

## **Transnational policing**

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As given at University of Sheffield criminology seminar, Feb 5th. Draft. Not for quotation without permission.

### **1. Overview of paper**

This paper's going to have eight parts, I'm afraid. First you get to hear about why I am interested in these issues at the moment, and what's informing my interest. Next, I'm going to move from the personal to the universal, and talk about the intellectual and academic context of what I've got to say. I will then offer a brief and perhaps unfair characterisation of some of the relevant preoccupations of police studies, largely consisting of a critique of the current balance of attention with regard to the idea of 'transnationalism'. I will propose an alternative conceptual framework within which we can consider the history and the present of what I'm calling today **supra-national** policing. I will offer relevant examples to illustrate this framework, and speculate wildly about what more research on them might tell us about the timing of globalisation. Finally, I will offer a welcome and surprisingly anodyne conclusion.

Please note that today, while I'm not trying to be deliberately provocative, I am attempting to test a number of hypotheses and assumptions (perhaps an excessive number) by advancing them. I'd prefer the audience to leave this as in ruins rather than nod through anything below par.

### **2. What it's got to do with me**

I'm a lecturer in history, in the European Centre for the Study of Policing at the Open University. This is part of the History Department and full of historians, but it's also a component of an interfaculty research centre, quite a lot like the CCR. We call ours the ICCCR: the International Centre for Comparative Criminological Research. It's probably significant to that both research hats make reference to international frames of reference. Within the history bit, I work with a number of colleagues whose

preoccupations influence mine. Perhaps the most important of these for this presentation is Georgie Sinclair, who has just this week joined the OU as a research associate. Georgie's research specialism is in the history of colonial policing and together we have worked on an article mapping out the links and cross-overs between the histories of policing in the UK and in the Empire world, in the period between 1921 and 1985.<sup>1</sup> This was published in the *Journal of Imperial and Commonwealth History* in 2007, entitled 'Home and Away'.<sup>2</sup> Me and her have an ongoing project, called 'Globocop', in which we want to extend this analysis up to the present, and also to examine more systematically the nature of the cross-over, and how it changed over time. Currently, this project consists of writing a lot of funding bids, which will lead you to suspect that I have a very real material interest in discovering that there's a giant gap in the knowledge that can only be filled by two ambitious historians.

One of the other collaborations that I'm in touch with involves a number of other criminal justice historians based in France, led by Catherine Denys of the Third University of Lille, who are running a research seminar programme on the history of exchange of policing ideas. This programme, called CIRSAP - 'Circulation des savoirs policiers européens, 1650-1850' - in fact covers the period up to about 1900, and it's been a window onto the way that criminal justice history, especially in the Francophone countries, is taking off. It's also shown the deep roots of supra-national policing, which I will return to later in this paper. This paper itself incorporates some elements of a discussant piece written for the most recent CIRSAP seminar in Lille.

At the OU, as well as Georgie, I also work in the History Department with Paul Lawrence, and some of what you'll hear this afternoon will be inspired by some of the work that he's been doing on the links between history and criminology. No doubt you will have already encountered at least one plea that the subject area of criminology needs to become truly interdisciplinary, and embrace a fruitful synthesis of other methodologies, notably history, in order to make the understanding roll in.<sup>3</sup> Paul's take on these pious desires is to question their content, examine what this might mean in practice, and point out the real limitations of this project. He's concluded that

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<sup>1</sup> Sinclair, Georgina, *At the end of the line : Colonial policing and the imperial endgame, 1945-80* (Manchester : Manchester University Press, 2006).

<sup>2</sup> Williams C. and Sinclair G., 'Home and Away'; the Cross Fertilisation between 'Colonial' and 'British' Policing, 1921-1985' *Journal of Imperial and Commonwealth History*, Vol. 35.2 (June 2007) pp. 221-238.

<sup>3</sup> Lévy René and Robert Philippe, 'Le sociologue et l'histoire pénale' *Annales* (1984)

although there's no problem with 'borrowing perspectives and approaches from other disciplines', there are serious ones with 'research work which attempts to combine the aims and perspectives of two disciplines.' Notably:

criminal justice history rarely manages to 'explain' the present using a model of causality acceptable to criminologists. History often makes *allusion* to current concerns but very rarely explicitly attempts to explain the present. Hence, with a few notable exceptions ... criminologists don't take much notice of us.

the key difference between history and sociological criminology ... is not one of methodology or subject matter but rather the perceived purpose/intent of the discipline.

[Criminologists usually want] to use arguments based on the past to shape future policy.<sup>4</sup>

This drives a significant, though not insuperable wedge between the disciplines. I think that he's got a point. In an era where calls for ground-breaking interdisciplinarity are nearly *de rigeur*, such a project is probably not especially popular with Pro-Vice-Chancellors for research. And if anything, the substantive content of this paper is an attempt to prove my friend wrong. Nevertheless, Paul Lawrence's work has pointed me to some ways in which history and criminology are done differently.

So, what can historians do for criminologists? Some of us can provide the essential background for long-term studies on, for example, intergenerational offending patterns, and desistance studies in the long term.<sup>5</sup> We can make sure that the historical background bit at the beginning is done properly. Some historians and criminologists do successfully combine the disciplines. And some historians, such as me, have a habit of writing annoying articles which can be summed up as "You lot say that all this is new, but actually none of it is, so this calls into question its link to late modernity."<sup>6</sup> Today I'm not quite going to do that, but I am going to focus in on the

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<sup>4</sup> Lawrence, Paul 'Criminal Justice History vs Criminology', unpublished research paper, Open University 2008.

<sup>5</sup> Godfrey, B., Cox, D., and Farrall, S., *Criminal Lives: Family Life, Employment and Offending*, (Oxford, Oxford University Press, 2007).

<sup>6</sup> Williams, 'Police surveillance and the emergence of CCTV in the 1960s' in *Crime Prevention and Community Safety* Vol. 5 No. 3 (2003) pp. 27-38; 'Constables for hire: the history of private 'public' policing in the UK', *Policing and Society*, 18:2, (2008) 190 — 205.

centrality of newness to criminological discourse, and suggest from the point of view of a historian how I can help.

### 3. Criminology and newness

You will note that just now I drew a distinction between the disciplines of history and criminology. Properly, criminology ought to be a subject area, not a discipline. I'd like to be able to say 'historian-criminologists' and 'sociologist-criminologists'. Actually I wouldn't like to say that, because it's a bit of a tongue-twister, but it would be intellectually clearer if I did. But I regret that in practice, criminologists *are* sociologist-criminologists. The discipline of sociology and the various research methods of present-centred social science have become the default for criminology.

In 2005, the British Society for Criminology's agreed syllabus for criminology did list history as one of the disciplines that could be drawn upon to shape criminological understanding. But by 2007, the relevant QAA document - drafted in conjunction with the BSC - noted that 'criminology is a rapidly growing discipline which has emerged in the context of other social science disciplines, most notably sociology and social policy. However, aspects of law, psychology and political science are also relevant to contemporary criminology'. No history there. Criminology is now a discipline as well as a subject area.

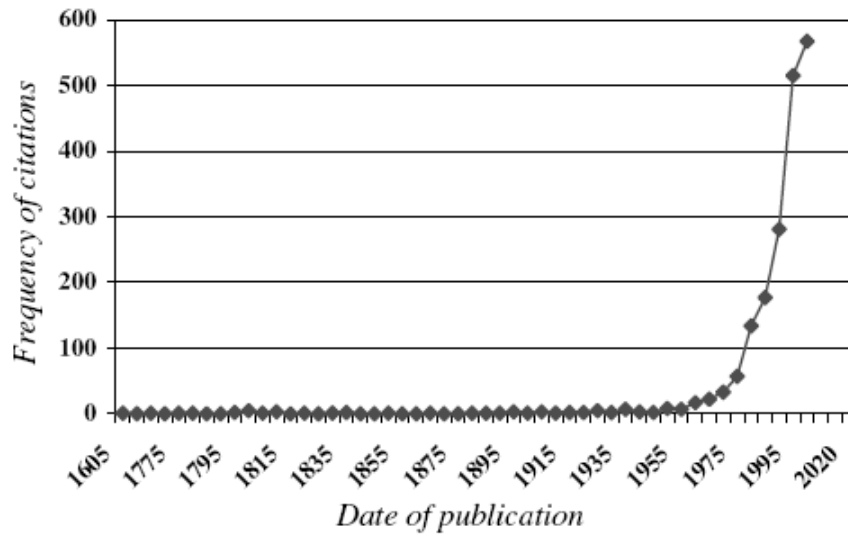
Subject politics is one reason why this has happened, but I think that there are other reasons too. Both Paul Lawrence and myself are fans of a very good article by Paul Rock, on the cult of newness in criminology, entitled 'Chronocentrism and British Criminology', which was published in the *British Journal of Sociology* in 2005.<sup>7</sup>

Rock pointed out how, as far as citations go, criminology lives in an eternal present. This is worth a graph:

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<sup>7</sup> Rock, Paul – 'Chronocentrism and British Criminology', *The British Journal of Sociology*, 2005, 56 (3), pp. 473-491.

Figure VI: Citations in the British Journal of Criminology 2000 (n-1873)



The vast majority of references in criminological articles go back no further than 15 years. The pattern holds for the 1970s, 80s and 90s as well.

Of this, Rock concluded that 'Criminological citation practices are not new and they cannot be explained, say, merely by the expansion of the discipline. They seem instead to reflect a fixed form, habit or cast of the academic mind.'<sup>8</sup> Of course, it's quite possible for other disciplines to be equally present-centred in terms of the way that they cite secondary sources, but Paul Lawrence's research on this topic has shown that historians are far more likely to look into the past to get their secondary references than are criminologists.

Outside the immediate issue of citations, and looking at the theoretical preoccupations of the discipline, of criminology, Rock found 'a pronounced emphasis on the new'<sup>9</sup> Dick Hobbs spoke to Paul Rock thus about criminology:

sociology. . . seems to have given up [the] sociology of deviance, sociology of crime and control etc. Consequently what has replaced it is a bastardized concept of indeterminate lineage based upon populism, pragmatism, and a commodified notion of knowledge production increasingly driven by an unholy alliance of policy makers, publishers and entrepreneurial university

<sup>8</sup> Rock, Paul 'Chronocentrism and British criminology', p. 476.

<sup>9</sup> Rock, Paul 'Chronocentrism and British criminology', p. 480.

administrators ... If it is the second week in February it must be left realism...  
1973 becomes year zero.<sup>10</sup>

Hobbs seized on 'what works' as one of the engines of a turn towards empiricism and policy-centeredness in criminology, and this also has implications for the awareness of the past. We can act on the new: we can't change the old, so why study it? Not only that, but if we're engaged, we should pay special attention to the future. We can define the emerging, the half-formed, and then hope to have an impact on the way that they turn out. Hence, the desire to engage (no bad thing) has a mutually reinforcing relationship with the cult of newness, and the preoccupation with an imagined future at the expense of many aspects of the present.

So, both of these factors – a methodology that tends to disdain historical research methods, and an intellectual culture which locates itself academically in relation to work done in the previous fifteen years – work together to cement the doctrine of 'newness' in criminology. Overwhelmingly this is a product of the fact that criminology is an *engaged* discipline, and as such there is a pressure on its practitioners to change the future if they can. Hence, the relative attractiveness of the emerging over the existing, even if the existing is more significant. I've just begged a number of questions regarding 'what is more significant' but there are ways that we can test this: how much does it cost? how many people are involved in doing it, and at what level of intensity?

#### **4.An example: definitions of transnational policing:**

I was going to talk about transnational policing. Now I will. Lots of that I've got to say derives from the work of James Sheptycki. If I think that he's focussed in on one aspect of supranational policing, and dragged a lot of other people along with him, one of the immediate reasons is because his work is very good. Sheptycki's big idea is 'the rise of the transnational': policing institutions which are formed either as *ad hoc* arrangements or as the police arm of transnational bodies.

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<sup>10</sup> Rock, Paul 'Chronocentrism and British criminology', p. 484.

Sheptycki's definition has 'transnational' as the umbrella concept, with 'international' being a subset of it. He also locates the growth of it as occurring from the 1960s onwards. He has a point, but I can't help noting that this partly because it is the chronological limit of his doctoral research into the Cross-Channel Intelligence Committee.

Sheptycki's paradigms are influential. Let's take, for example, Neil Walker's piece in Newburn's *Handbook of Policing* as representative of the contemporary definitions of international and transnational in policing.<sup>11</sup> He offers the following definitions:

- International policing is: 'police co-operation and common action between officials and bureaucrats who owe their authority and allegiance first and foremost to the discrete states in question.'
- Transnational policing, on the other hand, involves 'networks which are relatively autonomous of these states of origin or which owe authority and allegiance to other non-state 'polities' [e.g. the EU]<sup>12</sup>

If we think about that 'or' in the second point, we note that this covers a whole gamut of practices which Walker is putting in the transnational box. So Walker give us two kinds of transnationalism:

- 'informal' (cw) 'networks which are relatively autonomous of these states of origin ' and
- 'formal' (cw) relatively autonomous networks.

I think that the latter half – the formal bit – of transnationalism has far more in common in practice with international policing. While Walker concentrates on formal transnational policing to the relative exclusion of both , I think that a very productive division is between, on the one hand, formal policing co-operation, and on the other, informal co-operation, without regard to their transnational or international contexts.

More to the point, Europol is very small and weak. EU structures of governance are far more likely to exercise the power of their member states, often in a plausibly deniable way, than to represent the power of an autochthonous Commission.

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<sup>11</sup> Walker, Neil, 'The Pattern of Transnational Policing' in Newburn, Tim (ed.) *Handbook of Policing* (Willan, 2003).

<sup>12</sup> Walker, 'Transnational policing', p. 111

Walker does not leave history out: he notes and considers Mathieu Deflem's theory of relative autonomy, rooted as it is in a study of the history international police co-operation. But the history that he tells is the familiar one that of the formation of transnational accountable institutions - the evolution of Interpol, the recent rise of Europol. The story of Interpol and its precursors is popular, I think because it fits into the story of formal transnationalism.

The criminological predisposition towards future-orientation often moves us to study potentialities and legal frameworks – I'm thinking here of Harfield's work on transnational policing.<sup>13</sup> These also foreground transnational structures at the expense of ad hoc activity. It's worth noting that Sheptycki's work on the CICC was and is very alive to the informal culture of international policing and its significance.<sup>14</sup>

I think, then, that the privileged position given to 'transnational' in accounts of supra-national policing is another example of the cult of newness – the thing that may yet emerge, and thus can be influenced, is described, in preference to the thing that demonstrably already has. I would like to proclaim 'supra-national' as an umbrella term for all aspects of policing that aren't contained within national boundaries. This includes policy transfer, international, colonial, transnational, bilateral, multilateral, etc.

## **5. Critique of much existing understanding.**

I said at the start that I wouldn't be doing one of those historians' drive-by papers largely consistently of the phrase 'none of this is new'. Except slightly. Let's consider the following scenario: one country's police agents abroad, are reporting in detail on the activities of a second country's nationals, in third and fourth countries, with a view to passing on the intelligence so that action can be taken. This was going on in 1875, and the agents were French, following Russian émigrés in Switzerland and Germany.<sup>15</sup> Police internationalism has a long history: we might note the British force which was engaged in the 1870s in re-modelling the Ottoman Gendarmerie, for

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<sup>13</sup> Harfield, Clive, 'From Empire to Europe: Evolving British policy in respect of cross-border crime' in *Journal of Policy History*, 19.2, (2007).

<sup>14</sup> Sheptycki, J. W. E. 'The Global Cops Cometh: Reflections on Transnationalization, Knowledge Work and Policing Subculture', *The British Journal of Sociology*, Vol. 49, No. 1 (Mar., 1998), pp. 57-74.

<sup>15</sup> Liang, Hsi-Huey, *The Rise of Modern Police and the European State System from Metternich to the Second World War* (Cambridge: Cambridge University Press, 1992), p. 118.

example, which drew on the rule books of the RIC, the Indian Police, the Cape Police, and the French Gendarmerie.<sup>16</sup>

But can I do better with my umbrella? One other thing that we must allow in any useful analytical framework is that complex processes occur on more than one level at once; for example, during the 1990s in Eastern Europe. With the move east after 1989, supra-national policing worked on a number of levels. One thing that was revealed was the weakness of the premier transnational police organisation Europol, which left the field open for other players.<sup>17</sup> Instead, first national governments from Europe moved in, followed in strength by the US, offering shared expertise, training, and high-level seminars all intended, in some way or another, to create democratic policing.

If we look at what was going on in Slovenia in 1996, a complex picture is revealed. Since the 1950s, Slovenian personnel had been trained abroad in forensic science (Yugoslav police were part of ACPO's network of contacts regarding police equipment, for example).<sup>18</sup> The Forensic Science lab was part of a Europe-wide network before 1989. From the 1970s, the US DEA had been training drug enforcement officers. By 1996, the police of now-independent Slovenia were being trained at the multilateral Central European Police Academy, and at FBI's Budapest-based International Police Academy as well as attending seminars at German Police Academy in Munster. They were regularly liaising with Interpol and other European forces, both western and eastern, including the forces of Bavaria and Hesse in Germany, and with the Surrey Police. They were harmonising their procedures with standards set by the UN, the EU and the European Council.<sup>19</sup> Thus national, transnational, and sub-national actors were all involved various ways in the ongoing evolution of the Slovenian police in the 1990s: and of course it was never a blank slate: there were limits to how much this force wanted to transform itself.

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<sup>16</sup> Coope, William Jesse, *The History of the Imperial Ottoman Gendarmerie* (London: W. H. Allen, 1880).

<sup>17</sup> Shelley, Louise, 'Post-socialist policing: limitations on institutional change', in R.I.Mawby (ed.) *Policing Across the World: Issues for the twenty-first century*. (Routledge, London, 1999), p.

<sup>18</sup> ACPO Archive, Open University, Bag 213, Item 3 'Business Efficiency Exhibitions', Minutes of the Police Efficiency Exhibition Sub-committee, 16th Dec 1959.

<sup>19</sup> Dvoršek, Anton 'Applicability of Western Police experiences – desires and possibilities from the viewpoint of Slovenian Police' in *Policing in Central and Eastern Europe: Comparing firsthand knowledge with experience from the West*, 85-91 (College of Police and Security Studies, Slovenia, 1996).

As well as this movement of models between states, there's the significant impact of movement within empires. In the historical context for example, Marquis has shown that although the idea that the Irish model of policing was stamped all over the British Empire was false, nevertheless Irish experience fed into the early years of the North West Mounted Police in Canada.<sup>20</sup> Hopkins-Weise has demonstrated that men and procedures from Australian police were key to the formation of New Zealand's Armed Constabulary.<sup>21</sup> In the modern era, the UK police missions to Bosnia, Iraq, and Afghanistan have all operated in conditions that are more akin to imperialism than to bilateral aid.

## 6. The Matrix:

Name	Definition	Current Example	Past Example
<b>Techniques</b>	Quotidian activity; craft skills; socio-technical systems (STS). Police practices converge.	Forensic Technology, Inc.'s IBIS system	1920s: control room 1960s: computers
<b>Knowledge</b>	Abstract; law-based; norms of public administration; structured.	Das (ed.) <i>Encyclopaedia of police</i> .	Mildmay 1763 Fosdick 1915
<b>Image</b>	The presumed characteristics of a system; not necessarily consistent.	Met's incorruptibility as seen from Sydney.	Metropolitan police as exemplar in Second Empire Paris. Evil foreign police: Gendarme / Gestapo.
<b>Co-operation</b>	Ongoing activity; need not involve any convergence of system or philosophy; tacit or overt.	RUC + Garda, 1922-	Unofficial convergence between Russia and W. Europe in 1890-1910.
<b>Policy Transfer</b>	Formal emulation of structures and/or procedures.	Zero Tolerance Policing?;	Ottoman Gendarmerie,

<sup>20</sup> Marquis, Greg, 'The 'Irish Model' and Nineteenth-Century Canadian Policing' in *Journal of Imperial and Commonwealth History* 25.2 (1997), 193-218.

<sup>21</sup> Hopkins-Weise, J 'New Zealand's Armed Constabulary and its Australian context, 1867-72' in *Sabretache* 43.4 (2002).

		'Police diplomacy' in 1990s.	1877. Allied Control Commission Germany 1945-8; US in Japan, 1945-54.
<b>Transnationality</b>	Police under operational control of a transnational entity	Europol ?Blackwater?	Cross-Channel Intelligence Committee

This is an attempt to categorise the ways that we can think about supra-national policing and offer examples of each of these, both in the present and historically.

### *Techniques*

Sheptycki's highly and rightly aware of the importance of police culture and techniques, but he is more concerned with the culture and techniques of those police officers doing transnational jobs, as opposed to the idea of an international policing culture.<sup>22</sup> He also correctly notes the technologisation of policing in the twentieth century. Technology is important, in that as police practice technologises, the idea that there is a best system for each task, portable across boundaries, becomes more important. So in the 1960s, the Home Office was very keen to follow the latest developments in automatic fingerprint recognition in the US: their motive was to make sure that if there was a new money-saving or efficiency-enhancing breakthrough, they learned about it so that they could apply it in Britain.<sup>23</sup> This is evidence of a secular change in the way that policing was done. Insofar as it was a process of people enforcing the law according to locally-determined social norms, there was little that needed – or indeed could - be borrowed or genuinely emulated on a practical level. To take one example – Bill Miller's comparative study of US and UK policing in the nineteenth century shows how the human-centred institutions were strongly influenced by the prevailing social conditions.<sup>24</sup>

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<sup>22</sup> Sheptycki, J. *In search of Transnational Policing: towards a sociology of global policing* (Ashgate, Aldershot, 2002) pp. 79-92

<sup>23</sup> ACPO Archive, Open University, Bag 21 Item 3 *Computers 1964-1967*. D-COMP/1 C.46. Letter of 28 April 1964 from Home Office (D A C Morrison Esq) to Burrows, Chief Constable Oxford City Police.

<sup>24</sup> Miller, W. B., *Cops and Bobbies* (Chicago: University of Chicago Press, 1973).

By the 1880s, in an increasing number of forces all over the rich bits of the world, technology in the shape of the camera, the telegraph and the telephone began to permeate everyday police practice.<sup>25</sup> In the early years of the twentieth century a key technology of identification, fingerprinting, was introduced and soon became widespread globally. The 1920s saw the arrival of specialised police technology such as radio and telephone boxes. Police also made use of specialised information-processing technology such as control rooms, filing systems and card indexes.<sup>26</sup> As each technological innovation arrived, the police who had to man it, the supervisors who had to control it, and the relevant quartermaster authorities acquired different vested interests in the relevant 'best practice' globally. The UK's Home Office and ACPO, for example, was keen to find out about the best of the world's police technology in the Police Equipment Exhibition of 1960, and throughout the 1960s British fact-finding missions kept tabs on European and American use of computers for police data processing.

Some present-day examples of supra-national police technology also show how it is working practices as well as hardware which are exported. Jamaica, for example, hosts exchange police officers from UK, Canada and the US, who have also made significant contributions to the attempted reconstruction of the Jamaican police's procedures.<sup>27</sup> But Jamaica is also one of more than 40 countries whose police have brought and operate a computerised system for to match bullets and cartridges, the IBIS system made by Forensic Technologies of Montreal.<sup>28</sup> As a gushing press report says of the company:

Forensic Technology has plenty of advice it's eager to share with customers, based on past experience. It holds annual users' meetings around the world. It gathers its most successful customers together to pick their brains on how they use the technology to tackle crime. And it also listens to police investigators who rely on IBIS to generate leads to help them with cases they're working on.

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<sup>25</sup> Bunker, J., *From Rattle to Radio* (Studley: Brewin Books, 1988); Sekula A., 'The Body and the Archive' in *October* No. 39 (1986), 3-64.

<sup>26</sup> C. Williams, 'The day-to-day control of policing in the UK, 1930-1980: from regulation to control room', Unpublished paper given April 2004 to European Social Science History Conference, Humboldt University, Berlin.

<sup>27</sup> Anthony Harriott, *Police and Crime Control in Jamaica: problems of reforming ex-colonial constabularies* (University of the West Indies Press, Kingston, 2000).

<sup>28</sup> Diekmeyer Peter 'Ballistics matching with a bang' *Financial Post* (Toronto, Dec 18, 2002).

"In the beginning, we provided the training and left them on their own," says Walsh. "Now we realize that the more time we spend on that, the better it is for us and them. They get better results, which in turn helps us."<sup>29</sup>

I think that some of the key vectors that helped to internationalise police technology arrived in the first half of the twentieth century. The International Association of Chiefs of Police, founded in 1891, remained nearly entirely North American until after the second world war, by which time it had around 1500 members.<sup>30</sup> Meanwhile, the English-speaking world was also connected for police purposes by the quarterly *Police Journal*, founded in 1926, which enabled technocratic senior officers to keep tabs on the state of the art.<sup>31</sup> All this fits with what Deflem calls the idea of 'relative autonomy': only police forces which are relatively autonomous from their parent polities can engage in international collaboration.

### *Knowledge*

One current example which fits into this category is the *Encyclopaedia of Police* – edited by Dilip Das. It is rather patchy, in that only some countries are well covered, but the idea is the important bit: to list the structures of law enforcement in every state on the planet.<sup>32</sup>

William Mildmay was a British diplomat (and perhaps spy) resident in Paris in the 1750s, who described the workings of the French system of police in great detail, published as 'the Police of France or an account of the laws and regulations for the preservation of peace and the preventing of robberies, to which is added a particular description of the police and government of the city of Paris'.<sup>33</sup>

Raymond Fosdick's mission to Europe of 1914-15 was funded by Progressive interests in the US. Its aim was to bring superior European techniques to the US. Both in terms of technical merit, and in examples that would move the US forces away from what he saw as an excess of corruption deriving from political interference. The

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<sup>29</sup> Matthew McClearn 'Tale Of A Gun' *Canadian Business* February 26, 2007, p. 36.

<sup>30</sup> IACP *The Police Yearbook* 1943. (IACP. 1943).

<sup>31</sup> C.T. Symons 'The Fluorescence Test: Ultra-Violet light in scientific criminal investigation', in *Police Journal*, Vol. III (1930), 235–43. A. S. Mavrogordato, 'The Value of Circumstantial Evidence', in *Police Journal* Vol. V (1932), 293–304; idem, 'The Trinidad Constabulary', 407–12. R. G. B. Spicer, 'Criminal Statistics as a guide to police efficiency', in *Police Journal* Vol. VII (1934), 209–15.

<sup>32</sup> *World Police Encyclopedia*, edited by Dilip K. Das (Routledge, 2006 ISBN 978 0 415 94250 8).

<sup>33</sup> Mildmay, W., *The Police of France* (London, 1763).

book *European Police Systems* is as much an implicit criticism of the US police as it is an analysis of the European situation.<sup>34</sup>

### *Image*

When Napoleon the 3rd wanted to reform the Paris police in 1854, he sent a mission to London to see what the police there were doing.<sup>35</sup> This was about the acquisition of structured knowledge, but it was also one outcome of a widespread sense among liberal circles in nineteenth century Europe that the British way of policing was superior to the continental manner: this was present in Italy and the German states as well as in France.<sup>36</sup>

In the UK, by contrast, the French system was routinely characterised as either one of invisible ubiquitous and corrupt spies, or of a militarised and uniformed gendarmerie – sometimes both at once. This caricature was replaced between about 1938 and about 1975 by the notion of the Gestapo, as the default placeholder for the oppressive foreign policeman.<sup>37</sup>

### *Co-operation*

This one is worth dwelling on, because it is a significant part of supra-national policing, but has not been given the theoretical attention lavished on the idea of transnational policing. Co-operation can be between equal partners such as France and Russia in the 1870s, but often it is not. Ongoing police interventions define the relations between more and less successful states: indeed one very good indication of how 'failed' a state is is how much technical policing assistance it is obliged to accept from more powerful states. Nowadays this assistance, of course, is usually linked to the mantras of 'democratisation, enhancement of human rights, and poverty elimination.'<sup>38</sup>

Some of this has been chronicled, and much has been analysed, by criminologists, and other social scientists. David Bayley, for example, has written what is essentially an

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<sup>34</sup> Fosdick, R., *European Police Systems* (New York, Century, 1915).

<sup>35</sup> Emsley *Policing and its context 1750-1870* (London, Macmillan, 1983) p. 96.

<sup>36</sup> Emsley *Policing and its context*, p. 100; Spencer, Elaine, *Police and the Social order in German cities: the Düsseldorf District, 1848-1914* (DeKalb: Northern Illinois University Press, 1992), p. 156.

<sup>37</sup> Williams, C., 'Being Beastly about the Germans: police, violence, and nationalism in mid-twentieth century Britain', unpub paper given to 'ESRC History of Violence Conference' Liverpool, July 2001.

<sup>38</sup> Clegg, Ian, and Whitton, Jim, 'UK government assistance to the police in developing countries.' in *Crime Prevention and Community Safety, an International Journal* (2000) .

instruction manual for the process, drawing on analysis of US practice.<sup>39</sup> Clegg and Whitton, and Hills have analysed UK interventions, with largely pessimistic conclusions about their ability to deliver development goals, whatever their impact on the power of local elites.<sup>40</sup> The Australian intervention into the Solomon Islands - with a strong police component – has been examined by Sinclair Dinnen.<sup>41</sup>

The elephant in the living room here, which dwarfs all other states' intervention, is the very large amount of resource devoted by various agencies of the United States' federal government to bilateral police aid. This is overtly targeted at helping to address issues that are driven by domestic concerns – which often causes partisans of British police diplomacy, more often justified in the name of abstract human rights, to get sniffy. First the war on drugs, then additionally the war on terror, have provided the justification for high levels of expenditure: the DEA's total budget for foreign operations (including the costs of offices in other countries) went from \$202 million of a \$1.25 billion total budget in 2000 to \$312 million of a \$1.67 billion in 2006: from 16 to 19% of the total budget.<sup>42</sup> This situation is not static, and the expansion in anti-terrorist co-operation, for example, predates September 11th 2001: Kenyan detectives used to get their technical forensic training in Britain, but following the mass murders of the attacks on the US Embassy in Nairobi, they went to Quantico to train at the FBI Academy there.<sup>43</sup>

The present-day example that I have in the matrix is the cross-border co-operation between the PSNI and the Garda. It's noteworthy that this has worked on a number of levels, and as Jason Lane has pointed out, has a long history before the 1985 implementation of the Anglo-Irish agreement. Frosty high-level political relations between Dublin and Stormont did not prevent low-ranking police on either side of the border from co-operating closely with one another: in some respects the Anglo-Irish agreement impeded co-operation temporarily at least, by creating proper channels for

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<sup>39</sup> Bayley, D., *Changing the Guard: Developing Democratic Police Abroad* (Oxford: Oxford University Press, 2006).

<sup>40</sup> Hills, Alice. *Policing in Africa: Internal Security and the Limits of Liberalization* (Boulder: Lynne Rienner, 2000).

<sup>41</sup> Dinnen, S., Winners and Losers: Politics and Disorder on the Solomon Islands 2000-2002 in *Journal of Pacific History* 37.3 (2002), 285-298.

<sup>42</sup> <http://www.usdoj.gov/oig/reports/DEA/a0719/chapter1.htm>

<sup>43</sup> Kenneth Kisivulu, Kenya Police CID, personal information.

it.<sup>44</sup> Similarly, Fredrick Zuckerman has shown how in the 1890s, while the French and British governments were overtly refusing to enter formal co-operation arrangements with the (to them) oppressive Russian political police, in practice serving officers unofficially collaborated with Tsarist agents in both countries, with the knowledge of their police superiors.<sup>45</sup>

### *Policy Transfer*

This refers to the adoption by one state of another's policies. I concede that co-operation and policy transfer shade into one another. To take one current example, Jones and Newburn have outlined the way that the idea of 'zero tolerance policing' crossed the Atlantic some time around 1995, there to embed itself in the rhetoric of British policing.<sup>46</sup> What's interesting about their analysis is that they conclude that in fact the policy itself - insofar as it was being applied in Cleveland – grew up simultaneously on both sides of the Atlantic. Thus although this case study was analysed as a potential case of policy transfer, as far as my matrix is concerned, it belongs more under the category of 'image'.

As far as historical examples go, perhaps the most significant for UK and US police practice are the unsuccessful attempts to reconstruct the police institutions of conquered Axis states. In their zone of Germany, the British police running the Public Security branch of the Allied Control Commission bemused their German counterparts by trying to establish the doctrine of constabulary independence. 'Where was democratic accountability in this?', the Germans asked, and as soon as they could, they set up the system whereby Lander police are responsible to their Interior ministers.<sup>47</sup> Meanwhile, in Japan, the American occupation authorities, following their own model, gave policing power to all Japanese local government units. This was accepted until 1954, when the Japanese government passed a Police Act which consolidated many of these forces, and created a powerful central body to supervise

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<sup>44</sup> Lane, Jason, *The Development of Irish Cross-Border Police Co-operation, 1922-1999*, Ph.D. (unpublished), (Belfast, 1999)

<sup>45</sup> Zuckerman, Frederic, *The Tsarist Secret Police Abroad: Policing Europe in a Modernising World* (Basingstoke: Palgrave, 2003).

<sup>46</sup> Jones, Trevor and Newburn, Tim, 'Policy Transfer and Criminal Justice: exploring US influence over British Crime Control Policy' (Open University Press, Maidenhead 2007) pp. 106-140.

<sup>47</sup> Farquharson, J.E. 'The British Occupation of Germany 1945-6: A Badly Managed Disaster Area?' *German History*, 11, no.3 (1993): 316-338.

them and supplant them in times of national crisis.<sup>48</sup> Policy transfer need not be successful. It often involves a great deal of emulation to be effective: the voluntary retention of the French gendarmerie, in the shape of the Carabinieri, by the Kingdom of Savoy in 1814 is one example of this.<sup>49</sup>

This factor opens out an important extra dimension to both **co-operation** and **policy transfer**, which is to what extent can they be further differentiated by considering how each party is, or feels to be coerced. Quite clearly, the UK police missions in Cyprus in the 1960s, in Bosnia in the 1990s, and in Iraq in the 2000s, were there in spite of the wishes of a significant proportion of the population, and operating in conditions where the government's claim to a monopoly of force was secured by externally-imposed military personnel. Dolowitz and Marsh have set out a continuum of coercion which they apply to the concept of policy transfer. Its poles are at the one end 'lesson-drawing under conditions of perfect information and rationality' and at the other 'direct imposition'.<sup>50</sup>

### *Transnationalism*

The classic example of transnational policing – in which a policing body attains relative autonomy from any one state entity that sponsors it, is the CCIC, the Cross-Channel Intelligence Committee, whose growth and operation have been chronicled and analysed by Sheptycki – this involves police from the UK, France, Belgium and the Netherlands. It is possible to argue, as has Stenning recently, that it is private police forces such as Blackwater which provide an example of true transnationality. I am less sure: their activities are undoubtedly international, but they usually function via a close relationship with an 'anchor tenant' which is an agency of a state government.

## **7. Patterns**

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<sup>48</sup> Christopher Aldous and Frank Leishman, 'Policing in Post-War Japan: Reform, Reversion and Reinvention' *International Journal of the Sociology of Law* 25.21997, 135-154

<sup>49</sup> Emsley, C., *Gendarmes and the State in Nineteenth-Century Europe* (Oxford: Oxford University Press, 1999), p. 183.

<sup>50</sup> Dolowitz, D., and Marsh, D. 'Learning from Abroad: the role of policy transfer in contemporary policy-making in *Governance* 13.1, 5-25., quoted in Newburn and Jones, p. 27.

Are there evolutionary patterns we can look at for each of these concepts; shared ways that each has changed as it has grown?

Are there significant moments other than the rise to post-modernity? For example, the technologically-driven integration of the interwar period happened at a time when far from globalising, the world's chief economies were implementing policies of autarky.<sup>51</sup>

Perhaps a 'future moment' happened in 1890? The growth of an atmosphere of international police competence comes at the same time as the 'turn to science' of the C20th. This was a part of a police claim to technical competence that would justify their professional status.<sup>52</sup>

## 8. Conclusions:

This presentation formed part of a study of the global interaction between British 'domestic' and 'imperial' policing which I am engaged in concert with Georgina Sinclair. It also drew on the work of another of my colleagues, Paul Lawrence, and of Paul Rock's critique of chronocentrism, to question the centrality of 'newness' in the criminological imagination,

Sheptycki has defined the present as involving a new era of 'transnational policing'. But how significant is this phenomenon? I've argued that supra-national policing can be considered under a number of different headings (technique, knowledge, image, co-operation, policy transfer, and true 'transnationality'), and offered examples of the differential evolution of each of these. I've left open the question of whether we are existing in a specifically transnational moment, or at a point on a general trend towards global police homogeneity and transnationality which is characterised by a large (though not total) degree of continuity. *Some* things under the sun are new, but weakness of the criminological project is its difficulty in appreciating the extent to which many are not. I hope I've shown how the present- and future- orientation of criminology presupposes it to concentrate on interesting things that might be very

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<sup>51</sup> Edgerton, David, *The shock of the old : technology and global history since 1900* (London : Profile, 2006)

<sup>52</sup> Berlière, Jean-Marc, 'The Professionalisation of the Police Under the Third Republic in France, 1875-1914' in C. Emsley and B. Weinberger (eds.) *Policing Western Europe: Politics, Professionalism, and Public Order, 1850-1940* (London: Greenwood Press, 1991), pp. 36-54.

important in the future, rather than other more pervasive things that are old and boring.

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