no different than other agencies who possess qualified powers of force or arrest e.g. the FBI, CIA, MI5, Customs, or non-agencies in specific circumstances e.g. Licensees, landowners, householders in the US. What this reconceptualisation does is to reflect the changing nature of policing a fragmented society in a centralised world. The structural consequences should appeal to the need for greater accountability; the need to produce a police service at minimum cost; and the ability to maintain the differential between the state's police and private police. In E&W, the need to reinvent local policing, strengthen national policing, and control extra-state policing should address the concerns raised by Walker (2000) that poor accountability leads to waning legitimacy. The need to address the accountability deficits at the local level is more important than at the extra-state level where there would appear to be little public interest at this moment in time, especially at the European level (Anderson *et al.*, 1995:272). If greater accountability became the norm at the local level (as in the US) then it is suggested that this would permeate through to all levels of policing. The emphasis upon ensuring that rights are protected may be acknowledged through ethical policing, sensitive to locale rather than measured outputs. It is argued that this is the core to securing legitimacy and needs to be restated; meanwhile, structural developments in legislation covering data protection should also be encouraged. However it is not just police activity that will ensure legitimacy through accountability - the structural approach of Walker. Legitimacy may only be arrived at through the application of this ethical policing within a locally sensitive legislative framework - the reintroduction of local laws. The modern concerns with police excessive use of force and with the development of laws based upon meta narratives,

have been eclipsed by postmodern concerns over the inappropriate use of police information and their inability to act locally within locally constructed norms of behaviour and within the context of an heterogeneous locality.

6.5 Summary

It is apparent that Globalisation has many causes, not just the economic, and it is uneven in its impact across the world, but the choice between the hyper-globalist and sceptic positions is as needless as the choice between structure and agency. The evidence of the nature of postmodernisation underlines the complexity of all social relations and the eclectic nature of the resultant societies and their institutions, and is sufficiently persuasive to point to a combination of retained state sovereignty within the context of a globalised policy process. Sovereignty is still an issue however, 'because European law has primacy over the law of the British state' (Dearlove, 2000:115). The state is still important to public policing at both the micro and macro-levels 'the fact that nation states make *different* policy choices in response to the *same* global phenomena suggest that Globalisation and external constraints have not wiped out the significance of the domestic story' (Berger and Dore, 1996:17 - original italics). The position here is that Globalisation and postmodernisation have made significant impacts upon public policing at both the internal and external level of state and citizen security; those impacts may very well be different dependent upon the state or society being examined. This thesis supports the growing trend to 'overcome divisions between politics, comparative politics and international relations' and to expand frames of reference to accommodate the Globalisation concept (Dearlove, 2000:116) in the context of an emerging social order described as postmodern (Lyon 1999:109).

The need for the conceptualisation of *police* and *policing* to accommodate the discursive production of power/knowledge and extra-state dimensions has been articulated throughout and the need for conceptual clarity becomes ever more important with the widening of the usage of both terms in day to day discourses of security, professional regulation and military operations. In addition, the tendency to conflate policing within a nation as having enduring characteristics may well have suited comparative sociology in a study of modern states. However, as this thesis frequently demonstrated, the police of any state are subject to the same heterogeneous processes as the societies that they police and that from anything other than a macro-level analysis of

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factual utility, studies of state policing are irrelevant in a postmodern era (if ever they were relevant in a modern one). The studies that have compared the police of America (there is no such institution other than at the Federal level, which is itself fragmented), with the police of Britain (an equally contentious entity), and with the police of China (a pre-modern closed society) have always been fraught with methodological problems. Within a postmodern world the units of comparison or ethnomethodological enquiry are to be found at the local micro-levels or at the national macro-levels; they cannot be made at both.

Despite numerous studies that have shown most police activity to be non-crime related, criminological endeavour continues to develop crime based solutions to perceived problems that policing should address. Experiments in small town America with tags such as 'community policing', 'problem oriented policing' (Goldstein, 1978) and 'broken windows' (Wilson & Kelling, 1982) are taken as examples of policing excellence that are then uncritically applied to other police environments on the basis that the homogenous nature of the society to be policed would respond as in the pilot areas. The nature of the postmodern society suggests that for individual strategies aimed at controlling crime to be effective, there needs to be a detailed analysis of the culture, space and time in which the experiment is deemed to be successful in order for successful transfer to other similar societies. These developments influence policy in a number of British police forces where they could be described as 'utilitarian community policing' (Read, 1997:16-17) in direct contrast to the rights based approach introduced by the Labour Government in the Human Rights Act 1998.

Comparing cities, towns, or even villages of similar size, population, and resources, may very well indicate differences in their interdependences, interconnectedness and engagement with the postmodernisation and Globalisation processes; what they will not do is produce a blueprint for success. However, they have greater utility for informing police policy-makers than the modern comparison of states. What must be remembered in this process is that at the micro level humans are deeply divided by race, religion and wealth (Gilpin, 1981:223) and that Globalisation is associated with processes of disintegration, disempowerment, social invalidation, and marginalisation (evidenced especially in post-industrial cities) with an example being the riots in Los Angeles in 1992 (Body-Gendrot, 2000:xx). Categories constructed by Body-Gendrot in her comparative work reflect the impact of Globalisation on a city,

through its history, socio-economic profile, demography, elite composition, and own resources (2000:181). Her empirical work is important for this thesis in that she challenged the established social science research studies that treat states, cities, or towns as standard categories for comparative analysis (Sassen, 2000:xii). Whilst this may not necessarily be the first such challenge, given Sztompka's earlier (1990) conceptual framework approach to comparative studies, she has certainly highlighted the paucity of work outside the standard sociological comparative approach.

In many respects, the utility of Body-Gendrot for this thesis is that she assimilated the multi-causal, globalist position of the concept and then applied it to comparative research that involved (amongst other categories) the public police and their role in maintaining control. What she found was that urban societies should be generally out of control given the pressures of the economic aspects of Globalisation in some cities but by local policing 'the governance and the social engineering taking place at the local level', urban societies in Western democracies (in this case France and the US) remain peaceful in the main (2000:xxvii). Following her comparative studies of social control mechanisms in these cities she came to the (postmodern) conclusion that 'People invest places with social and cultural meaning' (following Hayden, 1996) and that 'a prosecutor or judge does not behave the same way in Dallas, Texas, or in Brooklyn, in Paris or in Nice, in London or in Liverpool' (Body-Gendrot 2000:258-259). Globalisation may be inherently centralising at the economic level but at the cultural level it is producing, and emphasising, difference.

The framework that has been identified to assist in a postmodern comparative project does not replace the essential elements that identified policing as modern; *public, specialised, professional, structured, accountable,* having defined *functions* and the ability to utilise *discretion.* As postmodernisation does not replace modernity, neither do the elements that make up the globalising postmodern discourses. They add to these variables in order to determine the extent to which the society being observed is globalised and postmodernised, modern, or traditional, for only then can meaningful comparisons be made and policy transfer considered. The spatio-temporal dimensions (extensity, intensity, velocity and impact) and organisational dimensions (infrastructures, institutions, stratifications and modes of interaction) of Globalisation may be applied to any examples of interconnectedness and interdependence of the police capability of a state. The role of research in this respect is to produce a basket of

strategies, structures and tactics from within which the postmodern states and their globalised police units are able to 'pick and mix' solutions to their own individual problems. The 'one solution fits all' approach that micro-level ethnomethodological enquiry tends to adopt is no longer tenable. Meta-narratives, meta-structures and meta-solutions are defunct; fluidity, discretion and locale are the keys to countering the nihilism inherent in modernity's progress.

The need to understand police power and governance within modern uni-dimensional notions of force and national sovereignty has been transformed by the realisation that police power lies in their ability to collect, store, and have access to information. That power is further amplified by their ability to determine the information that circulates in the public domain as discourses and the signs and symbols of their power projected by media images of policing. Governance is now multidimensional, with accountability mechanisms to be found at the local, national, international and global levels. With this developed accountability comes legitimacy - if the police mandate is not exercised within an ethical framework of a rights-based, rather than due process, approach police activity may be severely affected. It is suggested that this thesis has identified an epistemological break from the modern to the postmodern and from state sovereignty to shared, multilevel, sovereignty; the need to reflect that break in future research and policy making is paramount.

QUESTIONNAIRE

Introduction

This questionnaire forms the basis for the development of my hypothesis for a PhD. in relation to power and the public police in Western states that will be submitted to the Scarman Centre for the Study of Public Order. This hypothesis is not yet fully developed but is essentially about the power dimensions of policing; what is that power; where is it located; and who exercises it.

There has been some recent interest in a concept known as postmodernism that calls into question the way that the police are addressing the problems of a complex society and the type of power that they may now possess; this concept also appears to account for a number of processes in policing that are not explained by current academic theorising. In order to address this development, I am engaged on a conceptual review that will identify postmodern, rather than modern, contingencies that affect policing in a society and a state that is also subject to the process known as Globalisation.

In addition to some conceptual revision, I am actively seeking empirical evidence of the power dimensions of policing that forms the basis for this interview; I will also engage in an analysis of discourses on policing that may be found in academic, political, professional or public statements in the media, or previous research.

I intend to interview about twenty chief police officers and relevant civil servants in this country, America, and mainland Europe; dependant upon their responses, I may then widen those categories. All those agreeing to interview will be granted anonymity unless they wish to waive that right and no person other than myself will have sight of the interview unless agreed by yourself.

Before I commence the interview, I will just briefly outline the defining elements of both postmodernism and Globalisation.

Interview

1. What is your current role

2. What is your current ACPO/Sheriffs Association/IACP role

3. What power do you believe the police to possess

4. Where is the location of power in policing

5. Is there any difference in the power associated with operational officers and chief officers

6. What is the role of ACPO/Sheriffs Associations/IACP

7. Do secret societies have any power in policing

8. What are the lines of accountability for your activities on Police duty/ACPO duty

9. There is some evidence that police officers are using informal methods to secure information that may lead to an arrest in an international crime; what is you view of that process

10. There is some evidence that policing is now being exported and used as a foreign policy tool rather than a purely Home Office one; have you any views on that development

11. An aspect of both postmodernity and Globalisation is the commodification of policing; should your model be sold to developing countries

12. Lastly, I am aware of large numbers of police officers from a number of states who are engaged on duty outside their country of origin; what are your views on the formation of a permanent international force

Interview Letter

This is the basis for the letter sent to each individual after they had been informally approached either in person or by telephone. Each letter was then customised to suit the current role of the recipient, but all letters contained the following core information.

Dear,

PhD Thesis

As you are aware, I am engaged on a PhD project that is looking at political theory in general but with specific reference to some elements of policing. You very kindly indicated that you may be willing to speak to me about a number of issues upon which my thesis will be based. If you are agreeable, I would like to arrange a meeting at ... on a date and time to suit yourself.

I have already spoken to ... Chief Constables/Chief HMIs/HMIs/Chiefs of police, and I intend to speak to others as well as Chiefs from America/UK/EU.

I would be interested in seeking your views on the power dimensions of policing and of chief officer associations, with specific reference to any international sub-groupings or EU/US derivatives. Specifically, I am trying to establish the effect such groupings have, or seek to have, on the policy process, law making, or agenda setting at the international level.

Any views that you may have on the political economy of policing, policy subgroups, or the policy process in general would also be welcome.

My Chief Constable is aware of this project and is also aware that I am in contact with Portsmouth University's project on ACPO. I am hoping to be a recipient of information gathered during that project - I am not a contributor to it.

I am being supervised by Leicester University and the end result of my research should be a theoretical, intellectual discourse on *Power and the Political Economy of Policing*. You will have gathered that this is not a particularly practical policing research topic, but I hope to develop a conceptual approach that will inform all levels of police research in the future.

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